



ASKING YOU TO ASK YOURSELVES

Vol. 12 No. 4
February 1985

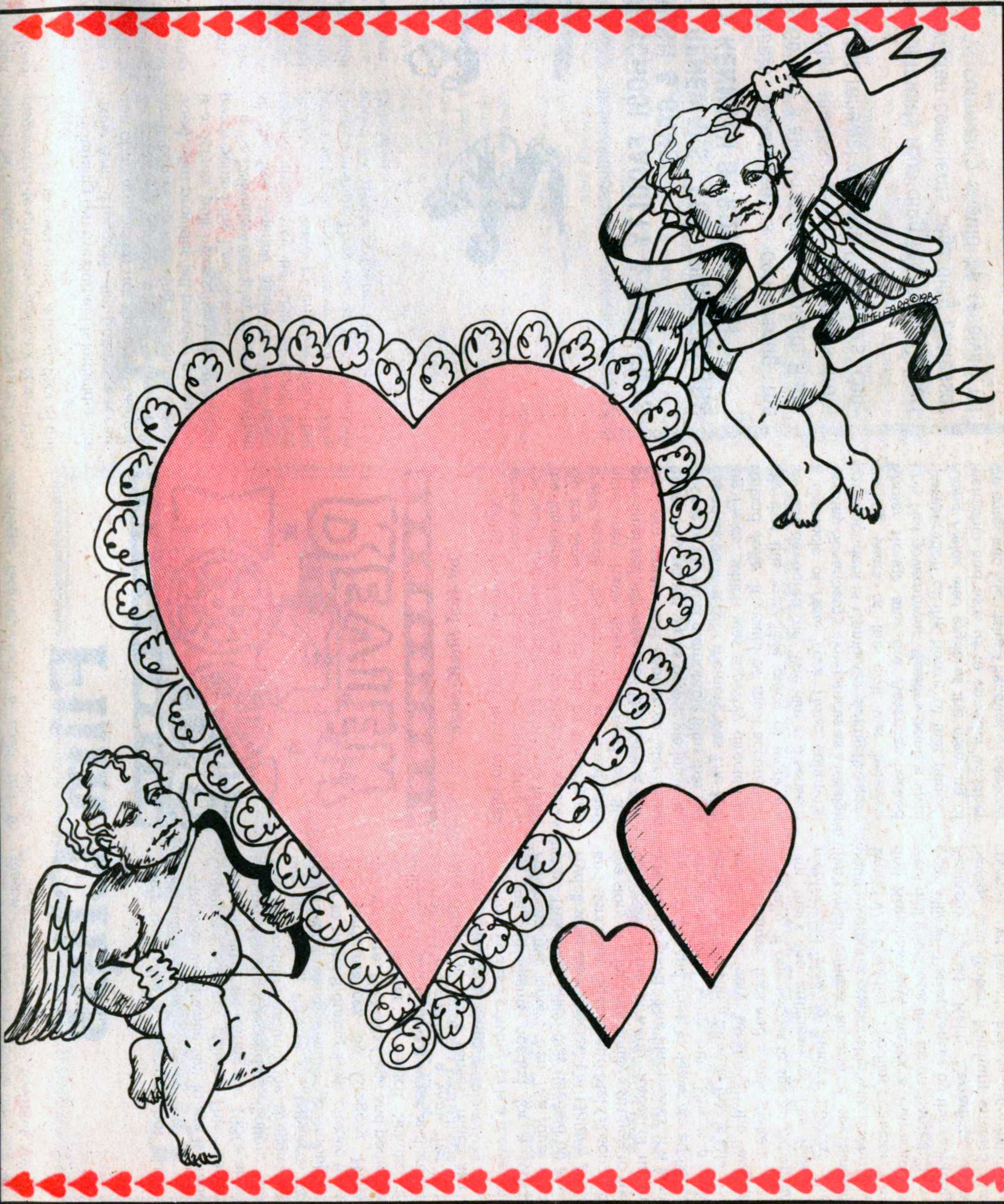
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Income Tax Exam Taken To The Cleaners

By David Muskovitch

During the fall semester there were serious allegations of impropriety surrounding the Individual Income Tax final exam given by Professor Gans. Due to these improprieties, substantial modifications have been made to remedy the situation and arrive at grades for that class.

