



ASKING YOU TO ASK YOURSELVES

Conscience

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SGA Budget Meeting: Behind Closed Doors

by David Muskovitch

The Student Government Association held a private budget meeting on September 24, 1984 that was closed to both the public and *Conscience*. In this meeting the SGA decided how to allocate \$30,000 between the various student organizations who had orally presented their proposals to the SGA at the earlier budget hearings. The SGA in early September had voted 6-1 to close the budget meeting from the public, and had voted 4-3 to also keep *Conscience* out of the meeting. There is a distinct possibility that the above votes, in addition to setting a dangerous precedent, are also unconstitutional under the SGA constitution (see editorial page).

SGA may have improperly "amended" the Constitution to allow closed SGA meetings without a unanimous vote.

In the past the budget meetings have always been open to the public. In having open budget meetings this did not mean that students could freely voice their opinions at the meetings; but rather, the public was supposed to listen in silence as the SGA officers considered the alternatives in discussion between themselves. In practice though, the system was far from smooth, and indeed was closer to scandal.

SGA president Jim Black stated that in the past, fake votes and secret meetings were the rule rather than the exception. What would transpire would be that the SGA would hold secret meetings beforehand where they would make the actual decisions as to budget allocation, and then at the public budget meeting they would conduct mock ceremonies. Further, SGA vice-president Doug Lieberman stated that during the public meeting the students in the audience would not be silent, but rather would be full

of snickering and loud boisterous comments that were very disruptive to the proceedings. Stated SGA third year representative Neil Kurlander; "Last year's budget meeting was a fiasco."

While closing the meeting wasn't the only alternative to improving the situation, the SGA chose that route. The SGA went further by also excluding a *Conscience* reporter from being allowed to attend the budget meeting. Such action thereby prevented an impartial watchdog from overseeing the proceedings. In an attempt to alleviate outrage, the SGA provided a grievance procedure: if a group had a complaint as to their budget allocation, they could give a written letter to the SGA stating their objections.

The strongest advocate for closing the meeting was Neil Kurlander. He said "efficiency" was the reason for such decision. He stated that in the past the only people who came to the budget meeting were those groups who had a vested interest, and they had a previous chance to get their viewpoints across at the budget hearing held earlier. All that these groups could do at this final meeting is to put pressure on the student government members by making it difficult for the SGA to talk freely. He further stated, "The members of the SGA take this job seriously... Student government is a body, and should act and be responsible as a body. It does not matter when an individual says."

As to keeping *Conscience* out of the meeting, Neil Kurlander admits that, "Having *Conscience* present would not have negated the effect of closing the meeting", but he added, "The SGA members should not be subject to ridicule or abuse... One problem (with having *Conscience* at the meeting) is that freedom of the press means freedom of an unbiased press, and *Conscience* may not be unbiased. He concluded,

"The budget hearing is a public forum, our decision is not".

The strongest advocate on the SGA for keeping the meeting open was Doug Lieberman. He was the only person to vote against closing the meeting from both the public and *Conscience*. He stated that he got elected on a "Visible Government" platform, and that he intended to stand by that pledge.

Jim Black, who also ran on that "Visible Government" platform, did not vote. He stated that, "Last year I was one of the most vocal advocates for closing the meeting, but from the perspective of being the SGA president I opposed it because as president I tend to look at things from a bigger picture." When asked whether he aired his views in the discussion before these votes, he stated that he did, but not strongly because he, "didn't want to impose his views on others."

He further announced that the votes were "the decision of my administration and I fully support the decision", but he did admit that he was "surprised at the outcome that a *Conscience* member was not allowed in." He concluded that, "Regardless of how I feel about it in theory, it worked out for the best in practice... Why should they (student organizations) care how we came to the decision if they are all happy?"

In asking representatives of the student organizations whether they were happy with the results, it appears that Jim Black is substantially but not entirely correct. Most groups appeared to be satisfied with their budget allocations and were consequently also content with the closed system, but there were a few notable exceptions.

Barry Cohen, president of the Environmental Law Society stated: "I am very opposed to the present (closed) system. We didn't feel that we got our point across at the budget hearing and this accounted for us not

getting a sufficient budget allocation."

He felt that had the budget meeting been open then he could have cleared up any confusion that the SGA reps might have had concerning ELS's budget request. He also brought up a significant flaw with the grievance procedure in that while a group could directly complain (in writing) about its own low budget allocation, it could not in truth effectively complain about another group's overly high budget allocation.

The head of another student organization stated that her group got less money than they had requested, and that she was disappointed with the system. She said that while she might not have been able to effect the decision at the budget meeting, it would have been easier to accept had she understood the SGA's reasoning by hearing what they had discussed.

In a strongly worded statement, Randy Montellaro, Editor-in-Chief of *Conscience*, stated: "The SGA has set a terrible precedent by closing their vote on the student organization budgets. They have denied student organizations and *Conscience* the right to make sure that the SGA is representing the student body in a fair manner and not arbitrarily or capriciously."

He elaborated that, "Each student organization depends on the SGA for their budget allocation, and every member of the student body pays a \$40 yearly activity fee with the understanding that the money would be used properly. The SGA by removing itself from anyone directly overseeing its actions has denied the students the right to know." He concluded, "At the very least, the SGA gives the appearance of not acting justly, and not being willing to take responsibility for their budget decisions."

SGA Announces '84-85 Budget

by Tyrone Montague and Eric Zucker

Recently the Student Government Association (S.G.A.) released their budget for 1984-1985. Last year students voted to increase the semesterly activity fee from \$10 to \$20. As a result, the budget of the S.G.A. has doubled from \$15,000 to \$30,000. Even so, not everyone got all they asked for.

Student clubs and organizations were allocated approximately \$23,492.50. The S.G.A. has allotted \$1,300 for the purchase of a word processor to be used by all Law School clubs. The remainder of the budget will be kept in a club contingency fund. Furthermore, an operating expense budget will be maintained by S.G.A. to prevent redundancy, fund end-of-year picnics and parties, and support speakers of special interest to the law school.

Conscience received the single largest budget amount of \$10,200. Most of this money will go towards printing costs. *Conscience* had requested \$12,620, but since

that figure had included a word processor and their annual end-of-the-year picnic, both of which have been absorbed by S.G.A., *Conscience* has received everything they will need to continue their operations, including their first ever camera.

The Black American Law Student Association (BALSA) requested \$9,615, and received \$2,775. This is still substantially above their budget for last year which was \$1,500. Specifically, BALSA received less than half the money they requested for their 9th Annual Awards Dinner, and their request for funding to attend the Frederick Douglass Moot Court Competition was rejected outright.

The Environmental Law Society requested \$3,810 and received \$2,645. Last year they had only requested \$785, but because of their ambitious and commendable plans to publish two issues of their digest that will be reviewing significant court decisions in environmental law and publishing articles from legal experts and students, the large increase seemed justified to the S.G.A.

The Law School Gay and Lesbian Alliance (GLA), a new organization, received \$375 plus additional funds depending on their ability to schedule speakers. The goals of the society are to afford the Hofstra community an opportunity to discuss, debate, and challenge legislation which affects the civil rights of men and women who choose a homosexual or alternative lifestyle. Furthermore the GLA hopes to provide support for the minority population of gays and lesbians and explore issues of controversy among the community itself. GLA is planning on a series of symposia and the film "Pink Triangles".

The Jewish Law Students Association received their full budget request of \$280.50. Last year they received \$540.

The National Lawyer's Guild requested \$1,500 and received \$1,175. Last year they received \$605. The Hofstra chapter of the NLG has plans of sponsoring various speakers, symposia, and films for each of their theme months. October's theme is "Poverty in America". November is ten-

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SGA Budget

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tatively slated as "U.S. Military Might". Next semester the issues that the NLG will be presenting are "Central America" and "Criminal Justice".

This year "Pocketpart", the law school's yearbook, is being revived. Although the initial request was \$3,625, the SGA feels that high quality yearbook can be produced with a \$2,000 subsidy, with additional expenses being offset by sales.

The Republican Law Students Association requested \$2,750, but the SGA refused to provide all the funds requested since such items as a picnic, wine and cheese receptions and allowances for participation in the National Conference seemed to be either redundant, impossible to justify, or inflated in their estimates. The RLSA did receive funds to send three members to the National Conference, throw a reception for candidates, show a film, print a brochure, and have an election night party.

The Trial Advocacy Club (TAC) requested \$2,646 and received \$1,420. This club was budgeted for \$310 in '84, but received only \$20. Due to "budgetary constraints" this SGA administration cannot pay any monies owed by last year's administration. The TAC reports that its ranks have swelled far over those of the past and that with morale high and good organization they plan to be competitive at the National and A.T.L.A. competitions.

The Women's Center requestion \$500 and received \$350. This organization received \$295 last year. Besides maintaining their own library with its emphasis on women's issues, they held a reception for first year students and plan to send representatives to the Annual Women in Law Conference.

Phi Alpha Delta (PAD), the legal fraternity, requested \$3,087, and received \$1,322. In 1984 they received \$825. Planned events include a Barrister's Ball, two movie nights, and a Spring Party.

The difference between what each organization requested and what they received is in most cases not as great as it seems since all funds for speakers are now held by SGA until the speaker has been scheduled, hence the allocations for each club is somewhat more than has been reported. The additional funds resulting from the increased activity fee will enable many more programs to be funded at a modest cost to each student. Your money is being used to fund these groups so you should take advantage of the opportunities offered. If for any reason you feel that you would like more input on how the budget is decided, write the *Conscience* or better yet, collar your class representative or your president in the hallways and tell them what you think. After all, they are here to serve you.

S.G.A. Notes :

by David Muskovitch

During the October 4, 1984 Student Government Association meeting the following occurred:

The SGA formally recognized "Hofstra Singles" as a new student organization. It's purpose will be to provide a forum for airing thoughts, problems, and ideas on the topic of being single in law school.

Scott Ugell, representing the Republican Law Students Association, requested \$350 to sponsor a forum/cocktail party on October 24, 1984 during Dean's hour in the upstairs lounge. At this event will be seven members of the Nassau County Republican Party including six local party candidates and Joe Mondello, head of the Nassau County Republican Party. The SGA allocated \$200 to the RLSA for this event.

Phi Alpha Delta (PAD) requested \$196 for several members of their organization to attend a PAD convention. The SGA

Organization	Received Last Year	Requested This Year	Received This Year
Black American Law Students Assoc.	1,500	9,615	2,775
Conscience	9,000	13,400	10,200
Environmental Law Society	785	3,810	2,645
Gay and Lesbian Alliance	New	1,450	375
Jewish Law Students Assoc.	540	280.50	280.50
National Lawyers Guild	605	1,500	1,175
Pocket Part	New	3,625	2,000
Republican Law Students Assoc.	N.A.	2,750	950
Trial Advocacy Club	20	2,646	1,420
Women's Center	295	350	350
Phi Alpha Delta	825	3,087.50	1,322

NOTE: Some of the budgets listed here do not include monies set aside for speakers that the clubs listed in their requests but will not receive until specific speakers have been scheduled. This fact accounts for the sometimes large disparity between requested and received budgets which in many cases are closer than these figures may indicate.

allocated \$147 to PAD for this event.

The Trial Advocacy Club announced its speakers for this semester: Patrick McCloskey, Assistant District Attorney of Nassau County on 10/9/84; Monroe Freedman on 10/16/84; Sabato Caponi, an alumnus of Hofstra Law on 10/30/84; Michel Baumeister on 11/27/84; and Ben Rabinowitz on 11/13/84. The SGA approved speaker's fee payments of \$50 to Patrick McCloskey and Ben Rabinowitz, and up to \$25 for taking Sabato Caponi out for dinner.

The Gay Lesbian Alliance requested and received a \$25 increase in their allocation for office supplies. The GLA also requested \$79.50 to get certain magazine subscriptions. After a heated discussion the SGA allocated \$40 for this purpose, due to "extenuating circumstances."

The SGA discussed purchasing a computer. The original plan in past meetings was to purchase a Commodore 64, but a question arose as to whether it would be the most effective computer for student organization

uses. The SGA selected a committee to look for the most appropriate computer for the needs of the student organizations. Further, the SGA considered but rejected the Property Journal's proposal that they purchase a word processor of up to \$500 in order to gain access time onto the computer. The SGA felt that there already were a substantial number of organizations having access to the computer, and that also allowing a journal on the system would greatly overburden it.

Third Year Representative Neil Kurlander proposed that the SGA purchase a \$300 television, to be installed in the library lounge. Discussion was had on this proposal without it coming to a vote.

SGA Vice-President Doug Lieberman proposed a rider to the above, that the second floor lounge be declared a no-smoking lounge. Discussion was had on this proposal without it coming to a vote.

Finally, the SGA discovered, to their chagrin, that their discretionary fund is now down to \$1,200.

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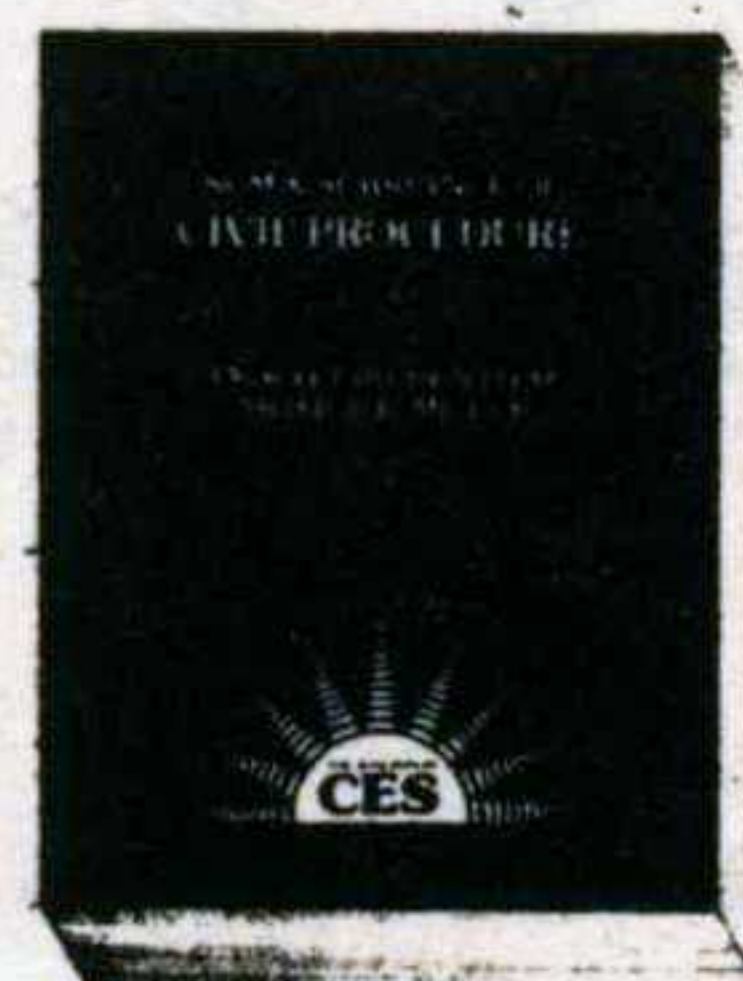
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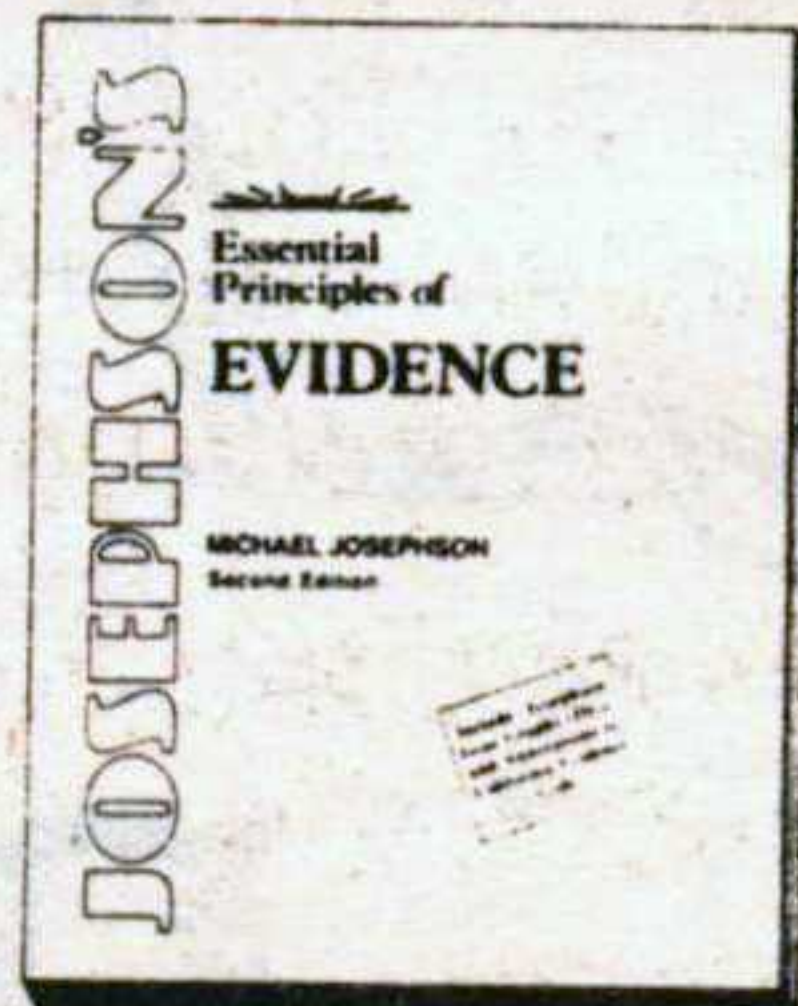
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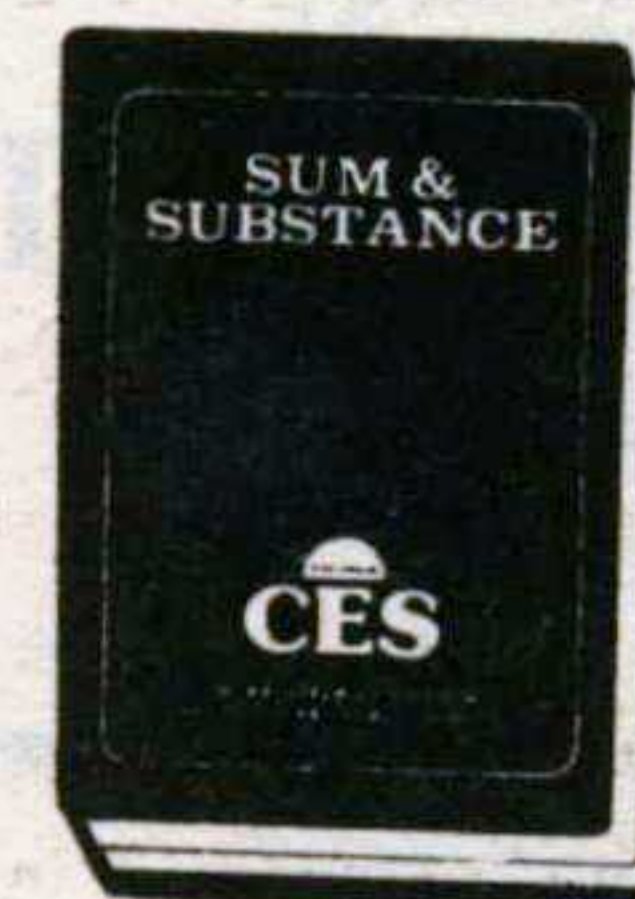
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COMMUNITY FORUM

Reagan and 'Star Wars' Defense: Recurring Nightmare

by Kenneth Goldman

There has been much said about the significance of the upcoming presidential election in terms of the future course of the Supreme Court. Of no less importance is the impact the upcoming election's outcome will have on the direction of our nuclear arms policies. Within the next few years, fateful decisions will have to be made regarding the development of a variety of new nuclear arms technologies which can radically alter this country's nuclear arms policies for the rest of the century.

Among the most crucial choices which will be confronting the next administration is whether to begin full scale development of nuclear defense weapons, popularly known as "Star Wars" defense. Presidential candidate Walter Mondale has stated that he would seek agreement with Soviet Union prohibiting such weaponry. The Reagan Administration is currently funding initial testing and development of these weapons and officially advocates a shift to "nuclear defense" as an ultimate solution to ending the nuclear arms race.

However, placing our faith in so called nuclear defense is at best wishful thinking and at worst a most dangerous illusion. The nuclear arms race between the United States and the Soviet Union, is, in essence, a political problem; military technology alone is inadequate in reaching arms control or preventing nuclear war. Developing nuclear defense weapons indeed will exacerbate the political problem by generating more fear, mistrust and misperception between the superpowers. Moreover, there exists signifi-

cant technological uncertainty as to whether the "Star Wars" defense weapons are in fact workable. Therefore, in order to avoid wasting billions of dollars on weapons that will not provide any real defense but will only accelerate the arms race and increase the risk of nuclear war, the next administration should vigorously pursue an accord with the Soviets banning development of new defense technologies.

Actually, the current nuclear defense debate is not at all novel. During the Johnson and Nixon Administrations in the 1960's, development of nuclear defense weapons was seriously considered, but ultimately rejected, as a means of enhancing our deterrence posture. Theoretically, these two concepts, "nuclear deterrence" and "nuclear defense", are quite distinct. Deterrence in the nuclear context is, in essence, a cost / benefit analysis of the highest order. Under deterrence theory, each side threatens to retaliate with their offensive nuclear weapons should the other side attempt to attack first. Nuclear war is thus discouraged, or rather "deterred", since any benefit one side may derive from initiating a nuclear war is clearly outweighed by the costs, i.e., likely mass devastation of the initiator's society. The operative factor underlying this deadly balance is credibility. The U.S. and the U.S.S.R. each must constantly project a credible threat not only that they have the military capacity to retaliate and destroy the other's society, but also that they have the will to do so. Basically, maintaining a credible nuclear deterrent has been U.S. policy for nearly forty years.

Instead of seeking to avoid nuclear war by actually threatening it, as in deterrence, "pure" nuclear defense theory is nothing more than applying conventional notions of military defense within the nuclear setting. Thus, under nuclear defense theory, the objective is to intercept and destroy incoming enemy nuclear missiles before they reach American atmosphere. Hence, pure defense entails developing anti-ballistic missile (ABM) systems which can shield the country from potential enemy missile attack.

The nuclear defense proponents in the Johnson and Nixon Administrations never advocated pure nuclear defense, however, since it was recognized that it was technologically impossible to totally protect the U.S. from nuclear attack. The defense proponents instead argued that ABM systems primarily should enhance deterrence, not replace it. In other words, the main purpose of the proposed ABM systems in the 1960's was to help maintain a credible retaliatory threat by defending our offensive land based missiles from nuclear attack; protecting the population at large was only secondary.

Ultimately, the nuclear defense advocates lost the debate over developing ABM systems. Because of the substantial technical unreliability of the proposed systems, along with their potential destabilizing effects, the Nixon Administration decided against nuclear defense weapons. In 1972, the U.S. and the U.S.S.R. signed the ABM Treaty which, for all practical purposes, prohibited each side from attaining nuclear defense capabilities.

In his 1983 Major Defense Address, however, President Reagan resurrected the idea of security through nuclear defense and officially reopened the ABM debate within this country. Although the Reagan Administration's current plans for nuclear defense differ somewhat from those put forth during the 1960's, the same infirmities that warranted abandoning nuclear defense in the past still exist today. Substantial destabilizing tendencies and significant technological uncertainty dictate that once again nuclear defense advocates should lose the debate.

Initially, the Reagan Administration's nuclear defense plans varied from those considered in the 1960's by calling for pure nuclear defense. In his Address, Mr. Reagan declared that nuclear defense should actually both the U.S. and the U.S.S.R. In this way, the President argued, with the U.S. and the U.S.S.R. both able to defend their societies from nuclear attack, offensive nuclear weapons would be rendered obsolete. Since both sides' nuclear arsenals would thus be useless, tensions would fall to a level where the U.S. and the U.S.S.R. could finally begin to disarm the thousands of nuclear weapons each has accumulated in the post war era.

While still officially holding the above rationale for developing the Star Wars defense technologies, the Administration has in effect retreated from this pure defense view. Such a pure nuclear defense strategy, where the goal is to protect the population from nuclear annihilation, requires a "leak-proof" defense.

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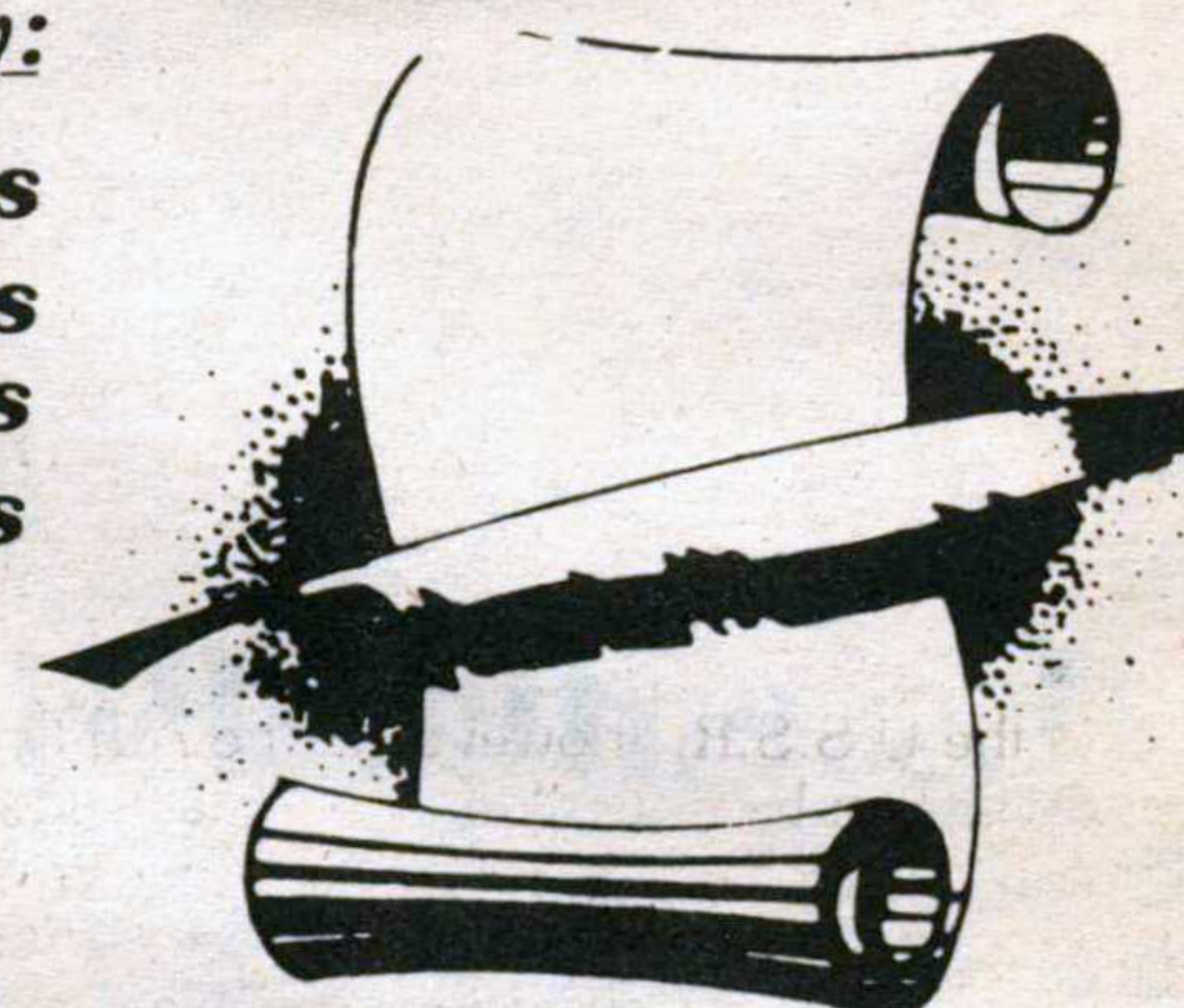
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COMMUNITY FORUM

U.S. Supreme Court Begins New Term

by Nel Panzeca

On October 1, the U.S. Supreme Court began a new term, one expected to demonstrate its conservative shift. The Court will be considering such issues as school prayer, free speech, campaign financing and criminals' rights.

The Court's move to the right was noted last Spring when the Court approved the placement of a Christmas nativity scene on public property, and carved out a limited "good faith" exception to the exclusionary rule. With its current caseload, it appears likely that the Supreme Court's emerging conservative majority will continue to weaken the degree of separateness between church and state as well as narrow and re-define the broad protections given to criminals beginning in the 1960's.

Election-year campaigning has allowed some issue to intrude upon — and perhaps influence — the judicial system. President Reagan has repeatedly spoken of the need to bring prayer back into American schools. This church-state issue was decided by the Supreme Court in the 1962 case, *Engel v. Vitale*, where the Court prohibited organized

prayer in public schools as a violation of the First Amendment ban on "establishing" a state religion. The momentum for enacting a constitutional amendment or passing legislation permitting school prayer has grown in recent years. The Supreme Court may be compelled to reach a compromise, especially in light of the fact that many local schools have ignored the court ban.

The 1973 *Roe v. Wade* decision which gave women a constitutional right to abortion through the first two trimesters of pregnancy is a precedent likely to be tested in the near future. The Republican national platform provides that any federal judge appointed in the next four years must respect the sanctity of human life. This has been interpreted to mean that he or she must be against abortion. President Reagan himself supports a constitutional amendment banning abortion, even in cases of rape and incest. The current Supreme Court isn't likely to reverse the *Roe* decision, despite its conservative make-up and despite efforts from a growing conservative populace. Instead, the Court presumably will try to limit the decision in some ways, most probably in recognizing

fetal viability at an earlier stage of development, thereby narrowing the time period in which a woman can have a legal abortion.

In cases involving today's youth, the Court must decide whether school officials can search students' bags or lockers if students are suspected of breaking the law or defying school rules. The Court must also decide whether college students convicted of failing to register for the draft had their free speech right violated because only those who spoke out against the draft were prosecuted. A lower court said that such "selective prosecution" was valid.

An issue of national concern involves who is responsible for the clean-up of toxic waste. A lower court ruled that industrial polluters who avoid the costs of cleaning up their dump sites by declaring bankruptcy may not be forced to pay for state-ordered clean-ups.

In a decision which will not be reached in time to affect the 1984 election, the Supreme Court will review a lower court's ruling which struck down a federal law that limited to \$1,000 the spending of any political action committee (P.A.C.). Conservative organizations had spent millions of dollars supporting Ronald Reagan's 1980

campaign. The Court must decide if such unlimited expenditure violated the federal law.

Criminals' rights will certainly be subject to limitation and reversal. The exclusionary rule — which requires judges to throw out evidence in a criminal trial which police obtain in violation of the suspect's constitutional rights — is a likely target. A "good faith" exception to the rule was found last term: if police "reasonably rely" on a search warrant, it doesn't matter if the warrant is defective in some way (e.g. misdated). Legal experts believe that this exception will be followed by more sweeping exceptions until it becomes a rule without substance.

As we await the decisions of the Supreme Court there is something to keep in mind. Five of the Court's nine justices are over 75 years old. Two of the three members of the "liberal" minority are within this over-75 age group. There is a strong likelihood that the opportunity to appoint two or three Supreme Court justices will be very great. Who the public elects as President may determine the course of American justice for years to come.

"Star Wars" Defense: No

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supersede deterrence as the nuclear policy of the U.S. But, just as in the 1960's, nuclear defense advocates concede that it is still impossible to develop an impregnable nuclear defense. Thus the Reagan Administration now adopts the 1960's position that, at least in the interim (i.e., 15 to 30 years), nuclear defense should function to strengthen our nuclear deterrent, not to replace it.

The major problem that nuclear defense proponents overlook, though, is the threatening nature of these technologies and their destabilizing effect on the arms race and the strategic nuclear balance. Nuclear defense proponents erroneously argue that since these weapons are intrinsically defensive, they pose no threat to the U.S.S.R. Within the context of the political rivalry between the U.S. and the U.S.S.R., however, there is no valid distinction between "offensive" and "defensive" nuclear weapons. Because of entrenched mistrust and misperception, each side is overly suspicious of actions undertaken by the other. With each side operating from preconceived notions of the other as hostile, the arms race takes on an Orwellian nature where even declared defense actions of one side are perceived as offensive and threatening by the other.

Thus, our leaders today, as in the 1960's, see as threatening the U.S.S.R.'s development of nuclear defense systems. We assume that if the Soviet Union acquires the capability to intercept our offensive weapons before we can do likewise, they will exploit that advantage politically by nuclear blackmail. Interestingly, Soviet leaders have expressed similar apprehensions should the U.S. attain nuclear defense first. The assumption then, that because these systems are defensive they present no threat to the other side, is indeed clearly flawed.

Not only is this assumption flawed, it is also dangerous since it disguises the true

destabilizing nature of nuclear defense weapons. Developing nuclear systems is, in fact, inconsistent with arms control. Since each side is apprehensive of the other gaining defense capabilities first, the logical consequence is the development of either new types or increased numbers of offensive weapons which can penetrate the adversary's nuclear defense system. This in fact happened in the 1960's when the U.S. and U.S.S.R. produced multiple warhead missiles as a means to overwhelm the potential ABM systems of the other side. Should the U.S. and the U.S.S.R. today once again embark on full scale development of nuclear defense technologies, a concurrent offensive nuclear arms race is sure to follow.

Besides these destabilizing dangers, the defense weaponry sought by the Reagan administration suffers from lack of technological viability. When compared with the ABM systems considered in the 60's, the hi-tech systems envisioned by the Reagan Administration seem impressive. The proposed 1960's defense weapons were simply nuclear missiles fired above the atmosphere which would attempt to intercept incoming enemy missiles by destroying them *en masse* through nuclear explosions. By sharp contrast to these rather crude systems, the ABM weapons now being tested for the 1990's and beyond include, among other things, laser and particle beams fired from satellites in space which will intercept enemy missiles with pinpoint accuracy only a few moments after they are launched.

Yet, although these new technologies are certainly more advanced than their predecessors, they nonetheless still fail to achieve an acceptable level of certainty regarding their effectiveness. Despite some initial testing advances, most of the scientific community remains extremely skeptical as to whether these "Star Wars" weapon will indeed work. Furthermore, as noted earlier, even those who strongly advocate development admit that no defense system can be "leak-proof". Offensive nuclear weapons

other than ballistic missiles, such as jet bombers and cruise missiles, can not be intercepted even by these advanced defense technologies. Hence, even if the Star Wars defense works, millions will nevertheless die in the event of a nuclear war.

The great danger lies, though, in the fact that on one can ever know whether the defense technologies are workable until there is an actual nuclear war. Yet, the minority of scientific advisors calling for development are already assuring our policymakers that these systems will work with a high level of effectiveness. This sort of reckless over-estimation can have dire consequences in a future crisis situation should we develop these defense weapons. Our leaders, relying on the estimates of "experts" that we could successfully defend against a major Soviet nuclear attack with minimal casualties, may be willing to take greater risks when confronting the Soviets amidst a crisis; these greater risks, in turn may escalate the

conflict and lead to nuclear war. If the defense system ultimately turns out to be unworkable, then millions of people will die in part because of overconfidence in the reliability of nuclear defense.

Nuclear defense thus is not a viable way to lessen the chances of nuclear war or to attain satisfactory security. Swift action should be taken by the next administration, whether headed by Walter Mondale or Ronald Reagan, to reach an agreement with the Soviets prohibiting further testing and development of these new defense technologies. The Soviets have already expressed a strong willingness to negotiate on this issue. Such an accord could quickly be reached for instance, by explicitly extending the prohibitions of the existing ABM Treaty to include new generation defense weaponry. This would be a positive first step in restoring the strained relations between the two nations and for moving towards serious arms control.

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COMMUNITY FORUM

Federal Budget Deficit

by Rob Grossman

This election season, the federal budget deficit is a major issue that is repeatedly raised. While the matter is serious, the rhetoric obscures the real nature and extent of the problem.

The deficit arises from spending in excess of receipts. The rationale of why the government should spend more than it takes in starts from the premise that it is in our interest to reach a state of full employment.

Rather than referring only to labor, full employment is a measure of the total of all of our country's productive resources. These elements include labor, and also plant, equipment and all other sources of goods and services.

To understand the meaning of full employment, think first of there being a point of equilibrium, or equality, between total spending and net national product. If we spend a trillion-and-a-half dollars on goods and services, then the total value of goods and services at that point is a trillion-and-a-half dollars, an identity.

That point is very sensible intuitively, since it says merely that all of the money we spent in a particular period was equal to the value of the things on which it was spent. In fact, however, it is deceptively simple.

Underlying the identity is the inference that there may be more than one point of identity, and that at each point where there is a different level of spending there will be a commensurate change in the quantity of goods and services produced. If there are "x" goods and services produced at one trillion dollars of spending, then there should be "2x" goods and services at two trillion. However, this may not be the case.

On the one hand, spending is a function of the amount of money available for transactions and the speed with which it can be recycled through the economy. The quantity can be affected materially in a very short time (substantially less than a year), especially by the government placing more or less money in circulation. Therefore the total spending in the economy can increase rapidly.

However, the supply of goods and services is rather static in the short run. To increase machinery and plants to house it, to develop raw material sources, to train people for particular industries — all of these take time. As a result, the quantity of goods and services that can be produced in any given year is relatively fixed, and the elements of production are actually constraints in the face of rapidly expanding spending.

Therefore, thinking now of a series of points at which total spending and net national product will be the same, one-trillion-one, one-trillion-two, etc., at some point spending will be able to increase but net national product will not. This limit is full employment.

The idea of full employment as a goal of national policy comes from the assumption that we will all be better off if all of our total resources are being used all of the time. This comes, in part, from the vanity of believing that our economy, as vast, complex and still relatively free as it is, can be controlled to produce a predictable result. But even if this were possible, filtering goals through the scheme of political decision-making produces solutions that, even if produced timely, could become problems by their inherent inflexibility once they are adopted. Nevertheless, the attempt goes on.

To maintain full employment, if total spending is less than the full employment level, it should be increased by the amount of the deficiency. The first problem is determining the levels of full employment and present spending. Since these are both

estimates, they are subject to substantial error. If the estimates are such that the gap is not filled, little harm is done; full employment will simply not have been reached. However, if the estimates are wrong so that the resulting spending exceeds full employment, inflation will result.

The second problem is that the spending that is typically, chronically, irreducibly increased is government spending. The reason that it is done this way is that it maintains control of the funds, and credit for their disbursement, in the hands of the government officials who do the disbursing, congressmen and bureaucrats alike.

This need not be the case. The federal government accounts for only about 28% of total spending, state and local governments another 12%, and the private sector (all the rest of us) about 60%. Therefore, to increase spending as broadly as possible, the private sector is the best vehicle, and this would be done by reducing taxes. But taxes reduced are hard to reinstate, and a long-term reduction would also reduce the amount of money, and therefore power and freedom, that people in government have. Our taxes paid have increased as the government share of spending has increased.

Federal government spending has increased consistently, steadily and dramatically over the past years, from 3.7% of total spending in 1930 to 28.4% in 1980. With never a retreat, it has obviously not been used as a tool for full employment policy, but rather for a massive shift of our national product from private hands to government hands.

The increasing rate of government spending has created our deficits when economic activity, and therefore tax receipts, slowed. It caused the inflation of the past decades, as total spending has increased but people in government would not discipline themselves to reduce their own spending, while understanding the political folly of attempting to cover themselves by raising taxes. The resulting finger-pointing by these same people has generally worked well to obscure the issue.

The net result is that we rationalize our deficit-generating government spending by the unproved notion of full employment while economic activity is slack, and blame the inflation that follows when activity is high on everything else in the world. But the problem is clearly the unchecked spending of government that decades of added-on programs has created.

In addition to the inflation, another major negative effect of the deficits is the interest that must be paid as we carry the increasing debt load into the future. This is a continuing present burden, while the debt is put off to future generations.

There are several ways out. One is to earn our way out. If we are able to become sufficiently productive, we may be able to earn enough excess to retire the accumulated deficits. But this assumes that we, the private sector, can restrain the people in government from spending even faster.

Another is to tackle the spending issue directly. This would require a greater effort than we have previously expended to reduce the amount of government spending, and/or a more effective effort. It requires a constant vigilance and pressure on legislators, particularly if they seem bent on adding costly spending programs.

There are other worthwhile proposals, including a flat tax and a Constitutional Amendment that would limit spending and require a balanced budget. For a broad look at these and other proposals, read *Tyranny of the Status Quo* by Milton and Rose Friedman.