The situation was brought to the attention of Vice-Dean Rabinowitz and Assistant-Dean Douglas soon after the tax examination occurred in December when a number of students complained. According to Douglas, these students stated that a few days before the exam, they had seen several students studying from questions that turned out to be essentially the same as the questions given on this fall's Income Tax exam. They also stated that the exam questions that the students had been studying from were not on file.

The Income Tax exam that Prof. Gans gave this fall semester was essentially the same as the exam given by him last year. While there were fewer questions this year,

many if not all of the questions were the same. Apparently several students had somehow gotten the questions from last year's exam. This fall's Tax class consisted of 171 students and Douglas estimated that 20-30 of these students had last year's questions. Rabinowitz's estimate was that 30-50 students had these questions.

It has not been determined how these students got last year's exam questions. While there have been many allegations and rumors circulating around the school as to how this occurred, there has been an extreme shortage of facts supporting these allegations and rumors. At present, there are three theories being considered & investigated by Rabinowitz and Douglas.

The first theory is that a student took an exam out of the examination room last year, and gave it to students of this year's Income Tax class. The purloined exam could have been taken by a student either merely not returning his or her exam, or by initially taking two exams from the proctors and only returning one exam later on.

The second theory is that someone might have picked up last year's exam after the examination period. A student could possibly have taken the exam at this time either from the secretaries office or from Prof. Gans' office.

The third theory is that no actual exam was ever taken, but instead during last year's examination a student finished early and just copied down the questions, before the end of the examination time. The student then might have walked right out of the examination room with those written questions. This would not have been too difficult to do since most students finished the exam with much time to spare.

Rabinowitz and Douglas have been thoroughly investigating the many allegations. One of the allegations was that last year's exam questions originated from members of Law Review. Douglas met with the Editor-in-Chief of Law Review and after this meeting concluded that "there was no basis to investigate there any further." To this date they are continuing to investigate the situation, but with few results.

However, one result of their investigation has been that neither Rabinowitz nor Douglas has been able to find any substantiation for the first or second theories. Consequently, they feel that the third theory (that no actual exam was taken) is a very likely possibility. Douglas stated that the significance of the third theory is that if no actual exam were taken then "Perhaps" little or no wrongdoing was involved. Such could be the result if the student copying the questions of the exam did so just to check up on his or her answers.

When informed of this theory, a few students bought it completely, but many stated that it was highly unlikely that the student copying the exam did so in good faith. They stated that any such student must have known that the questions were not supposed to leave the examination room, and further that giving the questions to only some students of this fall's class would create an "Unfair Advantage" for the other students.

Regardless of what actually happened, many students put the blame squarely upon

Continued on page 2

Twenty-Eight Graduate In January

by Eric Zucker

While 28 students were granted their Juris Doctor degree in Law, James L. Warren, a member of Hofstra Law School's inaugural class of '73 received the Law School's first Distinguished Alumni Award last January 13 at the Mid-Year Commencement Ceremony that was held in the John Cranford Adams Playhouse.

Mr. Warren is a 1966 graduate of the University of California at Berkeley. He served in the United States Army during the Vietnam War and graduated at the top of his class in Officer Training School. He entered Hofstra Law in 1970, the inaugural year for the Law School, served as Articles Editor for the first issue of the Hofstra Law Review, and graduated in the top ten percent of the class of 1973.

Upon graduation, Mr. Warren joined the New York City law firm of Roger and Wells, and in 1975, he became associated with the San Francisco law firm of Pillsbury, Madison, and Sutro. He became a partner at Pillsbury, Madison and Sutro in 1981. Mr. Warren has concentrated on complex anti-trust, Federal Trade Commission and securities litigation, most recently serving as part of a team that handled the legal problems involved in the Chevron/Gulf merger.

However, his specialty is in trial and courtroom work, and he is frequently involved, both inside and outside his firm, in training young attorneys in courtroom tactics. He has served as a faculty member for the National Institute for Trial Advocacy.