Buckle Up or Pay up

by Lisa Nasoff

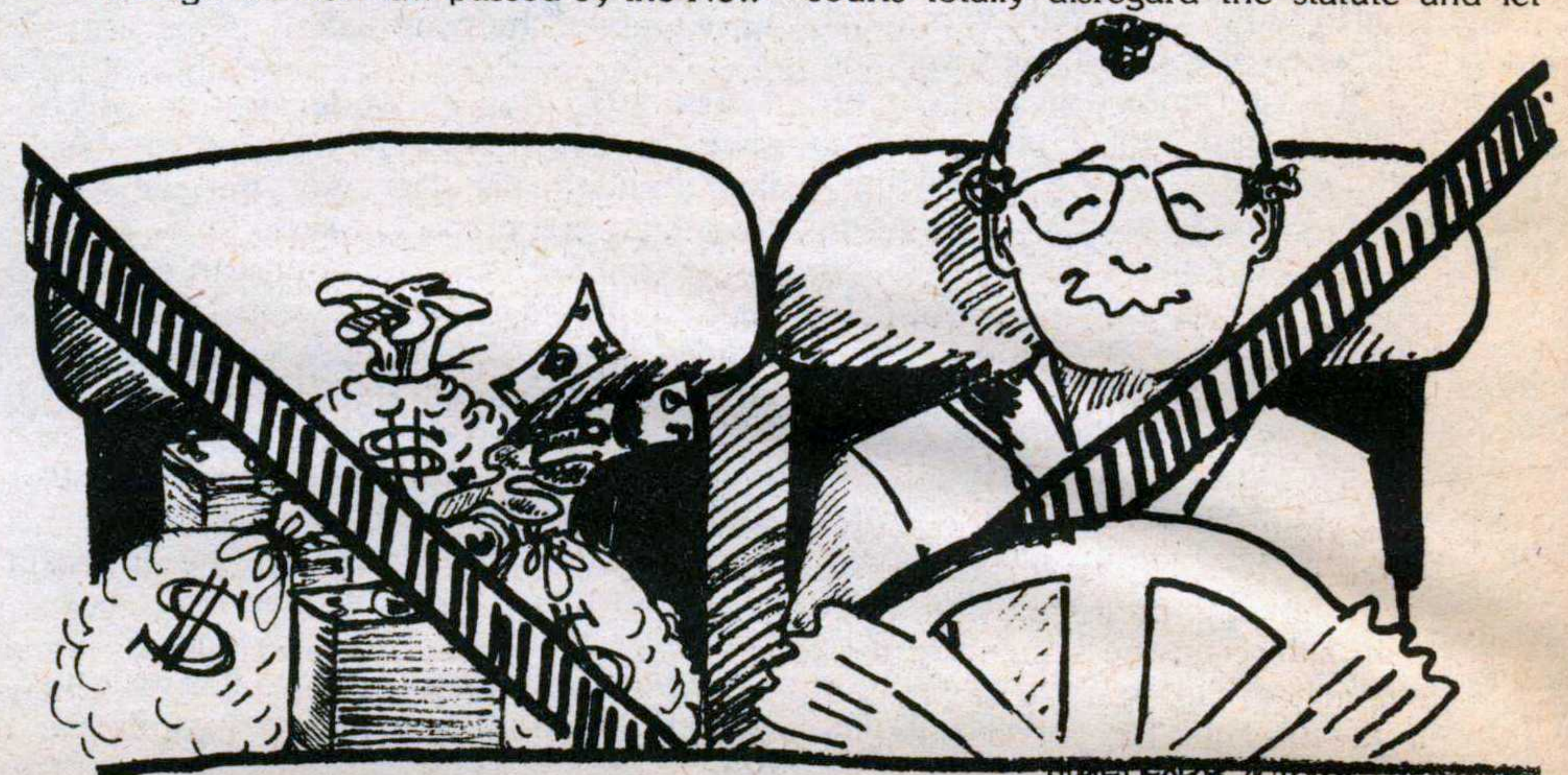
On July 12, 1984, the New York Senate and Assembly approved a law mandating the use of seatbelts by all persons operating a motor vehicle and all front seat passengers. New York is the first state to pass a seat belt law of this kind.

Whether or not a duty to wear seat belts exists has been a subject of debate among the state courts. The majority have held that no such duty exists at common law; and that imposition of such a duty is the area of the legislature. Other courts have held that there is a duty which stems from a plaintiff's duty to act reasonably in regard to his own safety.

Although the new law passed by the New

York Legislature puts to rest the question of whether a duty to wear a seat belt exists, it leaves the question of how the new statute will be applied unresolved.

Paragraph 8 of the new law states evidence of non-use may not be introduced in regard to the issue of liability, but such evidence may be introduced as an affirmative defense in mitigation of damages. This in no way changes the status of New York State common law in this area as announced in 1974 by the Court of Appeals in *Spier v. Barker*.



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However, since the decision in *Spier*, New York State has enacted a comparative negligence law. Comparative negligence differs from the theory in mitigation in that under mitigation, the injuries which would be prevented by the use of a seat belt are subtracted from the total amount of damages, while comparative negligence apportions a percentage of fault for the injuries to each of the parties. In deciding the cases under the new law, are the courts to assume that the legislature meant to disregard the New York State comparative fault law, or that they were not clear on their semantics and meant that non-use should be assessed as in all other negligence cases?

The statute makes it negligence per se not to wear a seat belt. So what happens when someone reasonably does not wear one? The new law makes provisions for persons with a physically disabling condition, but it

does not provide for those who may have a true fear of wearing seat belts due to past experiences, fear of submersion in an accident, or fear of being trapped in the car and burning to death. Since acting reasonably is not a defense to a statute which proscribes conduct, the courts will have to decide whether they are going to allow excused violations, that is, disregard the statute totally and ask if the conduct of not wearing a seat belt was reasonable under the circumstances.

Another problem which arises is that of causation — would the plaintiff really have avoided injuries had the seat belt been worn? Where there is a problem of relating causation to the violation of the statute, should courts totally disregard the statute and let

both the plaintiff's and defendant's conduct go to the jury under comparative fault, or, should the statute shift the burden of proof to the defendant to prove that non-use was the cause of plaintiff's injuries?

A final problem to be discussed here, although not a final problem of the new law, is what happens when a shoulder harness is available, but a plaintiff uses only the lap belt? Mario Cuomo, in his executive memo on the new law, stated that the intent of the new law is to require the use of lap belts and shoulder harnesses need not be used if they cause discomfort. This really underlines the whole purpose of the law, which was to reduce injuries and fatalities in automobile accidents. It has been proven that shoulder harnesses significantly reduce the number of head injuries and resulting fatalities above and beyond lap belts. One has to wonder if the state's true concern was the protection of its citizens, or the additional revenues provided by the civil fines of \$50. Furthermore, mandated use of only lap belts complicates even more the court's determination of how damages will be apportioned.

Although at first glance the new law seems well intended, it is questionable whether it changes current law as to the production of non-use of seat belts as evidence in damage consideration. In fact, it may even complicate the law as it now stands if the true concern of the state was its citizens and not its pocketbook.

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COMMUNITY FORUM

National Election in Israel

by Arthur Bodek

In just a few days, the U.S. presidential election will take place. Who will prevail? Mondale? Reagan? We can be certain that it will be one or the other. However, imagine a country in which instead of selecting from two parties, there are 26 parties from which to choose.

Within minutes after the last vote is counted on November 6, we will all know who our next president will be. (Most of us will have already "known" for several hours thanks to network projections.) Imagine a country where, after the initial results are published, the country must then wait at least another day for the ballots of the soldiers and the merchants at sea to be tallied before official results can be announced. Imagine further that even with the official results, nobody is really sure just who "won" (i.e. who will be the country's next leader), for nearly two more months. As ridiculous and impractical as this may seem on the surface, this is precisely what happened during and after the recent Israeli national election on July 23, 1984.

The Israeli government is a parliamentary government. The Israeli parliament, the Knesset, has 120 seats. Any serious party may register to participate in the Israeli election, subject to the scrutiny of the election committee. This year, 26 parties participated in the election. The two largest parties were the Likud (moderate right-wing) led by Yitzchak Shamir, and the Alignment (moderate left-wing) led by Shimon Peres. The Alignment has led Israel since Israel achieved statehood in 1948 until 1977 when Menachem Begin and the Likud party prevailed — surprising all. Some of the other significant parties this year included Tehiya (right-wing nationalist); Yahad (movement for national unity); Shinui (left-wing) and the National Religious party. Other much smaller parties included the Organization for the Disabled; Progressive List for Peace; Citizen's Rights movement; Kach (Meir Kahane) and Rakah (communists).

Israelis take their politics seriously. Each party aggressively campaigned on the platform that they could put Israel back on track. They claimed that only they could deal with Israel's pressing problems — the economy, the war in Lebanon, the undecided status of the west bank of the Jordan river, and the peace process.

Every party tried to get as much exposure as possible. Billboards with political posters sprung up all over the country. Most of the advertisements in the newspapers were political in nature. During the month preceding the elections, at least 45 minutes

a night were devoted to paid political announcements on Israel's one television channel. During these 45 minutes most Israeli's dropped whatever they were doing and made their way to the nearest T.V. This exposure was considered to be so important that during a strike by T.V. personnel, the Supreme Court, while respecting their right of strike, ordered the strikers to stop striking for those 45 minutes a day to broadcast the political announcements.

The big day finally came and passed uneventfully. The semi-official results the next morning gave the Alignment 45 seats and the Likud 41. The official results the following day had the Alignment down to 44 seats. Don't be fooled by the numbers. The winner is the one who can get a majority of the 120 seats. Labor, with the largest number of seats, was far from a majority. In an effort to gain that majority, each of the two big parties scrambled to its allies to attempt to build a coalition of parties who could jointly hold the minimum number of seats required to attain a majority (61). The election results were so close that every party became very significant in determining whether an Alignment-led coalition or a Likud-led coalition would lead Israel for the next four years. Both parties agreed not to accept as part of their coalitions the ultranationalistic Kach party of Meir Kahane, nor the Rakah communist party. After almost two weeks, as procedure dictates, President Chaim Herzog approached the party expected to have the best chances to form a coalition, the Alignment, instructing them to present a government within three weeks. This they could not do because the Likud was gaining support in its own attempt to build a coalition. The deadline was extended three more weeks. It became apparent that neither party could command the support of 61 of the 120 seats. So after intense negotiations the two major parties each swallowed some of their pride, and agreed to do the unthinkable. The Alignment and the Likud joined together to form an unprecedented government of national unity. It freed the two parties from outlandish commitments they had made to the smaller parties in exchange for their support. Each of the two parties lost some internal support, yet Shimon Peres was able to present a coalition solidly backed by a majority of 89 seats. As a compromise, it was agreed that the Alignment's Shimon Peres would serve as prime minister for the first half of the four year term, and Likud's Yitzchak Shamir the second half. Can such a political union withstand the differences of its members? Only time will tell.

Long Island Site of Serious Toxic Waste Problems

by Wendy Miller, ELS

There are more than 1,000 known hazardous waste sites in New York with over 26 known sites in Nassau County alone that have been classified as hazardous to public health and the environment, according to Walter Hang, a former microbiologist and current head of the Toxic Program at NYPIRG.

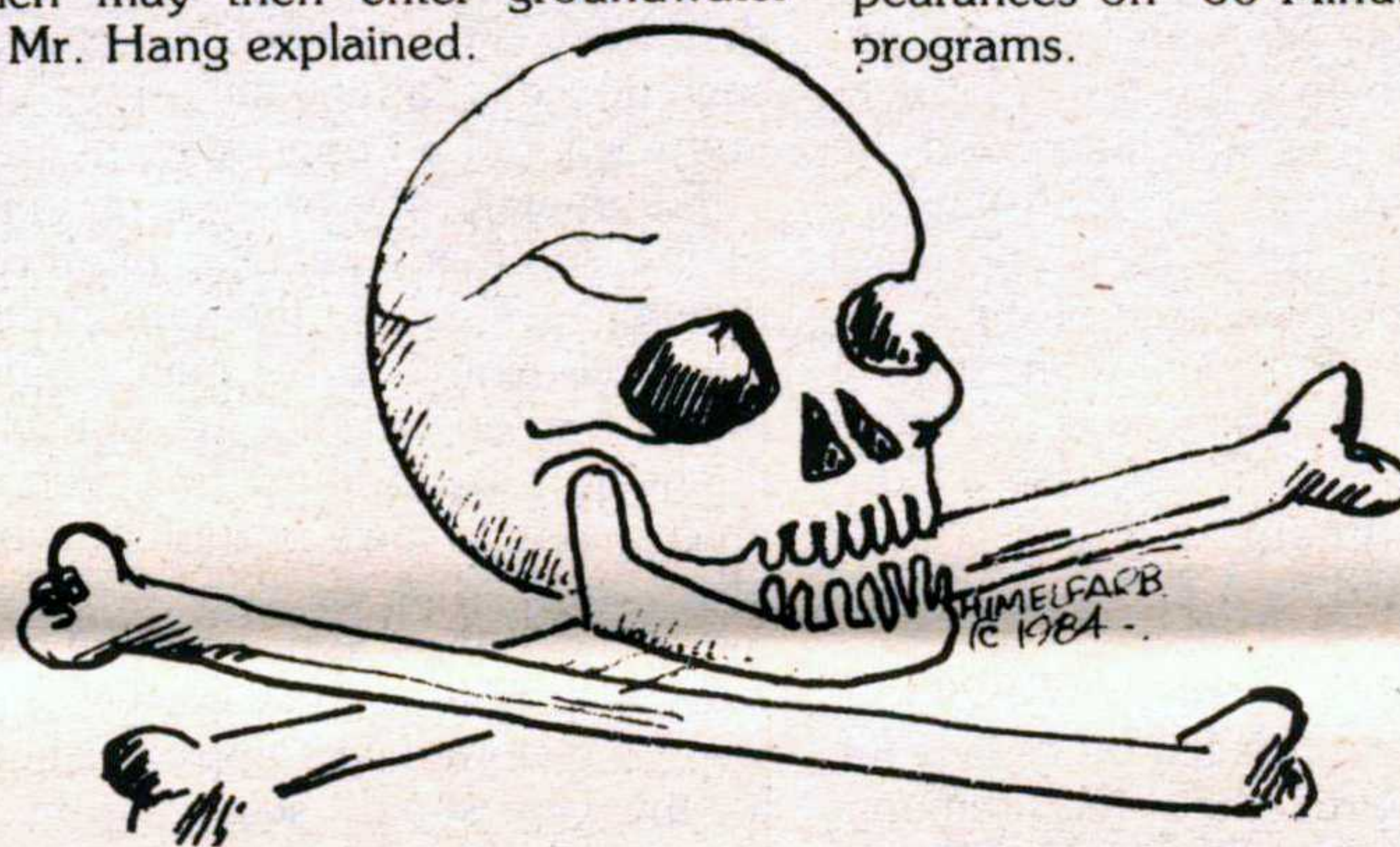
Mr. Hang addressed Hofstra law students in a lecture sponsored by the Environmental Law Society on September 24, 1984. He focused on the seriousness of the national toxic waste problem with a special emphasis on New York State and Long Island. Long Island is in a particularly vulnerable position because groundwater is the sole source of water and the prevalence of sandy soils aids in the percolation of toxic wastes through the ground, Mr. Hang said.

The national scope of this problem has resulted from a tremendous increase in the chemical and synthetics industries coupled with improper hazardous waste disposal practices which allow the wastes to permeate soils which may then enter groundwater systems, Mr. Hang explained.

While an increased awareness of the extent and seriousness of the toxic waste problem has led to state and federal toxic waste legislation, Mr. Hang reported that, so far, very little has been done in the way of actual clean-up. He believes that this is a result of strong lobbying efforts by industries coupled with the political disadvantages associated with supporting the large expenditures required for such clean-ups.

According to Mr. Hang, grave consequences may result from the failure to clean up hazardous waste sites such as an increased mortality rate from cancer as well as a decrease in property values which may lead to unprecedented private litigation. He concluded by urging everyone to contact their elected representatives and support those candidates that have demonstrated an active concern over the clean up of hazardous waste sites.

Mr. Hang is co-author of two studies, "Toxics on Tap" and "Toxic Wastelands," as well as the author of Community Right-To-Know legislation. He has spearheaded various legislation and has made appearances on "60 Minutes" and local news programs.



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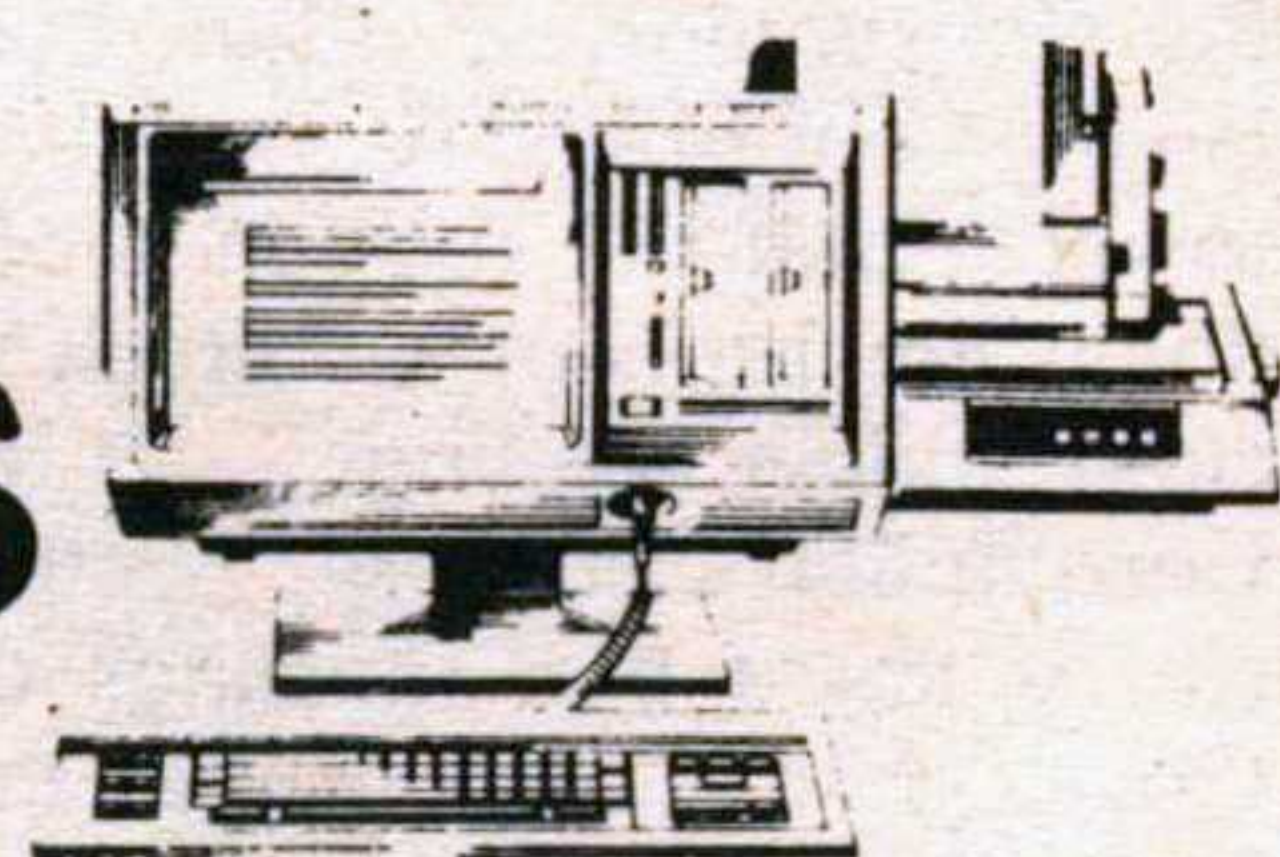
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Where They Stand: Military Resources
of NATO, Warsaw Pact and People's Republic of China

	NATO*	Warsaw Pact	China
Population	630 million	383 million	1 Billion
GNP	\$6,132 Billion	\$2,257 Billion	\$698 Billion
Military Spending	\$312 Billion	\$300 Billion	\$49 Billion
Military Manpower	5.9 million	4.7 million†	4 million
Strategic Nuclear Weapons	11,190	8,240	c. 200
Total Nuclear Weapons	26-31,000	18-23,000	200-300
Tanks	30,000	64,000	12,000
Anti-Tank Weapons	400,000+	Not Available	
Other			
Armored Vehicles	54,000	80,000	4,800
Heavy Artillery	24,000	48,000	16,700
Combat Aircraft	11,200	11,000	6,000
Helicopters	12,700	4,400	390
Major			
Surface Warships	477	314	44
Attack Submarines	241	299	106

*NATO totals include France and Spain.

†Excludes border guards, internal security, railroad and construction troops.

Sources: NATO, ACDA, DOD, CIA, IISS, CDI.

COMMUNITY FORUM

EDITORIALS:

SGA Above The Law?

Conscience rejects the assertion of Jim Black and other SGA members that the Law School Student Constitution was properly amended last summer (while most of us were working or recuperating). Therefore, the SGA's crafty amendment which was used to close the SGA budget meetings never Constitutionally took effect, and should never have occurred.

There are, among others, two separate and distinct provisions in the Student Constitution: one providing rules for conducting SGA meetings; the other for amending the Constitution. Section one of Article XI (Amendments) unequivocally states that amendment requires "...unanimous vote of all eight (8) Student Representatives after adequate public notice..." It would appear that this absolute requirement was intended to assure full representation of all student's interests before any change in the fundamental rules of the SGA are undertaken. But, last summer, before the three 1st year rep's were elected, the SGA perceived the burning need to amend the Constitution. So, relying on the rules for conducting meetings (printed on page one of the Constitution), the SGA President convened a bare quorum of 5 members and prevailed upon them unanimously to endorse a Constitutional Amendment allowing SAG meetings to be closed by a 2/3 vote instead of unanimous vote.

In this newspaper's opinion, the SGA's proposed amendment falls flat on its face for failing to meet the procedural requirements of the governing Constitution: that all eight representatives endorse an amendment. (Perhaps those at the summer meeting should at least have read all three pages of the Constitution). Further, even the express language of Article IV, on Meetings, suggests strongly that the substance of the Constitutional amendment — which can effectively close budget meetings — is abhorrent to the Constitution's purpose. Section one of Article IV states that meetings of the Student Government "...shall at all times be held in open session." Section two provides the exception to that rule "In matters of an extremely sensitive nature..." It takes little command of the rules of statutory interpretation to deduce that had the Constitution's drafters considered budget meetings "extremely sensitive" they would have said so explicitly. But section two's exception is not intended to be a shroud that would exclude the student body or the press from budget hearings.

Such an amendment is particularly shocking in light of the Black Lieberman/Simen-

dinge ticket's campaign assurances last spring that they would conduct an "open" student government. But we needn't rely on the disappointment that accompanies broken promises to support our indignation. Our duly enacted Constitution mandates the openness and representativeness that we now demand. Article II of the Constitution states clearly that the purpose of the SGA is "...to provide for the representation of student interests in all areas of law school life..." (emphasis ours). How can all student interests be represented when 3/8ths of the student government is not present to vote? Further, Article XI on Constitutional Amendments requires "...adequate notice..." of proposed amendments prior to a vote by all eight representatives. (emphasis ours). We ask the student body whether the posting of a notice on the SGA bulletin board, in the middle of summer, when at least one-half of the student body is not reasonably expected to see such notice is "adequate"—much less fair or in the spirit of an open student government!

Fortunately, the procedural inadequacies of the summer's peculiar attempt to close meetings will entitle the student body to an adequate airing of this matter before it can ever be adopted into the constitution. As things now stand, there has been no proper amendment to the Constitution which was in effect when SGA elections were held in spring 1984. Although one budget meeting has been improperly conducted in closed session, the completed appropriation process for this year should stand absent an appeal by one of the effected student groups. Absent such an appeal, there is no reason further to penalize the student body for SGA indiscretions.

Of principle importance in this matter is our collective respect for the Constitution as written, and our willingness as students and SGA members to abide by it, even in the process of amending it. As yet, adequate notice of proposed Constitutional Amendments has not been presented by the SGA to the student body for open debate. Following such notice and hearing, should all eight representatives decide that the student body supports closed meetings, or other changes, then the concerns of the Constitution's drafters will have been satisfied. Anything short of complying with those requirements, however, is a grave breach of trust to those who elected the current SGA members, and to all those students who in 15 years played by the rules and enacted the current Constitution. The current SGA is not entitled to place itself above the law of this Constitution any more than has any of its predecessors.

LETTERS: Law Fellow Program: Criticized

To The Editor:

A new student-run, honor organization has created itself, almost unnoticed, under the guise of the Law Fellow program and has emasculated what was once a valuable student service as well as an academic honor. Without notification to the general student body, or those already a part of the Law Fellow program, the qualifications for a Law Fellow position were changed. The Law Fellow program of days past was designed to tap the resources of a student who had shown a notable proficiency in a particular area of law by selecting this individual to assist first year students with the learning process. Subsequent to this year's selection procedure, I was informed by the new Law Fellow coordinator, Mike Gallup, that Law Fellow "by-laws" were drawn up with guidance from Dean Rabinowitz, which mandated that G.P.A. and Rank be considered along with the grade received in the particular course.

I cannot agree that these new criteria will benefit the program. Where the student who has the high G.P.A. and Rank does not correspond to the student with the superior mastery of the course material for the course involved, keeping in mind the function of the Law Fellow, there is little question as to who would be best equipped to take on Law Fellow duties. Moreover, the use of several criteria at the onset complicates the selection process; the intrusion of subjective considerations of the reviewer easily come into play when a balancing approach is involved. In a sense, previous Law Fellow selection

Continued on page 10

Defended

To The Editor:

The above "letter to the Editor" is inaccurate and displays a lousy research job. If the author had taken the time to inquire about the subject matter of her editorial, then perhaps it could have been a valid critique of the Law Fellow Program, rather than the unsupported opinion of one who is obviously upset over not being selected. To clear up any confusion regarding the program or its selection process, I will answer the author's allegations.

Firstly, if the author had bothered to inquire, all of the Law Fellows selected not only have superior G.P.A.'s & ranks, but high grades in their particular subject, thereby exhibiting a "superior mastery of the course material for the course involved."

Secondly, the author stated that "the intrusion of subjective considerations of the reviewer easily come into play where a balancing approach is involved." I think the reverse is correct. Like any job application, the inclusion of such statistics similar to those used here (ie. G.P.A., rank, grade received in the course, etc) make the selection process more objective & thus, every applicant can be evaluated fairly & objectively on the basis of his or her record. The author is upset because she had been a Law Fellow for Prof. Regan's Criminal Law class last year & claimed (to me) that last year's Director gave her some so-called assurance of being reinstated. Talk about subjectivity! Not only is Prof. Regan not teaching Crim. law this year, but no one besides the author is aware of this so-called promise. My decision not to

Continued on page 10

Student Government Report

O.K., you caught us red-handed. We really thought we could keep down what we've been doing, but you outsmarted us. Yes, we have been exposed, and we are admitting that we are Marxist - Fascist - Commie - Pinko - Power Hungry - No Good - Varmints.

Those interested in what we are talking about can keep reading. Those who don't really care can turn to the Island Books ad on Page 6. Oops, sorry. There we go again, bossing the masses who put us in power so they should be bossing us around. And since they put us in power, every time we want to make a decision we should ask the masses what we should do. But we are Marxist - Fascist - Commie - Pinko - Power Hungry - No Good - Varmints, so we'll do what we want anyway.

This summer, the SGA got together and decided how best we could exercise control over the school while at the same time pulling a fast one over on the student body. Plan "A" worked like a charm. We intercepted all the fall tuition bills and mailed out our own, which were \$300 a semester higher. We

knew everyone would pay. Don't you ever stop to think how a law student could afford the BMW, Jaguar and Porsche you see in the student lot?

Plan "B" was directed at something all law students care about. We wanted to attack something that's at the very core of every Hofstra student. We wanted to (GASP!) Amend the Constitution. Since this was such a sacred document and each student would be willing to give up their life to preserve it as it stood, we knew we had to be sneaky. That's why we did this over the summer. Summer school students are meaningless, and besides, if the hearings on the proposed amendments were held in August nobody would show (contrasted to the SRO crowd that would be bursting out of the room if it took place in the fall). We must admit that the idea of doing it in the summer so it was fully operational by the fall never crossed our minds. Even though waiting until after elections would have meant decisions being made under different guidelines and would ruin continuity might be good reasons for doing it in the summer, our motive was

Continued on page 14

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COMMUNITY FORUM

THIRD WORLD PERSPECTIVE

U.S. Policy in Latin America: Different Tactics But Same Strategy

By Dennis Warren

The imminence of a second term for the Reagan Administration has prompted much anxiety and a growing state of military alertness among the progressive states of Latin America.

The belligerent posture of the Reagan Administration's Foreign Policy during the first term, evidenced, *Inter Alia*, by events in Grenada, has fueled rising speculation among regional political observers, that a second term may well promote renewed attempts to railroad the revolutions in Nicaragua and Cuba.

But whereas the Reagan policy towards the region reflects a return to the old tactics of gunboat diplomacy and containment. It is arguable whether the strategic goals of his predecessors - Republicans or Democrats - have varied dramatically in the past.

This fact is that the Caribbean Region is a vital strategic and commercial artery for the United States. Nearly half of U.S. trade, two-thirds of its Imported Oil and over half its imported strategic minerals pass through the Panama Canal or the Gulf of Mexico.

Thus, it lies within the geopolitical and economic interest of the U.S. to maintain control of this region regardless of the cost. Past administrations have differed from the incumbent Republicans, only with regards to the tactics to be employed to maintain the status quo.

In the latter part of the 19th Century, and earlier part of the 20th, U.S. Foreign Policy impinged heavily on the carrot and stick approach towards the region. President Reagan's approach is merely a return to these methods which U.S. policymakers have seemingly outgrown with the increased sophistication of political and international relations over the years.

But democrats, in the past, have been able to realize these same Hegemonistic strategic goals through subtler means. The Carter-Vance-Brezinski Axis, for instance, consistently adopted the strategy of the Trilateral Commission towards the region - open opposition to "old-style colonialism."

Four major elements constituted the podium upon which the Carter Foreign Policy towards the region was articulated: Modification of Colonialism; non-confrontational politics; multilateral developmentalism; and promotion of human rights based on so-called political neutrality.

To ascertain geo-political goals within the region, Carter simply placed greater emphasis on such multilateral agencies as the International Monetary Fund (IMF) and the

World Bank (IBRD). In the book, *Trilateralism*, author Philip Wherton asserts: "Brazen intervention tactics are normally rejected by the Carter/Trilateral approach in favor of diplomatic pressures, or, if necessary, Economic Destabilization Programs."

Through this new strategy the region is just as effectively integrated into the U.S. sphere of influence as it was under the more crude oppression of Imperialism.

The case of Jamaica in which Michael Manley's Democratic Socialist Government was undermined by stringent IMF measures, among other factors, demonstrates categorically the efficacy of Carter's politics of non-confrontation.

But the politics of non-confrontation has not without perceived "failures" stemming from what some U.S. observers regarded as its inherent limitations - the reluctance to use force. Under Carter, the Nicaraguan people freed themselves of decades of oppression of the Somoza Regime, while Grenada was to oust the tyrannical dictator, Eric Gairy.

But the weaknesses were not in the policies of non-confrontation, but rather, in the U.S.' failure to render meaningful economic assistance towards alleviating the social problems of those countries. Thus, the insurrection in Nicaragua and Grenada could only have been stopped by active outside intervention, to which, at the time, Carter has not committed.

Perhaps it was with these apparent "failures" of his immediate predecessor, that Reagan has reactivated his policies of gunboat diplomacy and aggression. Emboldened by the seeming victory in Grenada, others fear we may well attempt similar excursions in Nicaragua and Cuba.

But the aggressive stance towards the region can only bolster and consolidate the revolutions in these countries. It provides the people with a factor around which to unite - a common external imperialist enemy - while adding fuel to the revolutionary flames in the countries under siege.

History of the region has shown that military might can achieve only limited gains. Invasion of Nicaragua or Cuba will undoubtedly yield a bitter harvest reminiscent of the Viet Nam War.

The Cubans have promised, if the U.S. invades, to defend to the last man, woman and child - a promise which cannot be taken lightly.

It is left to be seen whether President Reagan, if he succeeds to a second term, will ignore the bloody lessons of history; for if he does, such Myopism will only rebound to haunt the people of the United States.

DEAN'S CORNER:

Dean Eric J. Schmertz

On September 25th, at the first Faculty Meeting of this year, I spoke of some of our plans and expectations for the 1984-85 academic period. Not necessarily in priority order, I touched on the following:

In the face of declining law school applications experienced by every law school in the nation, we have stepped up our recruitment efforts and have further professionalized the way we get information about the Hofstra Law School to prospective students and to law school advisors. Though last year saw about a 10 percent decline in our applications, that decline was most pronounced in "category four," the category of applicants with inadequate LSAT scores and undergraduate records and who are generally rejected by us any way. To our credit and as a reflection I believe of our high standing, the number of applicants in "category one" i.e. those with the best LSAT and academic credentials, actually increased. I have every reason to believe that we will continue to get a full entering class of good students, but we probably now must work more aggressively towards that end.

1985 will mark the 15th anniversary of the Law School and the 50th anniversary of Hofstra University. The Law School will mark both occasions with some formal events now scheduled for November 1985. Interestingly, the 15 years of our Law School coincides chronologically with the 15 years that Warren Burger has been Chief Justice of the United States Supreme Court. I have suggested that a November 1985 symposium deal with the principal cases and the impact of the "Burger Court." A faculty-student committee under the chairmanship of Professor Leon Friedman will deal with this project.

For those interested in labor law, the 50 years of Hofstra University coincides with the 50th anniversary of the National Labor Relations Act. I have proposed that our fourth annual Edward F. Carrough Labor Law Conference deal with that historical event. Based on a discussion with Edward F. Carrough and the Dean of the Tel Aviv Law School, it is possible that upon invitation from Tel Aviv, the 1985 Carrough Conference may take place in Israel with the subject of the National Labor Relations Act joined by appropriate considerations of comparative labor law.

The year ahead will see two and possible three new Max Schmertz Professorship Lectures and continuation of the lecture series of the various student organizations.

With interest and commitment we await the report and recommendations of the Committee on Minority Recruitment and Retention. As we stated at one of the final faculty meetings of last year, we are intent on doing a better job of recruiting and retaining minority group students. Independent of the work of the committee, the School's administration has directed recruitment efforts in that direction and continues to try to locate new and larger sources of scholarship money. We expect that the report and recommendations of the committee will be responsible and challenging and we look forward to making our best efforts towards its implementation.

We have some realistic reason to believe that the next building to be constructed on this campus will be a new building for our law library. I believe that the University administration and the Board of Trustees are persuaded of our need for such a building and together with our own efforts are prepared to approve and support the undertaking. Specifically, a major fund-raising campaign will be required and I would like to see it begin as part of our 15th year celebration.

I spoke of the need to improve the physical facilities of the clinic. Until we have

new, additional space we cannot seriously consider whether the NLO should be moved to the Law School or the campus. In any event, however, we need new furniture, equipment and repairs at its present location in Hempstead.

We are very proud of our new ranking in the Gourman Report. To move dramatically from 98 to 28 among the 172 accredited law schools and to the second highest "Strong" category from the "Acceptable Plus" category, is the result of 15 years of dedicated work by all the administrations of the School, by our outstanding faculty, by the good credentials and professional success of the almost 3,000 students and graduates of our School and by the support and cooperation of the University itself. We said that we were entitled to national attention and stature because of the calibre of our faculty, student body, graduates, library, clinical program, Law Review and other publications, scholarly conferences, endowed professorships, curriculum and public service, and the Gourman Report has confirmed that view. In confirming our new rating Dr. Gourman wrote me as follows:

"We at National Education Standards are pleased to inform you of the 1985 rating of Hofstra University School of Law advancement to 28th place in the strong category."

The ranking of Hofstra University School of Law will be noted in *The Gourman Report: A Rating of Graduate and Professional Programs in American and International Universities*, 3rd edition (1985) by Dr. Jack Gourman.

As you are perhaps aware, some of the most knowledgeable legal educators in the country have identified Hofstra University School of Law as one of the most rapidly developing schools anywhere.

While the School of Law is quite young in years the administration has exercised strong leadership.

The faculty at the School of Law has the well deserved reputation of having an unusually fine teaching faculty.

Because of the significant improvement and development of Hofstra University School of Law the high ranking is justified."

As to endowed professorships, which have gained us credible attention and which have added new scholarly dimensions to our curriculum and programs, the 1984-85 academic year will see the establishment of our 6th and 7th and possibly our 8th and 9th.

We continue to review the relevance, scope and challenges of our curriculum. As you know, this year we introduced an important new course in Alternatives to Litigation with the exclusive cooperation of the American Arbitration Association. The Curriculum Committee has several interesting proposals before it and we expect to be dealing with those matters this academic year.

I am convinced that our Placement Office will continue to do an outstanding job. We have significantly increased the numbers and types of firms that come to the School to interview. Our placement percentage within a few months of the bar exam is indisputably good. Hardly a month goes by without notice that one or more of our graduates have "made partner" or have been elected or promoted to a high institutional position. As we did last January, at our January 1985 commencement, we plan to call attention to and honor a successful graduate of our School by inviting that person to make the commencement address.

I wish you professional success and personal satisfaction in the year ahead and I thank you for your participation and help.

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COMMUNITY FORUM

Letters Cont'd... Criticized

was by the law professor whose superior academic experience and achievement added significant credibility to the evaluation of a student's knowledge of the material and ability to convey concepts of the law as the grade received in the course was the determinative factor. Now, the evaluation process is left in the lap of another law student who may give only some or little weight to the grade received, or at least this indispensable factor will be overshadowed by relatively irrelevant criteria such as G.P.A. and Rank.

I am disappointed by the lack of notice giving behavior on the part of those responsible for this "formal" change in qualifications for a Law Fellow position. I fail to understand why these "by-laws" would be of such a classified nature as to prevent their publication, that is, beyond the office of Dean Rabinowitz. In the past, it was generally the case that a Law Fellow would have "seniority" with regard to a position for the following year. I sincerely doubt that this was a mystery to Mr. Gallub and it would have been but a simple courtesy to have made it known that past Law Fellows must also be re-evaluated under the new criteria. The seniority aspect of the Law Fellow program, however, did not always guarantee that an effective Law Fellow would return. Fortunately, as of last year, a new approach was instituted: student evaluations of the Law Fellow's performance would be considered in determining whether or not one would be asked back for the next year. In the case where a Law Fellow met the expectations of the students, this Law Fellow would bring not only his or her understanding of the

material and ability to effectively explain concepts of the law to the sessions of the next semester but his or her experience gained from the position of the previous year. This approach would best serve the interests of all involved, especially those first year students who are looking for guidance and reinforcement. However, without reaping the fruits of this new evaluation system, the rules were changed. (When I inquired as to whether the evaluations were ever referred to, I was informed that the previous Law Fellow coordinator had taken the evaluations with him upon leaving Hofstra; a memento of significant sentimental value or merely a convenient excuse? I leave that for the reader to decide.)

Regrettably, students who have excelled in an area of the law and who may have the most to offer the Law Fellow program but who do not possess a high G.P.A. will certainly be discouraged, if not eliminated, from the applicant pool. Has the Law Fellow program become a mere appendage of the Law Review? It is vital that all those who best qualify for the position be considered, and although it might surprise some individuals, these applicants may not all be on the Law Review or on any journal for that matter.

It is obvious that the Law Fellow decision makers have lost sight of the very purpose of the Law Fellows: to afford the best possible guidance to first year students in each discipline of the first year curriculum. Hofstra Law School is engaging in an unfortunate disservice to the student body. This new procedure does not ensure better Law Fellows; it does, however, promote the establishment of a subjective selection process which may afford questionable weight to the most relevant factor to the determination of who should be a Law Fellow, namely, the

mastery of the material. Moreover, I submit that the student evaluation of the Law Fellows be reinstituted to best preserve the integrity of the program. G.P.A. and Rank have their place in other academic organizations and their selection processes. However, let us not lose sight of the goals of the Law Fellow program; we must remember that it is not only an honor, but a significant academic service to the law school community. It is time for a serious re-evaluation of the Law Fellow program at Hofstra and how the goals of the program can best be achieved.

Ellen R. Drucker
Class of 1985

Letters Cont'd... Defended

accept her into the program was purely an objective one ... she failed to even fill out an application!

Thirdly, on that note, ample notice was given regarding the need to fill out "Law Fellow Applications" (which, by the way, were suggested to me not only by law school administration but by last year's Director as well). Signs & notices of this requirement were posted all over the building & everyone wanting the position filled one out. Where was the author when all this was going on? Perhaps she was vacationing in Nervana while relying on her "seniority" theory, which, according to prior Law Fellow Directors, has never existed at Hofstra Law School ... or did the author even bother to inquire about that?

The Law Fellow Program has not lost sight of its objectives. We have and shall continue to "afford the best possible guidance to

first year students in each discipline of the first year curriculum." This can only be achieved by selecting individuals who display not only a deep understanding of the subject material, but a superior, or at least acceptable overall performance. As most first year students have come to realize, advice comes a dime a dozen. It's my job to see that they don't get it from someone whose as negligible in understanding the subject as the author was in understanding the Law Fellow Program.

MICHAEL GALLUB
Law Fellow Director

P.S. That's Gallub with a "b", or did you even bother to inquire about that?

Dean Lauds Editorial

To The Editor:

I just want to tell you that I think your editorial *Hofstra* 28/172 in September 1984 *Conscience* was an excellent, indeed inspiring analysis of what our new rank means to us and how it came about.

Thank you for what you and *Conscience* said.

Eric J. Schmertz

MORE
LETTERS
on
PAGE 12

Falstaff's Favorites

½ Block from Law School — Corner of California & Front Sts.

From the Kettle:

Soup du jour French Onion Soup
Homemade Chili

From the Garden:

Falstaff's Chef Salad Spinach Salad
A heaping bowl of fresh greens with tomato, cucumber, sliced egg topped with strips of turkey, ham, american and and swiss cheese Fresh chopped spinach topped with onions, mushrooms, and chopped egg. Served with hot bacon dressing

Large Small

Tossed Salad with choice of dressing
Large... Small...