In addition to his membership in local bar associations, Mr. Warren is a member of the American Bar Association (Anti-trust and Litigation sections) and the California Bar Association. He is admitted to the Bar of all federal courts in the areas in which he practices, including the United States Supreme Court, the Second, Fifth, Seventh, and Ninth Circuits and the applicable District Courts in those areas. He was recently asked by the Solicitor General of the United States to serve on a committee of the United States Supreme Court Bar to draft a memorial resolution for presentation to the United States Supreme Court in honor of the late Justice Tom C. Clark.

The Distinguished Alumni Medal will recognize Hofstra Law alumni who have made significant accomplishments in their field. It will be given each January at the mid-year commencement ceremony.

The medal was designed by Alex Shagin, who designed the commemorative coins for the Olympic Games.

Law Review Invited to Join LEXIS

In late December 1984, Mead Data Central (MDC), the company that operates the computer-assisted legal research service known as LEXIS, invited the Hofstra Law Review to be included in its database.

There are approximately 200 law reviews in this country. The Hofstra Law Review will join a select group of 31 law reviews that are available on LEXIS. This group includes: Harvard, Columbia, Yale, University of Pennsylvania, University of Chicago, University of Virginia, New York University, Vanderbilt, University of Michigan, Georgetown, Minnesota, University of California (Berkeley), Duke, and Stanford.

Assistant Dean Robert L. Douglas, a former Managing Editor of the Hofstra Law Review, was delighted to learn of MDC's in-

itation. Dean Douglas noted that MDC's invitation was based upon an analysis of the number of citations of various law reviews as an indicator of their influence, requests from subscribers, studies from several large law firms, and MDC's own independent review. Dean Douglas stated that "this invitation, when combined with the law school's high ranking in the Gorman report, and the increasing number of endowments to the school, is a reflection of Hofstra's emergence as a well-respected national law school."

Bonnie Garone, the present Editor in Chief of the Hofstra Law Review, felt that "MDC's invitation resulted from the hard work of the editors and staff of the Review as well as the Review's reputation for highly significant and imaginative symposia."

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GLA Applauds Cuomo

In his 1985 *Message to the Legislature*, Governor Mario Cuomo addressed the concerns of the gay and lesbian community. This is the first time a governor of this state has addressed issues pertaining to homosexuality in a State Message. The following are excerpts from the January 9th legislative address:

Many New Yorkers want to participate more fully in society but have, due to discrimination, bigotry or negligence, been denied the opportunity to make meaningful contributions to our process.

The promotion of harmonious relations and greater understanding among people of every race, religion, nationality and sexual orientation in our state must remain among our highest priorities. The Governor's Task Force on Gay Issues has been holding hearings across the State to gather information on possible discrimination in State employment and other issues, and I await its report. I am directing the State Division of Human

Rights to accelerate its programs designed to improve relations among the various groups and people who make up the rich mosaic of our State. We also will continue our program of targeted and coordinated investigation and litigation to eliminate major areas of unlawful discrimination.

More than any other state in the nation, New York has been faced with a health crisis of major proportion due to the numbers of individuals afflicted with Acquired Immune Deficiency Syndrome (AIDS). Too many of our fellow citizens have died, and many thousands more live in fear of this fatal illness. I will propose that additional funding be provided for both research and community services to insure that our commitment to those in need is maintained.

Hofstra's Gay & Lesbian Alliance (GLA) both appreciate the governor's concern for our community, and applaud him for taking this unprecedented action.

IPIJ Publishes Latest Issue

The International Property Investment Journal is pleased to announce the publication of Volume 2, Issue 2. Articles appearing in this issue include: Foreign Real Property Investment in Spain by Carlos Loring; Foreign Investment in Real Estate in the Philippines by Juan C. Reyes, Jr.; Survey of Laws Controlling Ownership of lands in Sri Lanka by H.W. Tambiah.

Student Notes and Comments appearing in this issue include: The Executory Interim in a Contract for the Sale of Realty; The Courts and Chips Swift & Fedwire; Expropriation Strategies for the Protection of Foreign Investments in LDCs; Rental Rights in Residential Condominiums: A Caveat to the Investor.

Volume 2, Issue 3 is presently at our publisher and should be forthcoming soon. Articles featured in that issue include: A

Foreign Businessman's Guide to American Office Rentals; Diversification and Risk in International Real Property Investment; an Empirical Study; Land Use Planning in Italy and a Select Bibliography on Foreign Investment in United States Real Estate.

The IPIJ would like to extend congratulations to Phyllis G. Jacob, the wife of Professor Bernard Jacob, on her election to the bench of the Civil Court in Manhattan.

Lastly, the IPIJ wishes luck to all of its editors who graduated in December 1984 and who are now preparing for the February bar exam.

Editors Note: In the last issue of *Conscience* (Nov.-Dec. 1984) The IPIJ column was inadvertently omitted. *Conscience* regrets the omission.

Resnick Gets Chair

On November 30, 1984, Professor Alan N. Resnick was inducted as the inaugural holder of the Benjamin Weintraub Distinguished Professor of Bankruptcy Law. This was the sixth endowed chair established at the law school in the last three years. According to Dean Schmertz this "Professorship is believed to be the first chair in the country endowed in the field of Bankruptcy Law."

Benjamin Weintraub is co-author with Professor Resnick of the *Bankruptcy Law Manual*. He has testified before Congress on pending bankruptcy legislation on several occasions and has participated in the rehabilitation of hundreds of insolvent corporations. Besides the *Bankruptcy Law Manual*, Mr. Weintraub has published articles in several leading scholarly journals.

Professor Resnick, who joined the law

school faculty in September, 1974, has taught courses in Debtor/Creditor Law, Commercial Law, and Contracts. Prior to coming to Hofstra, he graduated from Georgetown Law Center where he was an editor of the *Law Journal*. In 1974 he received an LL.M. degree from Harvard. He is a frequent lecturer on bankruptcy law to audiences throughout the country, and is the co-editor of the 17 volume *Bankruptcy Reform Act of 1978: A Legislative History*.

Vice-Dean Rabinowitz in his introduction of Distinguished Professor Resnick quoted Resnick's youngest son, Craig, who said that his Father was being "inaugurated into the Hofstra Hall of Fame."

The many students who attended the convocation enjoyed the free dinner they received.

Snack Shack-Book Rack Out Back; Right On Track

by Eric Zucker

If you happen to have noticed the renovation that is being done on that seemingly abandoned garage behind Weller Annex in the Law School parking lot, you've probably been wondering what all the work is for. Well, as announced by University President James Shuart late last semester, that "garage" will soon be the location for a new combination bookstore and deli to accommodate students and faculty who are situated either with the law school or are in the vicinity of Roosevelt Hall.

The food service will be similar to that

found at Bits 'n' Bytes and will similarly accept meal cards. The facility will be replacing the unaesthetic trailer by selling primarily law books and supplies. As far as when this renovation will be completed, President Shuart simply chuckled: "It's going to be ready when it's ready."

This combination deli-bookstore-garage has yet to be named, and we at the *Conscience* invite you to submit your suggestions to us by simply dropping off your ideas in the *Conscience* box in the law library. We will forward your suggestions to the good president.

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Tax Exam A Wash-Out

Cont'd from pg 1

Prof. Gans. They generally stated that his lectures are excellent, but that his exams are the real problem. They said that it is "common knowledge" that his short answer exam questions do not change very much from one year to the next. Because of this, a tremendous opportunity is created for some students to have an "Unfair Advantage" over other students by merely finding out what even a few of the questions were from prior exams. Several students stated that the entire situation would have been avoided if Prof. Gans would have been more responsible and wrote out new questions for this fall's exam.

After determining that a large number of students had the questions from last year's exam, the Dean, Vice-Dean, and Assistant-Dean decided that substantial modifications would need to be made to remedy the situation. The solution decided upon was that each student would have the option to either have their past exam graded pass/fail (all 171 students passed), or not count that exam but rather take a second exam on Jan. 24th.

In justifying the decision, Douglas stated, "We recognize it is a very difficult situation, because the vast majority of students who took the test did so without prior knowledge of the exam. We are also aware of the burden placed on the students. Nevertheless we concluded that the validity of the examination had been placed in doubt, (and that) the curve would be affected."

Rabinowitz stated that, "It is a very unfortunate situation ... I am unhappy for the students and the school." He further stated that the solution reached was the "best possible solution under the circumstances."

Most students were very angered by the entire situation, and didn't like either of the alternatives. Seventy-four students so disliked the alternatives that they signed a petition asking that certain changes be made. That petition was given to the administration on January 14th, and a few days later changes and clarifications were made.