Afternoon Delights:

Quiche du jour Crepes du jour
Served with tossed salad

French Dip Beef
sliced Roast Beef on a hero with au jus for dipping

Tuna Salad Platter
Includes Cole Slaw, Tomato, Hard Boiled Egg & Cucumber

Ask your Server about Today's Specials

Also
Soup & Sandwich Special

From the Grill:

Shell Steak Special Compass Rose
12 oz. of N.Y. Cut Prime Beef with tossed salad and fries Sliced Roast Beef on garlic bread topped with melted mozzarella served with fries

Steak Tid-Bits
Sliced marinated Steak on garlic bread with fries

Cheese Steak Sandwich
Served on an onion roll and smothered in fried onions

Reuben Sandwich
Corned Beef, sauerkraut and melted swiss cheese on rye bread with russian dressing

Grilled Cheese Sandwich
with ham with bacon
with tuna with tomato ..

Falstaff's Famous Burgers: (Would we give you a bum steer?)

The Monster Burger
8 oz. of fresh ground beef with cheese, bacon, lettuce and tomato, onion. Served with french fries

Bacon Cheeseburger
Mushroom Burger
Cheeseburger—swiss or american
Onionburger
Steerburger

TAKE OUT ORDERS AVAILABLE

World Court Settles Boundry Dispute

F.Paine

On Friday, October 12, the International Court of Justice at the Hague, Netherlands resolved the U.S.-Canada maritime boundary dispute. Although the actual decision of a special chamber of the Court was rendered in a near-record time of only two years, the dispute between the two countries dates as far back as 1948. Many aspects of the dispute and its resolution have been extremely controversial. Although the impact of this decision on the international law of sea-boundary delimitation is not yet clear, the entire dispute and its resolution will have a significant impact on international dispute resolution practices and on the evolution of joint environmental resource management.

The area of the dispute was an area of about 30,000 square miles east of the New England and Nova Scotia coasts. Jurisdiction was hotly contested because both countries sought to obtain sovereign rights over the resources in this area: in particular, fishery resources, valued at about U.S. \$100 million per year; and potentially sea bed hydrocarbons (oil and gas). Recently, however, estimates of the concentration of hydrocarbon deposits and the cost of their recovery has been discouraging, with the result that fishery resources have been the principle focus.

Legally, the most important aspect of the resolution of the dispute is its impact on the "rule" for delimiting maritime jurisdiction. The search for this rule has been underway ever since President Truman's Proclamations #2667 and 2668 in 1948. The Proclamations claimed that the Continental Shelf and its subsurface resources, essentially, were part of the U.S. mainland and therefore under its sovereign jurisdiction, vast amounts of space had to be divided between states that were either adjacent (side-by-side) or opposite one another with respect to their coastlines. As disputes arose, two basic theories emerged which jurists agreed should form the general rule for delimitation: equidistant lines, or lines derived on the basis of equitable principles with regard for relevant circumstances.

The first attempt to codify a general rule came at the 1958 United Nations Conference on the Law of the Sea. An article was drafted and incorporated into a text, later ratified by the U.S. and most other countries, setting forth a rule for Continental Shelf delimitation. Unfortunately, it was a compromise text which essentially set forth both contending theories without clearly preferring either. A masterpiece of diplomacy... In 1969, the equidistance camp suffered its first major setback in the *North Seas Continental Shelf Case*. There, the World Court rejected England's equidistance argument and ruled on a substantial channel that interrupted the Continental Shelf between the U.K. and Norway to define a boundary. The Court, relying on language in the Truman Proclamation, stated that the underwater land forms, divided by the channel, represented the "natural prolongation" of each country's continental land mass, and was therefore in keeping with the existing justifications for claiming jurisdiction over the Continental Shelf.

Since 1969, several other delimitation disputes have been sent to the World Court and two more United Nations Conferences on the Law of the Sea have been convened. Without chronicling each of these steps in the evolution of a maritime delimitation rule, it is sufficient to say that there is still no general rule for boundary delimitation. However, strict application of an equidistance formula will be applied only in rare circumstances: such as where there are no resources of interest to the disputants, or no important navigational features to a particular area. In fact, it is strong testimony to the self-interest which has characterized the negotiating positions of parties at the Law of the Sea Conferences (LOS), that the 170 odd countries are divided on their positions concerning a delimitation rule based on no traditional alignment of political interests. That is, each country supports whichever rule favors their interests in their own offshore boundary disputes.

With all of this as background one cantum finally to the U.S.-Canada East Coast boundary dispute. Canada claimed an equidistance line and the U.S. claimed a line based on natural prolongation theory in the Georges Bank-Gulf of Maine area. The Georges Bank is the principle geographic feature creating the focus of this dispute. The Georges Bank is an underwater elevated land mass that extends seaward from about Massachusetts. Generally, it looks from above like an enormous peninsula that runs in a northeasterly direction from Cape Cod out into the Atlantic Ocean (nearly 300 miles). Because the water above the Georges Bank is relatively shallow (as little as 25 fathoms in spots), the Bank defines a unique area, highly productive in living marine resources: principally lobster, scallops, cod, haddock, and flounder. Both New England and Canadians from nearby Nova Scotia have ruled on the resources of the Bank for generations. Thus, as evolving international law threatened to change the legal status of the Georges Bank from "High Seas" — open to anyone — to the sovereign jurisdiction of one country (and potentially closed to all but nationals of the governing sovereign), the dispute assumed a prominent role in the relations between the U.S. and Canada.

1976 was a crucial year in the evolution of the dispute. That year, both the U.S. and Canada passed national legislation claiming jurisdiction over fisheries management out to 200 miles. Although this may seem an unnecessary measure given the prior claims to the Continental Shelf, it was actually a significant extension of claimed coastal state jurisdiction. Prior to passage of these laws, even though countries claimed jurisdiction to the Continental Shelf, they had not claimed jurisdiction over access to or use of the "water-column" above the shelf. The reason for this was to avoid conflicts over the traditional "high seas" freedom of navigation. In fact, the U.S. Defense department feared that several critical navigational straits could be closed if countries claimed full territorial jurisdiction over transit rights. Despite the Defense Dept. concern, and in response to political pressure, Congress passed the 200-mile fisheries zone in 1976. (The result for defense was a scramble at the LOS Conference to establish separate rules providing for free transit through the fisheries zones. In essence, the new zones gave coastal states resource management jurisdiction, but still less than absolute ownership). Thus, with the right to fish in certain areas clearly "on the block" after the 1976 laws were passed, heated negotiations began. By 1977, the only agreement reached was that the parties couldn't agree. Before things were over, the dispute and its resolutions would become hopelessly caught-up in domestic politics.

The Carter Years

On January 20, 1977 Jimmy Carter became President. Pres. Carter not only wanted to please his constituents (many of whom favored environmental conservation and fishery management), he also wanted recognition as an experienced maker of international policy. In particular, he wanted to negotiate arms limitation with the Soviet Union. But Leonid Brezhnev refused to meet with the inexperienced form Georgia governor until he had concluded a successful international negotiation. (Speculation had it the Soviets were afraid to negotiate with someone whose style was unknown to them). In response, Carter pressed negotiations concerning Canada, the Panama Canal and the Middle East.

President Carter appointed Lloyd Cutler as special negotiator to resolve the boundary. (This was Mr. Cutler's entre to the Carter administration, prior to ascending to the position of White House counsel). What Mr. Cutler was told would be a three month job lasted two and one-half years, culminating in a complex two part treaty package. Part one was an agreement to submit the Continental Shelf boundary to the World Court for resolution. Part two was a complicated arrangement under which fishery resources would be shared in the disputed area by U.S. and Canada

fishermen. The reason for the package deal was due to Canada. They argued that they believed the U.S. would win its entire boundary claim. But the rules of the World Court require the parties to "agree" to submit to the Court's jurisdiction. Therefore, Canada refused to agree to an adjudicated boundary delimitation unless it was guaranteed, via the fishery agreement, permanent access to a portion of the fishery resources of the Georges Bank area. Secretary of State, Cyrus Vance signed the package on March 29, 1979, but the agreements went little farther. U.S. fishermen convinced their Congressmen that the treaty was a "give away," and significant opposition materialized within the Senate Foreign Relations Committee (SFRC) which was required to give its advice and consent to an international treaty before it could be ratified (signed into law) by the President. The Carter effort ultimately fizzled in 1980 as Carter was unable to push for Senate approval. Because Ted Kennedy was challenging Carter for the democratic nomination for president and Kennedy was a Massachusetts senator, any effort by Carter to promote an unpopular treaty would have helped Kennedy and hurt Carter. The result: the treaties lay on the table in SFRC.

Fresh Start

With the inauguration of Ronald Reagan came the chance for another chance to resolve the dispute. Canada consistently billed the boundary as the primary issue in U.S./Canada relations. However, it was clear the U.S. wouldn't approve the fishery treaty. Finally, the parties agreed to send the boundary question alone to the World Court. Canada, although with misgiving, seemed to believe that the concessions agreed to by the U.S. in the fishery agreement (even though never ratified) would improve Canada's position in the World Court. Finally, the briefs of the parties were submitted in about August 1982.

The Decision

Copies of the World Court's opinion aren't yet available to the general public so that the particular legal analysis utilized to determine the boundary is known by only a few. However, the Court reached what a Canadian Government official has deemed a "political determination." The line established by the Court is in between the Canadian equidistance line and the U.S. natural pro-

longation claim. The result is that Canada will forever own the northeast peak of Georges Bank — one of the areas of prime scallop fishing. Needless to say, the U.S. fishermen who demanded that the U.S. take an all or nothing approach are depressed. What they're probably just realizing is that the two countries are still going to need a joint resource management commission to conserve the fishery resources. (Fish don't know or care where the boundary is, and scallop and lobster larvae incubate by floating on the surface of the water for a period of time — often being deposited far from the site at which they are spawned).

The decision itself is not so surprising, but its reasoning is likely to engender significant study. Most delimitation specialists believed the U.S.-Canada boundary was important because so many different considerations could potentially have been factored into the decision: historic use patterns; social and economic impacts; geography; geology; and politics, i.e. need to prevent future disputes. Remarkably, the World Court seemed to ignore all but geographic and political issues — and with regard to political issues said only that there weren't any because the two countries get along so well! The effect is to make the decision look, at first blush, like they are splitting the difference. That could be a bad precedent in many respects. First, it may weaken whatever little confidence is left in the World Court. (recall the U.S. recently refused to accept the ICJ's jurisdiction for two years concerning Central America). Second, it will further confuse rather than clarify the international legal rules of maritime boundary delimitation. That means, fewer agree principles on which disputant parties can rely to negotiate a peaceful resolution, plus no incentive to go to binding adjudication at the World Court.

The upshot of this story seems to be that a long awaited resolution to the Georges Bank dispute has been reached only in part. The joint management of living resources (and the U.S. and Canadian fishermen) lies ahead with the attendant need for extensive administrative support. Environmentalists, Law of the Sea experts, lawyers and diplomats will make entire careers out of structuring use of the marine environment over Georges Bank. Like most great international, political, diplomatic and legal questions, the issue lives on.

Vietnam War Making Libel Law

F.Paine

Jury selection began on October 9 in New York in General William Westmoreland's \$120 million libel suit against CBS television. General Westmoreland claims, essentially, that CBS tortiously defamed him in a 1982 "CBS Reports" broadcast entitled "The Unreported War." In that program, Mike Wallace claimed that CBS' investigators had revealed deliberate efforts by army intelligence officers, and, as Westmoreland alleges, by him as well, to under-report North Vietnam's troop strengths to give the appearance that the U.S. was winning and could continue winning the Vietnam War.

The trial is currently being billed as the most direct test of the *N.Y. Times v. Sullivan* rule in 20 years. As most of us remember, Gen. Westmoreland as a "public figure" will have to meet the elusive burden of proving that the CBS report was both false and "malicious": i.e. either made with knowledge of its falseness or with reckless disregard for the truth.

The case has already generated extensive interest and publicity. It should be expected that the media will pay very close attention to this case as it bears heavily on a critical interest of their own: the extent to which the "press" must guarantee the accuracy of published information about public figures — especially concerning government or

political activities. Additionally, the academic community (legal, historical and political science among others) is excited over the release of classified documents for the trial 10 years earlier than normally allowed under federal security rules. Finally, the stakes within the legal profession would appear to be significant. General Westmoreland is represented by a public interest law firm in Washington, D.C., while CBS is relying on the talents of possibly the most hard-nosed Wall Street firm of Cravath, Seavine and Moore for its defense. (That's pronounced like cravass in mountain climbing, except as if you had a "lithp.") An example of Cravath's determination in major litigation is evinced by its herculean efforts in the IBM anti-trust litigation during the 70's. (The Cravath attorney handling CBS' case is John Boies, a partner whose other clients at the firm, as of 1982 included CIT Financial and Nestle, S.A. (American Lawyers Guide to Major Law Firms 1981-1982).)

All in all, the trial should provide three months of dramatic litigation and potentially a major impact on the law of libel concerning the fourth estate. This may well provide another chapter to the legacy left by the decade of the late sixties and early seventies, the impact of which will be reviewed by social scientists throughout our lifetime.

STUDENT ORGANIZATION REPORTS

Letters To The Editor

Hofstra Law Women

Hofstra Law Women invites all members of the law school community to attend meetings and symposia on legal issues relating to women and the law.

HLW seeks to provide a forum for discussion of issues affecting women's rights, and of matters relating to women in the legal profession. Last year the organization sponsored a speaker on economic issues including equitable distribution. This year the group plans to bring a speaker or panel of speakers to Hofstra to discuss mediation in family dispute settlement. The Women in the Law Conference, to be held in New York City and sponsored by the NYC Women's Bar, is on the agenda for the spring.

HLW also provides a mentor system for first year law students. Past and future workshops include exam-taking techniques, class preparation and outlining, moot court preparation, and advice on finding law-related summer employment. A workshop on law school exams is planned for October 24, at noon.

Future meetings will be announced on the HLW bulletin board on the first floor. New members are always welcome, and no formal membership is required for attendance at any event. Students wishing further information may contact a member of the steering committee: Robin Frankel (1L, Section A), Linda Keenan (2L), Bonnie Garone (3L), Dina Epstein (1L, section B), Monica Sheehan (3L).

Moot Court Board

Marie Hoenings, Student Director, and Joy Johnson, Deputy Director of the Moot Court Board would like to congratulate the

following people for being selected to be on the Moot Court Board:

Mary Biunno, Joyce Calvin, Timothy Cleary, Janet Dreifuss, Cheryl Gabes, Kenneth Goldman, Catherine Leahy, Alfred Mahaney, Wayne Mazur, Kathleen Meaney, Caroline Papadatos, Susan Schenkler, and Steven Sonkin.

Hofstra Labor Law

The Hofstra Labor Law Forum Lecture Series begins on Thursday, November 1. The guest speaker will be Professor Kessler-Harris who teaches in the History Department at Hofstra University. She will be discussing the evolving role of women in the labor force in industrial America. Professor Kessler-Harris is author of *Women Have Always Worked*, and *Out to Work: A History of Wage-Earning Women in the United States*. She was awarded the Philip Taft Labor History Prize last fall for *Out to Work*. She was also selected as the nominee for the Pulitzer Prize in History by Oxford University Press.

Professor Kessler-Harris was formerly director of the Women's History program at Sarah Lawrence College, and has held fellowships from the National Endowment for the Humanities, Radcliffe Institute, American Philosophical Society and the Victor Rabinowitz Foundation. She was Senior Lecturer at the University of Warwick Centre for the Study of Social History and last summer she spent two weeks giving lectures and workshops in West Germany and Belgium.

The lecture will begin at 3:00 in Room 230.

Environmental Law Society

The Hofstra Environmental Law Society (ELS) has recently launched an alumni campaign. Our main goal is to develop a system of communication between ELS members and Hofstra alumni who are working in the field of environmental law. We hope to encourage alumni to participate in ELS functions and possibly lead students in investigating current topics in environmental law.

If you are interested in joining the ELS alumni section or simply want to stay abreast of our activities, call or write ELS, c/o Barry S. Cohen, Hofstra University of Law, Hempstead, N.Y. 11550.

Join ELS and help us become a national force in the study of environmental law!

Law Review

The *Hofstra Law Review*, a student managed legal journal, publishes four issues each year. Each issue contains articles by leading practitioners and law school faculty members from throughout the country, as well as Notes and Comments by our student staff members. Our next issue, to be published later this month, features an article by Congressman Elliott Levitas calling for congressional action in response to the *Chadha* legislative veto decision. For students who have not yet received a copy, our Winter 1984 issue will be available at the same time. An article by Professor Freda Bein highlights this Symposium on the Federal Rules of Evidence.

Students are invited to visit the *Review* offices to learn more about the *Review* and its operations.

To The Editor:

Exams are over, and for the time being, I have little to do besides writing this memoir and occasionally waving farewell to friends as they erratically plummet past my tranquil third story window. The promise of new neighbors next semester and the many little joys of Christmas make this a truly blissful season. Many ask how I have acquired this inner state of bliss, and to be quite truthful, it was delightfully simple. No, I didn't engage in the use of synthetic drugs, opiates, barbituates, hallucinagens, or in any other such silliness. I owe it all to getting back to basics. I've been exercising everyday. I've watched my diet carefully, and of course, I get plenty of rest. Finally, about once every three days, I read *The Portable Jung*; then turn out the bathroom light; submerge myself in a bathtub filled with water kept at 98 degrees fahrenheit; and breathe through a pink straw linking me to the dark surface. Then, after about nine minutes, my roommates rush in dressed in white, turn the light on, drag me out of the tub, pull the straw from my mouth, hang my upside down, and smack my bottom briskly while simultaneously yelling "IT'S A BOY, IT'S A BOY!!!" It's a great way to start the day.

J. Lee

**NEXT
CONSCIENCE
DEADLINE
NOV. 5**

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The Pieper seminar is now the "hot" bar review course in New York. Pieper organizes and summarizes the law you need to pass the Exam without bulky, hard-to-read books.

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Gary Glowatz
David Muskovich

Why Must the Poor Beg For Legal Aid?



by Eric Zucker

Over 20 years ago in *Gideon v. Wainwright*, the United States Supreme Court ruled that indigent criminal defendants were entitled to legal representation, but today destitute defendants in civil cases still do not have such a right. Consequently, impoverished litigants are at a grave disadvantage in the most basic civil disputes such as resolving consumer problems, fighting evictions, and challenging cut-offs in government benefits. Concepts such as "due process" and "equal protection of the law" will be nothing but hollow phrases for a third of this nation's population as long as we tolerate the denial of counsel to the poor.

The notion that America's poor deserve legal assistance in civil disputes grew out of President Lyndon B. Johnson's "War on Poverty" in the sixties, and the 1974 Congressional creation of the Legal Services Corporation. The Legal Services Corpora-

tion's primary function is to distribute funding to local programs around the country. Predictably, when Ronald Reagan became president he tried to abolish the entire agency, but Congress refused. Nevertheless, a 25% budget cut and close to 30 restrictions on the agency's activities were imposed. Like so many of this administration's policies, many of the restrictions were based less on practical considerations than on ideological biases. Hence, there was an absolute prohibition on class action suits and severe restrictions on abortion and immigration cases.

As a result of the budget cuts, 1,500 lawyers proficient in poverty law were laid off and 400 neighborhood legal aid offices were shut down. In a nation where there is one lawyer for every 375 people, the ratio of poverty lawyers to poor people is one to 10,000. Whereas a member of the lower class could once rely on a lawyer's counsel and support in the court, presently most defendants of this social class get little or no legal advice before they must stand alone in front of an intimidating legal system of harassed judges and professional adversaries.

Whether legal assistance contributes to the outcome in "simple" civil cases is best illustrated by the statistical results of a recent survey by the Eviction Defense Center in Los Angeles: 85% of those tenants who had lawyers won their cases, but 90% of those who lacked legal representation lost. In the face of such outrageous inequities, how much longer can we live with the hypocrisy of calling this a republic "with justice for all?"

[The Hofstra University Law School chapter of the National Lawyer's Guild will be focusing on "Poverty in America" throughout the month of October. I encourage you to attend any of our meetings, films or speakers to learn more about this critical problem.]

Democratic Candidates Speak Out

by Melinda Robin

On Thursday, October 4 at 4 p.m. in the multi-purpose room, the Hofstra Young Democrats sponsored a forum featuring incumbent Assemblywoman Barbara Patton of the 18th Assembly District and Michael D'Innocenzo the Democratic nominee for the 5th Congressional District.

Ms. Patton, a graduate of both Hofstra University and Hofstra Law School, first ran for her seat in 1982 when reapportionment resulted in the creation of a new district designed to insure minority representation. Ms. Patton, who is black, is the first minority representative from a suburban district.

During her presentation, Ms. Patton spoke of her work in the Assembly as well as her efforts to gain this seat in 1982. Ms. Patton, who is a member of the Assembly Aging Committee, was a prime sponsor of a bill that would make it mandatory for doctors to post whether they treat Medicare patients and, if they do, what aspects of the treatment will such payments cover. Ms. Patton was also a sponsor of the T.A.P. parity bill. This bill, now a law, raises state grants to students at a time when federal grants are decreasing in size. Stanley Fink, the Speaker of the Assembly, calls Ms. Patton's first term record the "strongest he's ever seen."