The change was that students were given a week and a half more time (until January 23rd), to elect whether to take the "P" or the second exam. The clarification was that Prof. Gans announced that the 2nd exam would be an "essay exam", and that there would be no curve in the grading. Many students had not wanted a curve because it was expected that only the better Tax students would take the examination. They believed that a curve would unjustly hurt those students who didn't do as well as others in this 2nd exam who ordinarily would have had their grade be at least in the middle of the class. After hearing of the decision, several students wondered how Prof. Gans would be able to grade the essay exam fairly without resorting to a curve.

56 of the 171 students in the class elected to take the second exam. Most of these students felt that the exam was extremely hard. Many students said that if they had it to do over again, they would have settled for the "P" rather than the grade. The results remain to be seen.

As to future examinations, the faculty has not yet made any final decisions about changing their procedures. This issue will be addressed in the next Executive Session of the faculty, which should occur by the end of February.

Prof. Gans was asked to air his views for this article, but he was unavailable for comment.

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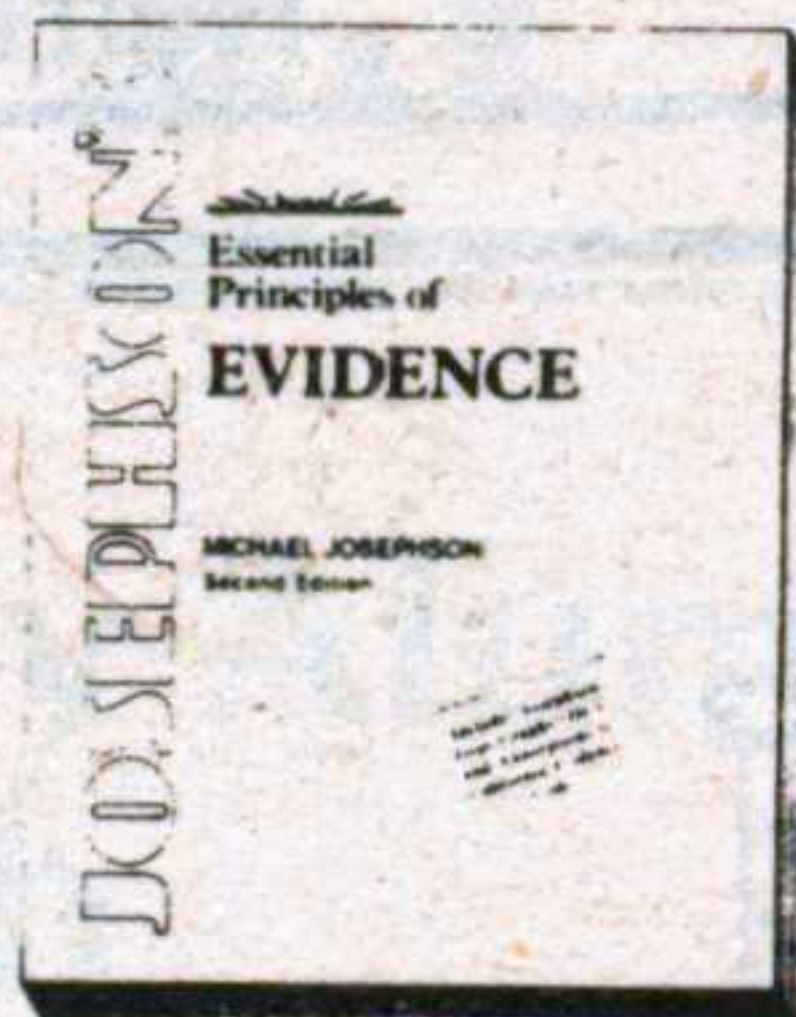
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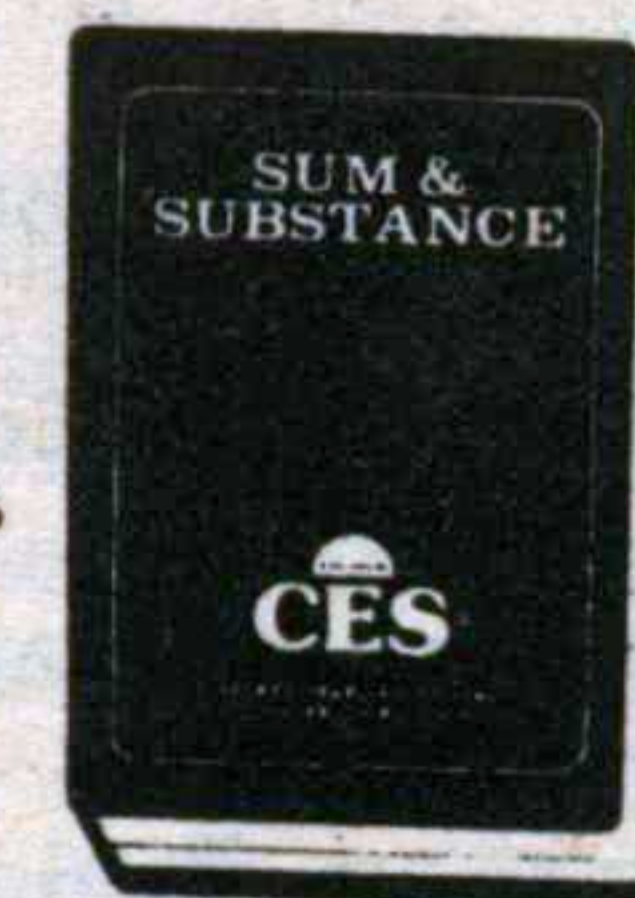
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COMMUNITY FORUM