Ms. Patton believes her constituents want three things: 1) quality education, 2) a decrease in crime and 3) tax relief. Thus her efforts are concentrated in these three areas. State assistance to the schools in her district has risen dramatically. Additionally, she has pushed for stricter crime laws despite the belief of others that she was soft on crime.

A 1982 graduate of Hofstra Law School, Ms. Patton was a member of Balsa as well as Hofstra's first minority placement coordinator. She advises minority students to apply for jobs even if they don't think they will get them, and to never let anything or

anyone get you down.

The next speaker was Michael D'Innocenzo. D'Innocenzo, a professor of History at Hofstra University is the Democratic nominee for the 5th Congressional District. D'Innocenzo, a brilliant and witty orator, attacked the record of his opponent, Ray McGrath, and the policies of the Reagan government. He points to his opponent's lack of knowledge regarding important issues such as the arms race and the environment and calls him the handpicked puppet of the Republican machine.

D'Innocenzo believes that the Republican party is controlled by rightwing ideologues. He quoted from a poll by an extreme rightwing group which found that only four Congressmen are further to the right than Ray McGrath. D'Innocenzo called the present government "a government of the rich, for the rich, and by the rich," and pointed to statistics which show decreases in government spending in the areas of education, health, and environmental protection, and increases in military spending. He believes Reagan has tapped into the American public's view of greed. Walter Mondale echoed those sentiments in his recent debate with Reagan. D'Innocenzo pointed out that Reagan allowed the country to sink into a recession and then gloated about the economy when it went into an upswing which was not due to his efforts, but rather, to the fluctuations of the business cycle. He believes Reagan is trying to "undo" the New Deal and is turning our government into a military regime.

D'Innocenzo, an ardent supporter of Walter Mondale, points to Mondale's almost spotless record in the areas of civil rights, education, and the environment. Conservation groups gave Mondale an "A-" rating while at the same time giving Reagan a "D" rating.

D'Innocenzo believes that both our tax

Continued on page 14

ELS Reps Attend Environmental Conferences

During the month of September, members of the Environmental Law Society (ELS) attended three environmentally-related conferences.

The first, the Biotech '84 Conference, was attended by Digest editor Gary Jones from September 10th - 12 in Washington, D.C. The conference highlighted the technological progress in new biotechnologies and focused on the legal problems accompanying those advancements.

At the September 11th panel discussion on biotechnology regulation, Jones asked Don Clay, EPA's Director of Toxic Substances, whether the EPA would begin to require commercial businesses to seek approval of experiments involving the deliberate release of genetically engineered organisms.

On May 16th, Judge John Sirica of the District of Columbia District Court enjoined the approval of deliberate release experiments but his decision is only applicable to federally-funded research. (See Vol. 1, Spring 1984 issue of the Hofstra Environmental Law Digest for a discussion of the case, known as *Foundation on Economic Trends v. Heckler*)

Clay stated the EPA might regulate deliberate releases by industry under the Federal Insecticide, Toxic Substances Control Act (TSCA) or the Fungicide, and Rodenticide Act (FIFRA). In the past the EPA has presumed that FIFRA does not require "experimental use permits" where pesticides are applied on less than 10 acres for non-commercial purposes. Expressing concern over genetically engineered pesticides, Clay indicated that the EPA may require such permits in certain cases involving less than ten acres. Similarly, TSCA requires "premanufacture notification" (PMN) of new chemical substances but exempts small quantities used for research and development purposes. Clay asserted that a PMN might be required for small quantities

of genetically engineered chemical substances but that these determinations would be "made on a case by case basis."

The second conference, entitled "Reclaiming Our Wastes: Resource Recovery & Other Alternatives to Burying Garbage" was held on September 12, 1984. Organized by the New York State Legislature Commission on Solid Waste Management, the Commission on Water Resource Needs of L.I., and the Commission on Science and Technology, the Conference was sponsored by state & municipal environmental associations, governmental agencies as well as citizens task groups. Presentations were given by members of these and other groups, focusing on the issues of risks & control of risks inherent in resource recovery.

Lieutenant Governor Alfred D'Albello introduced the discussion by noting the need for developing a regional system for waste disposal, local municipalities being too restrained in terms of both cooperation and funding. He stressed the preference of amicable arrangements and contracts over legislation and noted the need for local citizen groups to focus their energy and complaints by spurring on their locally elected officials. D'Albello dispelled the fallacy of needing more technology; there exists effective and available programs, the real problem is the politics of cooperation and mainstreaming dollars.

Richard Felago, Project Manager for Business Development from Resco, Inc. gave results of dose and response studies, especially one conducted by the MITER Corp. in Montgomery County, Maryland, which concluded that there are no measurable health effects from mass burning incinerators. While there is retention by the body of potentially toxic dioxins and heavy metals, he claimed there is no appreciable increment in the body of those elements illustrating that the body can absorb certain amounts per body weight.

More research was discussed by Karen Shapiro of Queens College for Biology of Natural Systems who told of risk assessment studies conducted by EPA on dibenzofurans and chlorinated dioxins which found tetrachlorodibenzo-para-dioxin (TCDDs) not to cause cancer. She expresses skepticism at these studies, which only assessed certain isomers for health effects when, as she claims, dioxins are the most toxic man-made material.

Landon Marsh, Executive Deputy Commissioner from the Dept. of Environmental Conservation (DEC), told about DEC's initiative to evaluate the problems of resource recovery such as fires, disease, explosions of toxic gases and ground-water pollution. Initiatives include DEC's Inhouse Task Force which evaluates air quality and characterizes and quantifies stack testing emissions.

Theodore Goldfarb, Academic Representative from Citizen Task Force on Resource Recovery in N.Y. State, suggested incineration should be pursued only when other means of disposal have been exhausted because incinerators create dioxin ash. He cited the EPA study which he said did not consider the public exposure aspect but said that studies like the one made by Air Canada disclosed exposure levels significant enough to regulate. He mentioned that an additional problem besides those incinerators are independent incinerators used in apartment houses, which disposed of more than 3,000 tons/year, and at hospitals, which burn mostly plastics (which produce vinyl chloride gas—a known carcinogen).

The last and most recent conference was the Hazardous Waste Litigation Symposium, held September 24-25th at the Garden City Hotel. Co-sponsored by Hofstra Law School and the law firm of Rivkin, Leff, Sherman & Radler, this symposium focused on the newly created field of toxic torts.

The keynote speaker, Congressman James Florio (N.J.), started the ball rolling

by announcing several of his environmentally progressive legislative proposals for reforming toxic tort law. Asserting that state and federal laws have not moved fast enough to protect and compensate victims of hazardous waste exposure, Florio claimed that such reforms could be achieved by softening traditional tort requirements, i.e.; statute of limitations, causation, burdens of proof, etc. and by creating an administrative system of compensation. The administrative system would be facilitated by an amendment to the Comprehensive Environmental Response, Compensation and Liability Act (Superfund, 42 USC 9601 (1983)), which would provide toxic tort victims with automatic jurisdiction in federal court. Once in federal court, victims could receive immediate compensation for medical expenses, lost wages, relocation costs, etc.

Understandably less enthusiastic about Congressman Florio's proposals were representatives of industry who attended the symposium. These representatives expressed concern over the ability of industry to handle the financial burden imposed by such legislation which raises the substantial portion of the funds for compensation by taxing the users of hazardous materials and increasing their liability.

In addition to Congressman Florio, two of the more impressive speakers at the symposium were Hofstra Law Professors Ginsberg and Twerski. Prof. Ginsberg — Hofstra's local expert on environmental law — provided an overview of recent developments in toxic tort law in the federal courts while Professor Twerski addressed the problems associated with using traditional common law tort principles to remedy hazardous waste injuries.

This and similar conferences being held across the country signal the increasing concern over our present dilemma with hazardous waste. ELS will make every effort to stay abreast of the latest legal and political issues being raised. If anyone is specifically interested in this or any other environmental issue, please feel free to approach ELS — what we do not know, we can learn together!

The next ELS general meeting is on November 20th at 6 p.m. in room 206.

New Student Organization Formed-GLA

The GLA slipped quietly into existence. While its logo attracted the attention of those interested in the emergence of a new student organization, the meaning of its acronym (GLA) remained a mystery. One had to read the controversial news clippings attached to its bulletin board to capture a flavor of this student group. A week elapsed. Leaflets were circulated, and the group was identified as THE GAY AND LESBIAN ALLIANCE. Murmurs throughout the law school have yet to cease.

The Gay and Lesbian Alliance outlines its goals as follows:

1. To afford the Hofstra community an opportunity to discuss, debate, and challenge legislation which affects the civil rights of gay men and women.
2. To explore issues of controversy among the community itself; to examine the historical development of gay rights, and provide gay students with a meaningful identity.
3. To provide support for the minority population of gays and lesbians which often finds itself a victim of "legal discrimination," social ridicule, and rejection from society's major religious organizations in the guise of morality.

tion from society's major religious organizations in the guise of morality.

Formed by students concerned with the inefficiency of the law school curriculum in addressing gay-related issues, the GLA plans to sponsor symposiums aimed at supplementing our legal education. With the cooperation of the Student Government Association, the GLA will present lectures and discussions focusing on the gay family: analyzing adoption, child custody, and marriage; religion and its impact on gay rights legislation; and racism and its effect on the homosexual community.

All students, both hetero and homosexual, are invited to attend the GLA's meetings. The organization welcomes your ideas, efforts and presence at its events.



**ATTENTION – CLASS OF 1985:
STUDENT COMMITTEE FOR JUNE
GRADUATION SPEAKER NEEDS
VOLUNTEERS – SEE SGA BOARD
FOR FURTHER DETAILS.**

Student Government Report:

Continued from page 8

purely to screw the students.

We Marxist - Fascist - Commie - Pinko -Power Hungry - No Good - Varmints also closed the budget allocation meeting (double GASP!!). Why? We're in power, and could do what we want. F-K the students if they can't take a joke.

It never occurred to us that it might be fairer & more efficient if we didn't have to choose words and mask our true feelings on issues so as not to offend anyone present. Nor did it occur to us that it might be a fairer and more efficient method than if we let all present put their two cents in and have a roomful of people make allocations instead of the seven who were elected to do it. Nor did it occur to us that without having people watch our every move, we may be able to vote how we felt without being effected by the presence and demeanor of others in the room. Plain and simple, we did it because we're Marxist - Fascist - Commie - Pinko

-Power Hungry - No Good - Varmints.

Now that the cat's out of the bag we can tell you what's in store. There will be a May Day celebration this spring. We're having the Military Parade Down California Avenue.

The computer also plays a role. The printer will have only Russian characters. We also will tap into FBI files and steal classified documents which will be transmitted back to the Mother Country. Best of all, school funds will be paying for it.

Lastly, a Hofstra fight song will be instituted. Every law school should have one. Ours will be Monty Python's "I Like Chinese."

Until next month Comrades, we'll keep abusing our power to the utmost.

P.S. We hope certain people realize the absurdity of their allegations. If not, we'll have Boris and Natasha take care of it ("Ever see me pull a rabbit out of my hat?").

Democratic Candidates Speak Out

Continued from page 13

system and the way we finance our public education need to be overhauled. He is against the flat rate tax and sees the Bradley-Gephardt bill as a step in the right direction. The Bradley-Gephardt bill is a proportionate tax plan. It would exempt those under the poverty line and would plug up some of the loopholes that the wealthy use to reduce their taxes.

At the end of his presentation, D'Innocenzo fielded questions from the audience. He

concluded his speech with an appeal for action to those who are uninvolved and not interested in politics. He believes that the political sin of 1984 is apathy. He believes that people must act on the issues, not just agree with them. Individuals can make a difference, but only if they get involved.

Anyone interested in getting involved in either campaign can stop by their offices. D'Innocenzo's office is located on Front St. about three block down from the Law School; Ms. Patton's office is located at 103 N. Franklin Ave. in Hempstead.



A GOOD TIME FOR ALL
AT THE

BARRISTER'S BALL

DATE: November 10, 1984
TIME: Drinks And Hors D'oeuvres 7:30 PM
Dinner 8:30 PM
PLACE: Nassau County Bar Association
DRESS: Semi-Formal
TICKETS: Available at The Bagel Table

Ronald Reagan

Favors a consistent and steady increase in defense spending, including 7.8% increase for coming year. Emphasizes the procurement of major new weapons systems while improving combat readiness of conventional forces.

Favors extensive research and development of space based antimissile defense system. Deploy sea launched nuclear cruise missiles and continue development of MX missile, B-1 and "stealth" bombers as well as Trident 2 submarine launched missiles.

Negotiations to reduce nuclear arms levels, not just freeze of limit their expansion will be resumed if Soviets ask. Would not sign an agreement giving Russia clear edge on systems such as intermediate range missiles.

Stands ready to talk with Russian leaders at any time, preferably if the Conference is well prepped in advance and has a good chance of making substantial progress.

Continue strong U.S. support for Israel and moderate Arab nations. Work for an autonomous Palestinian entity in The West Bank and Gaza. Opposes moving U.S. embassy from Tel Aviv to Jerusalem. Backs a negotiated end to Iran-Iraq War. Favors keeping U.S. forces ready to protect oil supplies.

Display a strong military presence and keep up military and economic aid to counter Soviet supported subversion. Continue pressing El Salvador to improve human rights but opposes Congressional aid on that basis. Help finance anti-governmental rebels in Nicaragua.

Increase taxes only as a last resort to cut the deficit. Begin in 1985, as scheduled, the indexation of personal income tax brackets to offset inflation. Establish a "simpler and fairer" tax system.

Depend on an expanding economy to increase revenue and reduce spending on unemployment and welfare benefits. Favors a constitutional amendment requiring a balanced budget and permitting vetoes of individual items in appropriations passed by Congress.

Award tax credits to employers who hire disadvantaged youths and the handicapped. Establish a subminimum wage to encourage hiring of teenagers. Create enterprise zones to promote inner city employment.

Supports the Fed's current money growth policy of expanding the nation's money supply at a "moderate" rate to hold line on inflation and maintain economic recovery.

Promote free trade but use import limits or voluntary quotas to protect automobile, steel, sugar and textile industries. Oppose grain embargoes and laws requiring imports to contain some share of U.S. Made parts.

Press for equal pay for equal work and other women's rights but opposes ERA. Reduce the "marriage penalty" on two family incomes.

Implement a five year program to remove lead from gasoline. Continue the Superfund to clean up toxic waste dumps. Increase research on acid rain while aiding states whose waters are affected. Oppose stricter controls on sulfur-dioxide emissions.

Provide discretionary block grants to states and communities, reserving federal funds for the disadvantaged and handicapped. Favors tuition tax credits to families who send their children to private and parochial schools. Proposes a constitutional amendment that would allow organized school prayer. Supports merit pay and competency testing for teachers.

Opposes the use of federal funds to finance any abortion. Supports a constitutional amendment banning abortion except when life of the mother is endangered.

Complete phasing in a program to reimburse hospitals for medical bills according to a list of approved fees. Bar expanding medicare to include costly procedures as liver or heart transplants. Continue shifting responsibility for other health programs to states and local communities.

Allow free market to set energy prices and develop resources. Cut spending on solar power and other alternative fuel research while increasing use of nuclear power. Lift price controls on natural gas. Speed drilling for oil and gas offshore and on federal lands.

Use a market oriented approach rather than government subsidies. Offer credit guarantees for farm goods. Bar aid for crops grown on marginal land. Opposes benefits for long range crop retirement for soil conservation.

As a public service to its readers, *Conscience* has compiled the positions of the two presidential candidates, Ronald Reagan and Walter Mondale, on various important issues. It is the hope of this paper that this will aid the voter in making an intelligent choice in the upcoming election. *Conscience* can not overly stress the importance of voting in the presidential election. Voting is not just a responsibility but a privilege.

MILITARY Defense Spending

Boost defense spending but at half the rate Reagan wants. Shift the focus from costly equipment such as nuclear powered aircraft carriers in favor of building up the readiness of conventional forces. Crack down on Pentagon waste and fraud.

New Weapons Systems

Delay testing on antisatellite system and deploying sea launched nuclear cruise missiles pending negotiation with Soviets on their ban. Opposes the MX missile and B-1 bomber. Favors single warhead missile, Trident 2 submarine missiles and "stealth" bombers.

ARMS CONTROL

Favors a mutual verifiable freeze on nuclear weapons. Offers Soviets six month moratorium on underground nuclear explosions and testing of antisatellite systems. Negotiate verifiable treaties banning antisatellite and antiballistic missile systems.

FOREIGN POLICY

Soviet Union

Intends to invite Soviets, on the first day he takes office, to a summit within six months and attempt to establish an annual schedule for such conferences.

Middle East

Favors a return to Camp David type talks for solving the Arab-Israel conflict while reaffirming support for Israel. Bar the sale of advanced weapons to Arab nations. Move U.S. embassy to Jerusalem. Would use U.S. troops if necessary to prevent a blockade of oil shipments through the Persian Gulf.

Central America

Favors sharp reduction in the American military presence. Stress land reform and human rights in El Salvador and end U.S. military exercises in Honduras. Cut off aid to Nicaraguan rebels and press for removal of all foreign forces from region.

ECONOMICS

Taxes

Raise taxes to reduce the deficit, mainly on corporations and individuals in upper tax brackets. Lower tax rates and eliminate many deductions, credits and exemptions.

Cutting Budget Deficit

Reduce the deficit by two-thirds in four years by cutting the rate of increase in defense spending, containing government subsidized hospital costs and slashing farm price supports.

Creating Jobs

Target the chronically unemployed and young people for training and employment. Create jobs by rebuilding America's infrastructure. Expand the investment tax credit to include worker training and education.

Federal Reserve Board

Reach accord with the Fed. by reducing the deficit and expect the Fed in turn to compensate with a monetary policy that allows more balanced and sustainable economic growth. Favors the appointment of Fed chairman at the start of each presidential term instead of overlapping terms.

Foreign Trade Balance

Supports domestic-content legislation for imported cars. Boost use of the Export-Import Bank and Commodity Credit Corporation to help sell U.S. products abroad. Oppose grain embargoes.

DOMESTIC ISSUES

Women's Rights

Supports ERA and the elimination of sexual discrimination in insurance and pensions. Favors a comparable worth program for federal employees establishing equal pay for comparable jobs, whether held traditionally by males or females.

Environment

Combat acid rain by cutting sulfur-dioxide emissions from factory smokestacks in half. Expand the Superfund to speed the cleanup of the toxic waste and provide aid for its ill or displaced victims.

Education

Seek more federal aid to improve schools by attracting better teachers, modernizing laboratories and strengthening graduate studies. Provide more support for minority and needy children. Would consider merit pay, but opposes tuition tax credits and school prayer amendment.

Abortion

Pro-choice. Personally opposed to abortion but as a public official supports Supreme Court decision allowing it.

Health Costs

Limit medical cost increases to 10% a year. Bar benefit cuts or higher charges to patients; use carrot and stick methods at the state level to reduce costs. Increase incentives for home care.

Energy Policy

Boost funding for solar energy and conservation while cutting nuclear power subsidies. Support scheduled 1985 decontrol of prices on newly discovered natural gas, but leave ceilings on "old" gas.

American Farmers

Use acreage controls to bring production into line with consumption. Halt farm foreclosures and stretch out loan repayments. Broaden Food for Peace program.

Inmates' Lawyer A 'David vs. Goliath'

By Martin Weston

Manhattan—Leon Friedman says he is perennially short of time, but somehow — both legally and physically — he almost always manages to get where he has to be.

He was there when black demonstrators needed defending in St. Augustine, Fla., in 1964. He was there when antidraft activists tried to bring a legal end to the Vietnam War. And he was there when Congress was trying to get control of then-President Richard Nixon's tapes and papers.

Now, he's "there" for inmates at the Long Island Correctional Facility in Brentwood who are challenging state plans to close the prison. And as he has in past cases, he's showing up late for appearances but winning his rounds in court.

Yesterday, as Friedman arrived to set a schedule for the appeal of a decision he won Monday stopping the prison's closure, Frank Scardilli, the staff counsel for the Second U.S. Circuit Court of Appeals, noted that there were three lawyers appearing to oppose Friedman. Scardilli asked Friedman, "Aren't you dismayed by this formidable crew?"

"It's David against the Goliaths," Friedman quipped, to which O. Peter Sherwood, one of the state's attorneys, responded: "I'm tired of coming up against David."

Friedman has earned a reputation for taking on sizable odds in 20 years of civil rights litigation and anti-Vietnam court activity. In the St. Augustine case, Friedman recalls how black demonstrators who were arrested were placed in a makeshift open-air pen in a jail, with inadequate toilet facilities shared by both men and women and left to broil in the

summer sun or stand in the rain.

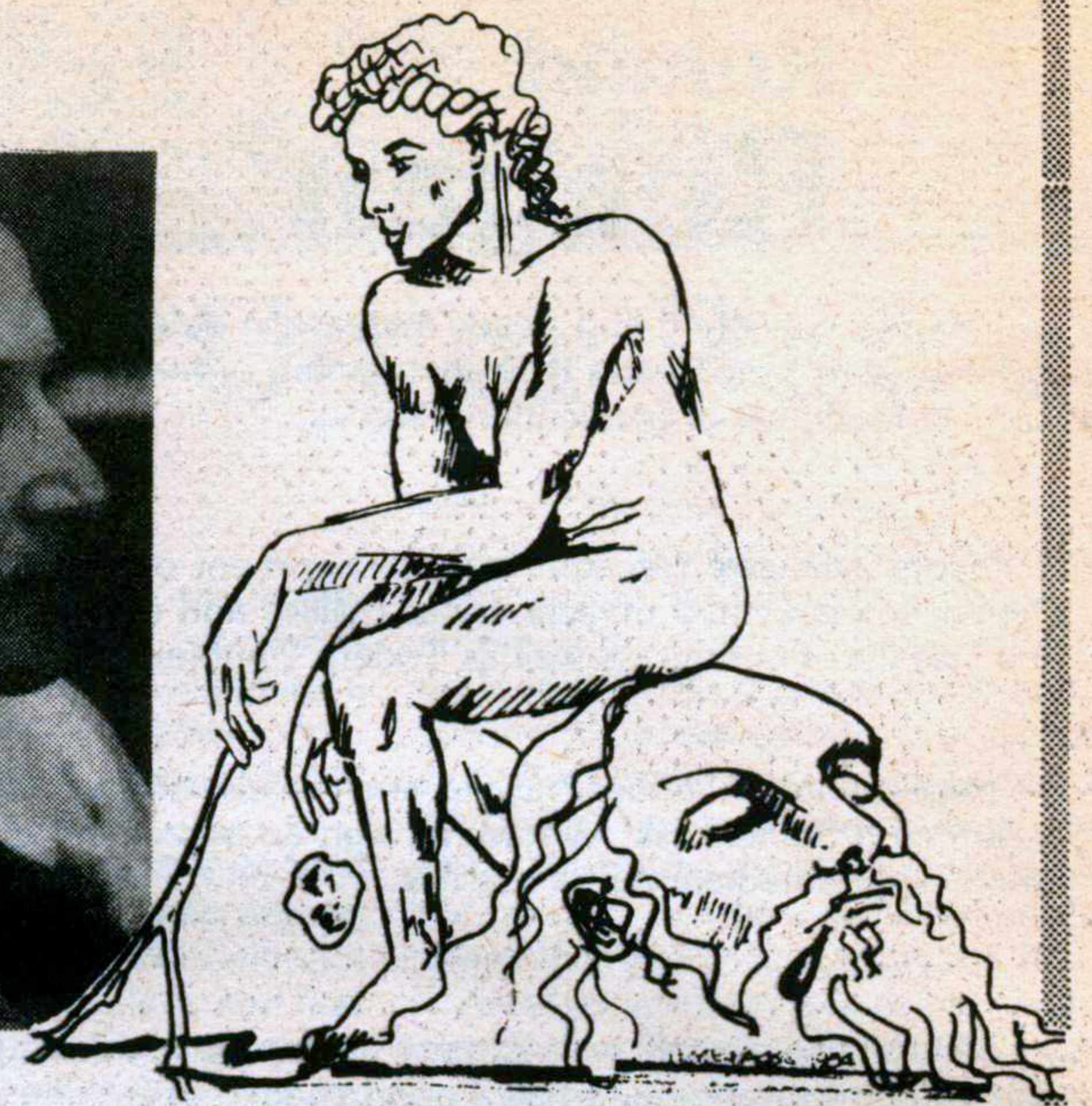
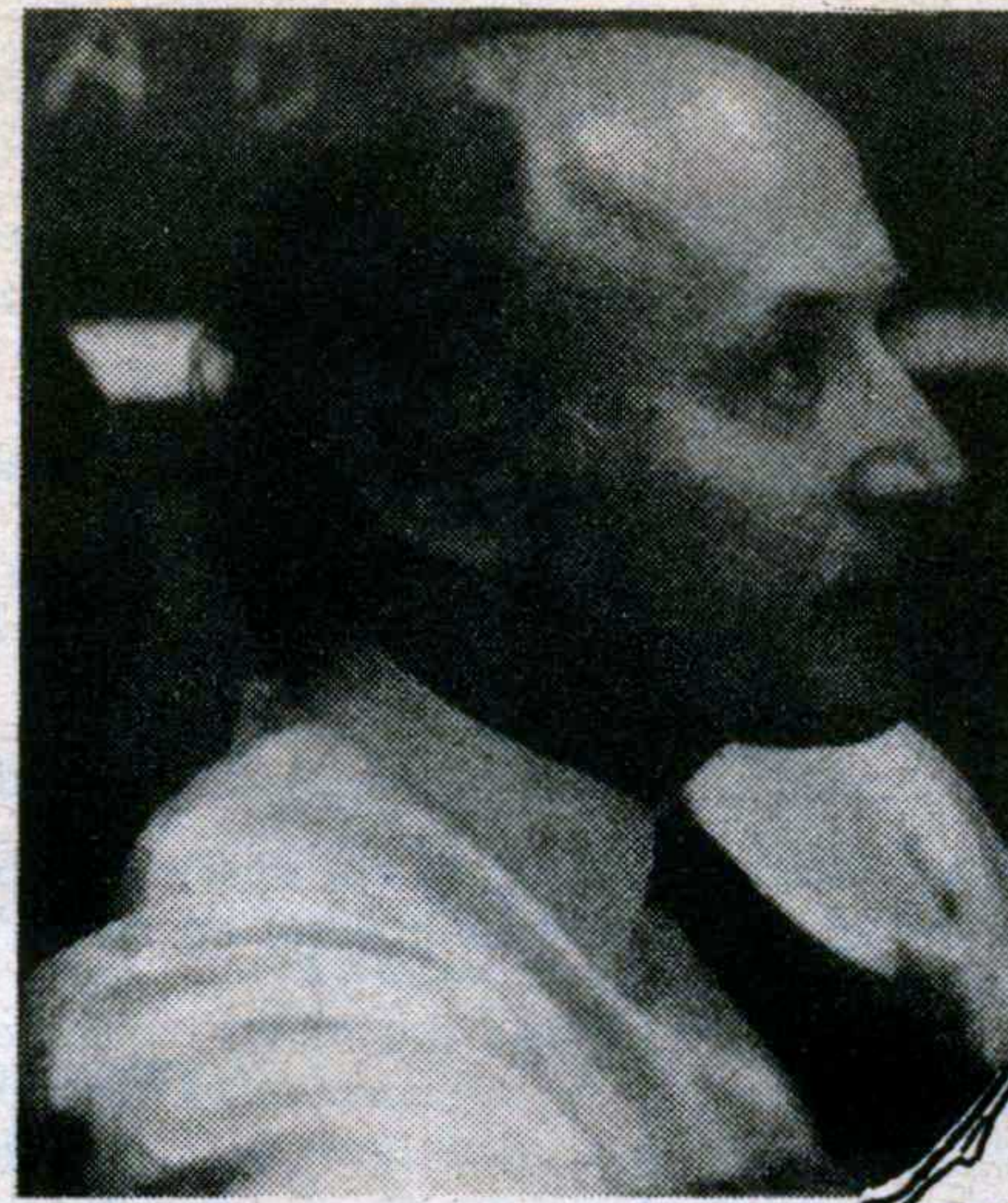
He said the 250-pound sheriff, L.O. Davis, was extremely popular "for his vigorous opposition to civil rights." During one night in May, 1964, he ordered nine black men into a 7-by-8 foot sweat box and crammed 21 black women for an hour into a padded cell, 10 feet in diameter. This was punishment because the prisoners sang religious songs and prayed in their cells," Friedman recalls.

Working without a fee, Friedman and other New York City lawyers went to court. And Bryan Simpson, then the chief judge of the U.S. District Court for the Middle District of Florida and a member of an establishment Florida family, ordered an end to the abuses.

Friedman finds that the case of the Brentwood prison inmates has parallels to the St. Augustine case, although he does not suggest that the state's prisons — though overcrowded — are anywhere near the same. It's the political climate he finds analogous, he says.

"That was a period when federal judges didn't pay attention to the local election returns or the majority feelings in the community, if, and it's a big if, constitutional rights were being violated," he said.

The power of federal courts, he said, making a connection to the Brentwood case, "really is an anti-majoritarian check that ends up being an important guarantee of freedom. The governor got elected on the platform that he would close the prison, but constitutional rights are being violated." Friedman believes Gov. Mario Cuomo should eventually keep his promise to close the prison, but says not now, when the state prison system is so overburdened.



Friedman talked as he drove at a break-neck pace along the Grand Central Parkway toward the Triborough Bridge in a ratty 1977 Toyota that has rusted-out spots along the doors and fenders. The car has accumulated 109,000 miles, Friedman says, many of them on the three-times a week commute he makes to Hofstra Law School for classes he conducts in constitutional law.

Friedman had arrived for the class 10 minutes late, having rushed from his office in a 78th Street townhouse. By mid-afternoon he was back there again, wolfing down a sandwich bought at what he described as "a fancy Upper East Side deli," nearby. He

pored over two volumes containing 485 pages of transcript from last week's hearing on the Brentwood prison case.

On the same table, there was a floral arrangement brought from a Tuesday night reception for Daniel Ortega, the leftist leader of Nicaragua. Friedman had wanted to attend the reception, but said he had to stay late in his office.

"You just have to make the time," he said, rushing to catch the Lexington subway train, token in hand and already 10 minutes late for his appointment at the federal courthouse in Foley Square.

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Would You Like A Yearbook This Year?

Favorable student interest must be shown.

Look for sign-up tables in the Library Lounge during the week of Oct. 22

TO THE CLASSES OF 1985, 1986 & 1987

In response to student requests, we are compiling a directory of all Law School students currently in attendance at Hofstra.

Please fill out the requested information and return this form to the Admissions Office on or before October 31, 1984. **If you do not want your address or phone number listed, submit your name only.**

NAME _____

ADDRESS _____

PHONE NUMBER _____

Personals

Congratulations to Mr. & Mrs. David Wankoff on their marriage this October. David Wankoff, class of 1984, was a frequent contributor of *Conscience*. The Wankoff's reside in Hempstead.

Congratulations to Paul Hubschman (Pete) Aloe, class of 1983, and Barbara Petraglia, class of 1984, on their August marriage. Pete is a former Editor-in-Chief of *Conscience* and ruled the roost from 1981-83. Barbara is also a former editor of *Conscience*. The couple reside in Port Washington.

Congratulations to Mr. & Mrs. Lanny Bryer on their September marriage. Lanny, class of 1983, was *Conscience's* editorial page editor and an usher at the Aloe, Petraglia wedding.

Congrats to Mr. & Mrs. Jeffry Schlossberg, class of 1984, on their walking down the primrose path. Jeff is a former *Conscience* staffer. The Schlossbergs presently live in Forest Hills.

Dear Jan-Lori and Dave,
How's the weather? Get any snow yet? Keep warm up there in Mondale County.
Love, Ellen and Peter

REGISTRATION FOR
TRIAL TECHNIQUES,
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3rd Year Survey

(Please take the time to respond to this survey. Responses will help determine whether a yearbook will be published. Please deposit the survey in the *Conscience* box located in the library lounge.)

1. Do you want a yearbook? _____ Yes
_____ No
2. Would you be willing to pay a reasonable amount for it? _____ Yes
_____ No

The Outside World

by Laura Detweiler

I had hoped to introduce myself by telling you about an exciting and out-of-the-ordinary happening I attended recently. As the name of this column suggests, it's not my job to report on hornbooks, politics or anything else that gets in the way of fully enjoying life. I'm the new "Arts and Leisure" contributor.

In anticipation of my debut, I wrote an opening two paragraphs about how BORING the law school experience would be for the average person without some non-legal (or for some, illegal) stimuli. But, coping with real life kept getting in the way of attending the exciting happening. I'm writing then, to apologize and to offer little activities you may or may not care to indulge in when "real life" takes precedence over homework and puts you in a mood so bad that even you couldn't stand to be with yourself at an "exciting happening."

Here then are some ways of coping with life's little torments:

A. *Sitting in your room on Friday Night:* This activity cannot be successfully participated in unless you're depressed and desire only to stare at the walls. I, being somewhat of an extremist, chose "The Death March" as an accompaniment and was attired in a dirty T-shirt and Thursday's underwear. Of course, whatever had been depressing me prior to my sulk was soon forgotten when I realized that no I wasn't some tragic, misunderstood heroine in a Bergman film, but a "melodramatic" sitting in my room in a dirty T-shirt and Thursday's underwear.

For those of you who view yourselves as misunderstood, this activity is fun a couple of times — after that, it's played out.

B. *"Being Mellow" with a Good Friend:* This can be a very therapeutic, even cathartic experience as long as your good friend isn't in a worse mood than you are. Unfortunately for me (and for my friend), both she and I were in pretty sappy shape.

Deciding we had to get out of our apartment was a step in the right direction. Figuring out exactly where to go once we got into her Turismo; however, put us on the road to selfpity and our Mr. Coffee machine.

"I can't stand the thought of dealing with the meat-market club scene," she said, "So you decide what to do." I agreed that running into a bunch of conventioners wouldn't help our moods, so we decided to have a cup of coffee and mull over our options.

Well, mulling over our options led into a discussion about long-range options which led into a discussion about what "the stars had in store for us." This led into checking into our horoscopes, as reported by *Cosmopolitan* and *Mademoiselle* — those two pillars of astrological science. We never did get out of the apartment that night, but we ended up anticipating the "luscious, lusty nights" we'd spend in Rio with "swarthy Scorpio" and "masterful Taurus." And who said you couldn't have fun with another depressed person?

C. *Miscellaneous:* Other activities to take the bite out of law school and to help you deal immaturely with life include, but, statutorily speaking, are not limited to: (1) *Overeating:* Nothing quite makes you feel your life is completely out of control than the realization you can't even move your chair away from the open refrigerator. Enhancing your desperation is the lack of choice you exercise in grabbing anything you find. Not to fret, you're *inhaling* at this point, not *tasting*. (2) *Starving yourself:* An alternative to (1). This activity works best if you're into the "sit in your room" syndrome as outlined above. A person who sits in his or her room becomes all the more tragic with sunken cheeks and a fainting problem. (3) *Calling your Mother:* You have to go easy on this one. Even Mother has a low tolerance after the fourth call in twenty-five minutes when you start each conversation with: "Oh, nothing's wrong..." (pause) Do you think you could get me a prescription for some really strong sleeping pills?" Not only didn't I get pity, but after the fifth call (when I asked Momma if she thought I would be a good candidate for the convent), my phone calls went unanswered.

And so I introduce myself. In future issues I really will be suggesting ways to spend your time when Steven Emmanuel just won't cut it and an evening hanging out with Roland in the library seems just passe. Until then, though, I think I'll call my mother and book my reservations for Rio.

Creative Cooking

by Jane Himelfarb

With any basic foodstuff you can make something relatively bland and unexciting or you can create something incredible. This month try creating a remarkable dish out of chopped meat instead of hamburger. It really doesn't require too much effort or expense but the results are out of this world. Perfect with a fancy appetizer and a tossed salad and crispy steak fries. Try this special dessert for a holiday celebration or a small dinner party.

Chopmeat au poivre-for two

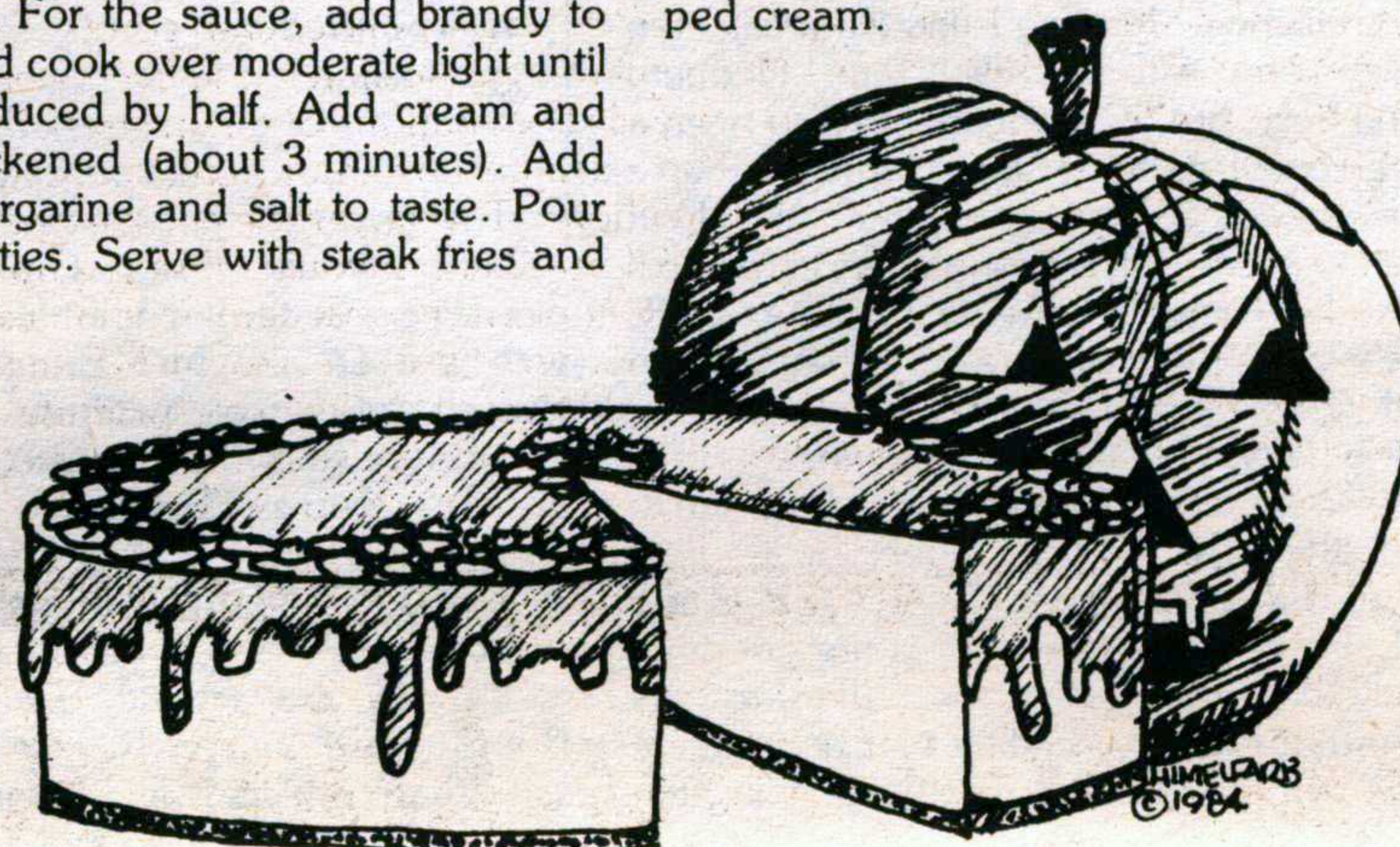
1 TB black peppercorns
1 TB pink peppercorns (optional)
3/4 lb chopped steak or ground beef
peanut oil for cooking
1/2 cup heavy cream
1/4 brandy
1 TB butter or margarine

Grind peppercorns mixing black and pink and place them in an even layer on a plate. Divide chopped meat into two even hamburger patties and press them each into peppercorns until coated. Heat 1 to 2 TBs of oil in skillet and sear patties on each side. Lower heat and cook 2 to 3 minutes on each side. Salt to taste. For the sauce, add brandy to excess oil and cook over moderate light until brandy is reduced by half. Add cream and boil until thickened (about 3 minutes). Add butter or margarine and salt to taste. Pour over two patties. Serve with steak fries and tossed salad.

Pumpkin Cheesecake

1/3 cup graham cracker crumbs or gingersnap crumbs
2 TB butter or margarine
24 oz softened cream cheese, at room temperature (4/8oz pkgs)
1 1/2 cups brown sugar
5 eggs
1/4 cup flour
1 tspn cinnamon and 1 tspn allspice
1/4 tspn ground ginger
2 cups pumpkin puree
maple syrup and walnuts for garnish

Grease 9-inch baking pan with butter or margarine. Coat with crumbs evenly on bottom and sides. Beat cream cheese with wooden spoon until fluffy and gradually add brown sugar. Add eggs one at a time mixing thoroughly after each. Sift in flour and spices until well blended. Add in pumpkin puree. Beat until smooth and pour into prepared pan. Bake in 325° oven for 1 1/2 to 1 3/4 hours until cake pulls away from side of pan. Cool on cooling rack for 1 hour in pan. Remove pan and cool to room temperature. Refrigerate until chilled. Brush top with maple syrup and garnish with walnuts. Serve with coffee and amaretto topped with whipped cream.



Staff Focus: Mary Harris

After sixteen years with Hofstra University, the last three in the law school library, MARY HARRIS still looks forward to coming to work everyday. We all know Mary as the friendly face at the library counter, but we probably do not realize how seriously Mary takes her job, a job which she considers in part to be making Hofstra Law School and in particular the law library a more humane place for everyone. Mary looks at her work at Hofstra to be more than a job; however, she really considers the students to be her family. She misses students who have graduated, and loves when they come back to use the library and stop by to say hello. She feels part of the Hofstra family when a student simply says "Hello Mary" or "How is your grandson?" Mary says, "Comments like that and the students make the job worth it."

Mary makes the library a more pleasant place to be in. Her love for her job, her view of students as her family and the students'



respect and good feelings toward her makes a sometimes impersonal atmosphere much more pleasant. Mary has provided nothing but dedicated service to Hofstra University. THANK YOU, MARY.

Conscience Survey

Please take a few minutes to complete this survey. Deposit your survey in the Conscience box provided in the library lounge. Results will be published in the November issue.

- (1) Are you _____ male _____ female _____
(2) Are you _____ 1st yr. _____ 2nd yr. _____ 3rd yr _____
(3) Are you registered to vote _____ yes _____ no
(4) Are you registered _____ Democrat _____ Republican _____ Independent _____ other (specify) _____
(5) Who(m) do you plan to vote for in the November election?
_____ Walter Mondale
_____ Ronald Reagan
_____ other (specify) _____
(6) On a scale of 1-10, with 1 being very liberal and 10 being very conservative, where would you say your political views lie?

- (7) On the issue of abortion, are you _____ pro-choice _____ pro-life

- (8) Are you for the death penalty? _____ yes _____ no

- (9) Do you support the Nuclear freeze resolution? _____ yes _____ no

Answer question 10 if you said you are planning to vote for Walter Mondale.

Answer question 11 if you are planning to vote for Ronald Reagan.

Which of these is closest to your view:
(10) I am voting for Walter Mondale because I believe he will make a good president _____ or I can't in good conscience vote for Ronald Reagan _____

(11) I am voting for Ronald Reagan because I believe he has been a good president _____ or I can't in good conscience vote for Walter Mondale _____



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SPORTS

by Roy Mirro

The 1984-1985 National Hockey League Season will begin with the Edmonton Oilers as the Stanley Cup Champions. The Islanders' "Drive for Five" crashed in Edmonton as Gretzky and company handed the Islanders their first playoff series defeat since then 1979 loss to the Rangers. Who will win the Stanley Cup this season? Will Edmonton repeat? Can the Islanders come back? Will this be the Rangers year? These are questions that will be answered in May. In October, only predictions can be made.

Patrick Division -

New York Rangers: Greg Hanlon, coming off his best season, gives the team strength at goalie. The defense may be the Ranger's greatest strength. Beck, Huber, and Laidlaw should be able to clear opponents out of the crease and Patrick and Greschner will rush the puck and provide some scoring. The Rangers need more scoring from the wings to be a strong Stanley Cup challenger. Moving Reijo Ruotsalainen to left wing with Pavelich and Hedberg should help, but the Rangers will also need a better year from Mike Rogers. Pierre Larouche is a proven scorer and Don Maloney is one of the best players in the corners. The Rangers provide in the playoffs that they can play with the best; they will win the decision.

New York Islanders: The three-goalie system may cause problems but Billy Smith is still the best. The Islanders have great scorers, i.e. Mike Bossy, Brian Trottier and Pat LaFontaine; however, it is the grinders, Tonelli, Nystrom, Gillies, the Sutter brothers and, more recently, Flatley that have made them champions. The problems with the Islanders, and they may be serious, are that they are old, appear slow and have many injuries. Last year, the Rangers and Oilers skated circles around them in the playoffs. Morrow Langevin and Bossy have bad knees, Potvin has hypertension and Nystrom has a serious hand injury.

Washington: An excellent defensive team led by defenseman Rod Langway, center Doug Jarvis and goalies Al Jensen and Pat Riggin. The Capitals allowed the fewest goals against the last season. Their problem is a lack of offense; the Capitals need a big scorer to go with Bobby Carpenter, Dave Christian and Mike Gartner. Defensemen Larry Murphy and Mike McEwen should contribute to the offense.

Philadelphia: Bobby Clarke (General Manager) and Bill Barber (injured) no longer skate for the Flyers. Darryl Sittler is in the twilight of his career. The defense is too slow. Bob Froese and Pelle Lingbergh are capable goal tenders. Flyers will make the playoffs but fourth place finish at best.

Pittsburgh: Is Mario Lemieux the Savior of this organization? Michel Dion is a good goalie, who may be shell-shocked. Even Mario Lemieux, the number one draft choice, will not help the Penguins make the playoffs.

National Hockey League Preview

How The NHL Races Will Finish:

WALES CONFERENCE Patrick Division

1. Rangers
2. Islanders
3. Washington
4. Philadelphia
5. Pittsburgh
6. New Jersey

Adams Division

1. Boston
2. Buffalo
3. Quebec
4. Montreal
5. Hartford

CAMBELL CONFERENCE Norris Division

1. Chicago
2. Minnesota
3. Detroit
4. St. Louis
5. Toronto

Smythe Division

1. Edmonton
2. Calgary
3. Vancouver
4. Winnipeg
5. Los Angeles

Stanley Cup Champion: Edmonton

New Jersey: Poor Chico Resch, he deserved a better fate than life in New Jersey with the Devils. Mel Bridgman and Phil Russell are capable veterans who will work with future stars, Kirk Mullen, Aaron Broten and Pat Verbeek. The Devils should provide good battle with Pittsburgh for fifth place.

Adams Division -

Boston: Pete Peetens is one of the best goalies in the league. Defenseman Ray Bourque and winger Rick Middleton are all stars that can do it all. Their small dimensions of Boston Garden are ideal for the slow skating yet good checking Bruins. The acquisition of Ken Linseman from Edmonton and Mats Thelin from Team Sweden will add more speed.

Buffalo: In the tradition of Scotty Bowman teams, the Sabres have a good defense and speedy skaters. They have solid goaltending behind Tom Barasso and Bob Suave. Gil Perreault, the only member remaining from the famed "French Connection Line", Mike Foligno and Paul Cyr will direct the offense. Phil Housley, often compared to Bobby Orr, Mike Ramsey and Larry Playfair solidify the defense. Sabres are strong contenders for the Stanley Cup.

Quebec: When one thinks about the Nordiques, the Stastny brothers, Peter, Anton and Marian come to mind. Other contributors to this powerful offense are Michel Goulet, Bo Berglund, Andre Savard and enforcer Dale Hunter. The defense is porous but former Ranger Mario Manois and former Islander Pat Price do a commendable job. Dan Bouchard is a good goaltender when he wants to be; Mario Gosselin may step in as the number one goalie.

Montreal: Is Steve Penney for real? Only time will tell. If this young goaltender can play as he did last year in the playoffs, the

Canadians can go far, if not, they may not make the playoffs. Larry Robinson is still one of the premier defenseman in the league. Guy Lafleur may have his better years behind him, but he is still one of the most exciting players in hockey. Bobby Smith has to play up to his capabilities to help the offense that includes Guy Carbonneau, Mario Tremblay, John Chabot and Bob Gainey.

Hartford: Greg Millen is a capable goalie without a replacement; Steve Weeks is not the answer. Ron Francis, Bob Crawford and Mark Johnson provide the scoring, but Whalers will not make the playoffs again. Emile Francis (General Manager) has his work cut out for him.

Norris Division -

Chicago: Black Hawks were injury prone last year. Tony Esposito is gone, but Murray Bannerman will be there to stop the puck. The defense is strong with Norris trophy candidate Doug Wilson and Randy Boyd. Forwards Tom Lysiak, Denis Sevand, Al Secord and Darryl Sutter lead the attack. First round draft pick, Ed Olczyk, is expected to make big contributions. If the Black Hawks stay healthy, they will win the division.

Minnesota: Are the North Stars overrated or is it just unfulfilled potential that has prevented them from being big winners? The North Stars have great potential at the forward positions with Acton, Broten Manuk, Bellows, Ciccarelli, Napier and Plett. If the Stars were lacking emotion, Paul Holgren should change that. The defense is good but not spectacular, led by Gord Roberts and Brad Maxwell. The North Stars have an excellent goaltending team of Beaupre and Meloche.

Detroit: Jimmy Delvellone, General Manager, is trying to build the Red Wings in the same likeness as the Islanders. His draft

picks for the past two seasons, Steve Yzerman, Lam Lambert, Shaun Burr, and Doug Houday show that he may be on the right course. The goaltending is unsteady, especially if Eddie Mio gets injured again. There is a good blend of veterans including Ron Duguay, Danny Gare, Eddie Johnstone and John Ogradnick. The defense is weak and Brad Park should retire.

St. Louis: The Blues will battle for last place with Toronto this season. Mike Liut is an overworked goalie. Tim Bothwell is the only defenseman worth noting. The offense will be provided mainly by Joe Mullen, Brian Sutter, Pat Hickey and Bernie Federko.

Toronto: Once a proud organization, Maple Leafs are now pitiful. Goaltending is poor with Mike Palmateer appearing to be number one. The defense is built around one time great Borje Salming. It should be a long season for the Leafs.

Smythe Division -

Edmonton: The Stanley Cup Champion Oilers are set to defend their trophy. They should reach the finals without much trouble and should have an easier time winning their division. The Oilers, led by Wayne Gretzky and others too numerous to mention, score goals in bunches. The goaltending of Grant Fuhr and Andy Moog is exceptional. The Oilers' only glaring weakness is that they play a wide open game. They appeared to play better defensively as a team in the playoffs last year. If they continue to do that, the Oilers will repeat as champions again.

Calgary: The Flames will finish a strong second but will not challenge Edmonton. Scoring contributions will come from forwards Lanny McDonald, Doug Risebrough and Kent Nilsson. Defensively, Paul Reinhart and Paul Baxter will hold down the fort. Don Edwards and Rejean Lemelin are both good goalies.

Vancouver: Canucks have some players capable of making this team relatively competitive. They are Peter McNab, Pat Sundstrom, Stan Smyl and Darcy Rota. Rob McClanahan has a new lease on life and should also help.

Winnipeg: The Jets with Randy Cudyle for a full season may be able to finish third in the division. Brian Hayward will probably emerge as the number one goalie. Dave Bahych will be an all-star defenseman.

Los Angeles: It is difficult to play hockey indoors when it is 80 degrees outdoors. The Kings also spend more time on planes than on the ice because the closest team geographically to Los Angeles is in Vancouver. So much for excuses the Kings are still bad. Brian Engblom should provide defense to a team that does not know the word. Marcel Dionne, good but getting old, teams with Dave Taylor and Charlie Simmer (if he isn't traded) to form their only threatening line called the "Triple Crown Line." Los Angeles will finish last.

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The Hofstra University Alumni Singles Club

is looking for new members. The club meets once a month at the Student Center. Membership includes a calendar of exciting events. If you are single and a proud student, alumnus, or honorary alumnus of Hofstra University, this club is for you. For further information regarding meetings and activities, call:

**Toby Goldstein, Hofstra Class of '74, at
938-8619**

SPORTS

Mangomania Hits Hofstra

by Steve Moll

With the football season already well underway, the time has come to talk about hockey. Intramural hockey. When one thinks of intramural hockey at Hofstra, one team immediately comes to mind. I am of course referring to the veteran third year squad known as the Mangoheads.

In their first year of law school, the newly formed Mangoheads lost in the first round of the playoffs in a controversial and exciting game. Last year, the Mangos made it to the championship game only to lose another heartbreaker. This year, however, Sports Illustrated and the rest of the sporting press have proclaimed 1985 to be the year of the Mango.

While some might consider this preview to be a tad premature, there are already signs that Mangomania will reach epidemic proportions by the time the season gets started.

Mike "Mickey" Ambrosino, the captain and driving force behind the Mangoheads, is especially optimistic this year as all of last year's team is returning. Mike has also

reviewed the preliminary scouting reports and is quite interested in several hot second year prospects. When reached in seclusion at his home in Port Washington, Mike stated that "the team is already gearing up for what looks to be our best season yet. Everyone is on a diet of raw meat, except of course, Howie 'the Cannon' Lipper, who is sticking to his diet of raw fish."

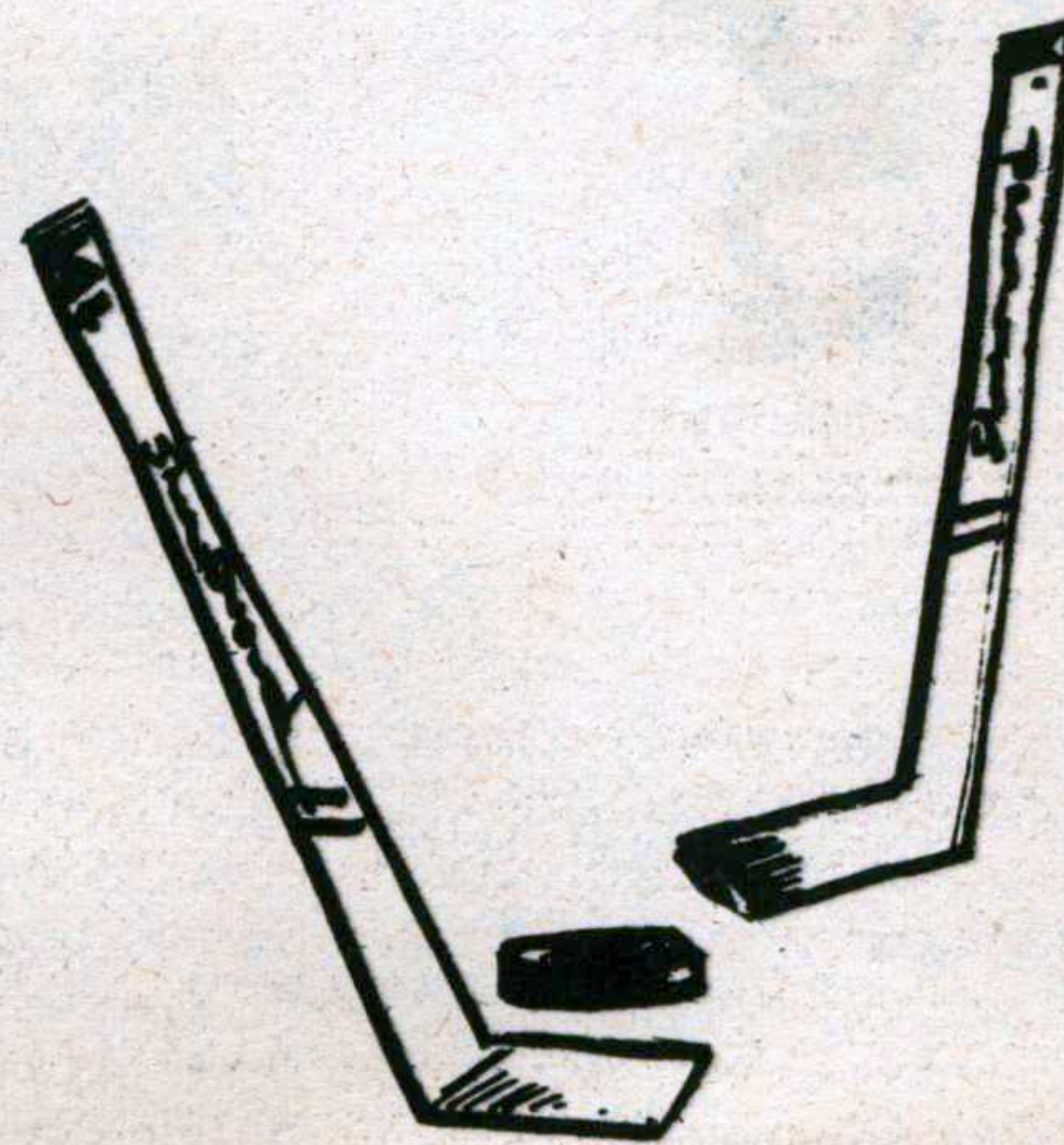
In addition to Ambrosino and Lipper, the Mangoheads' offensive lineup includes "Wild" Bill Condon; "Storming" Steve Norman; John "the Enforcer" Maccarone; Curt "Butter" Rubin; and "Captain" Lou Ruggiero. The defensive squad features: Dave "Mr. Mango" Rabbino; Steve "Swan Dive" Moll; Barry "Kamikaze" Cohen; and Ron "the Big Stick" Rockower. Joe "Giacomin" Quatella and Keith "Mr. Clutch" Weidman will once again share the goaltending duties.

This promises to be another exciting year for Mangohead hockey here at Hofstra. The Mango's home games will be played at Hofstra's Physical Education Complex, while the away games, also to be played at Hofstra's Physical Education Complex, will be broadcast on MTN. (The Mango Television Network).

Fans here at Hofstra are already convinced that the Mangoheads are the team to beat. Mango memorabilia is already selling at a brisk pace and Brooklyn Lori B. and her Mangoettes have already begun cheerleading practice in anticipation of another great season.

In this, the year of the Mango, expecta-

tions are running high for this extremely popular local team. Although the intramural hockey season does not begin for several months, a banner proclaiming that the Mangoheads are back is already flying from the Hofstra gym. Stay tuned for further developments.



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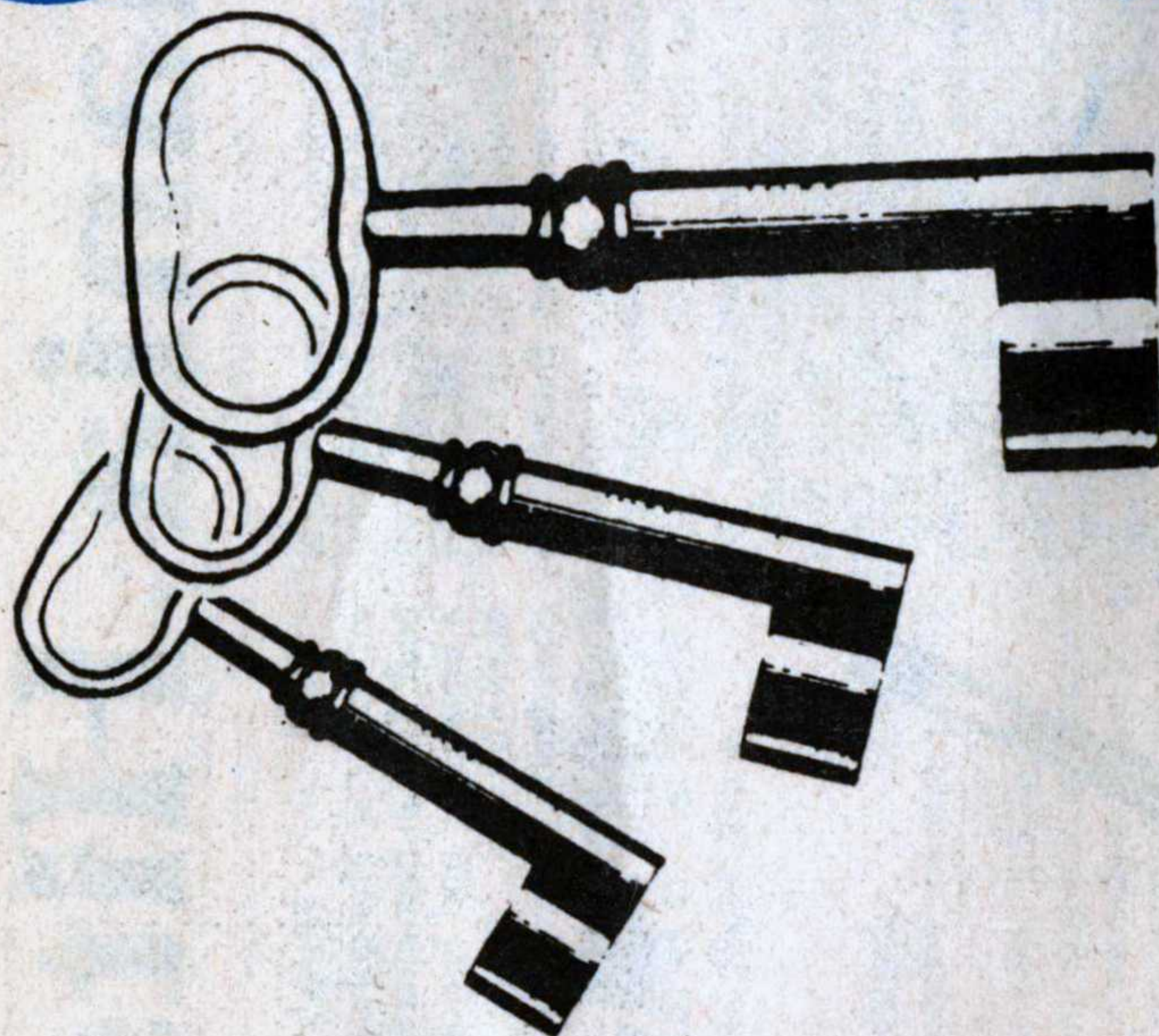
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2. Make first right turn (Oak Street)
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4. At first light (Clinton Avenue) Commercial Avenue becomes St. James St. South. Follow St. James St. through next light to stop sign (Chestnut Street)
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