EDITORIALS:

Sixth Endowed Chair Conferred

The sixth endowed Professorship at Hofstra Law School was conferred just recently on November 30, 1984: the Benjamin Weintraub Distinguished Professorship in Bankruptcy. Professor Alan N. Resnick, not surprisingly, was named our Weintraub Distinguished Professor. This achievement for both the law school and Professor Resnick impressively adds to the spirit of progress that has punctuated this, the law school's 15th anniversary—and the year in which we were named the 28th best law school of the nation's 172 accredited law schools.

Interestingly, the Weintraub Chair is considered the first such endowment nationally in the field of bankruptcy. Benjamin Weintraub, for whom the chair is named, is a nationally recognized bankruptcy attorney and a partner in the firm of Levin & Weintraub & Dranes. His firm has represented Manville Corporation, Braniff Airlines, and other companies that have been involved in major bankruptcy cases. Additionally, Mr. Weintraub has published numerous articles and co-authored the *Bankruptcy Law Manual* with Professor Resnick. (Always a good source to ask for when your boss gives you a bankruptcy problem to resolve...). Yet, serendipity played little part in the recent conferral of this chair as, the recipient, Professor Resnick, brings to his new position an impressive list of credentials including: co-editor of the 17-volume *Bankruptcy Reform Act of 1978: A Legislative History*; associate member of the National Bankruptcy Conference; member of the Panel of Commercial Arbitrators of the American Arbitration Association; author of numerous law review articles; and lecturer around the entire country to judges on bankruptcy law.

The *Conscience* is pleased to have this opportunity to thank Benjamin Weintraub and his co-sponsors for honoring Hofstra Law School with this professorship, and to extend congratulations to Professor Resnick and the Hofstra Law School Administration for bringing this distinction to our law school. We note with pride that the law school's campaign for distinction has been fueled dramatically in just the last three years with the conferral of all six of our endowed professorships. Further, it has been suggested that as many as three more endowments may be added within the next two years. The implication is clear: almost certainly by 1990, we'll have enough endowed chairs for a complete dining set! Here's to the set half complete, and to the even greater fast that soon awaits!

Prior Exams Should Be A Public Record

The undergraduate student government association (SGA), recently enacted an open test filing system for all final examinations given at Hofstra. The purpose of this action is to force professors whose old exams have been placed in the open file to make up new exams. Up until now, those professors who have reissued their old exams have enabled students who have obtained copies of these old exams to "compromise" the test results. The effect of the open filing system would be to cut down on cheating which necessarily occurs when old exams not on file are circulated among various groups of students before the actual test is given.

Conscience takes the position that an open test filing system should be imposed on the faculty at Hofstra Law School. Every time a final exam is given, a copy of that exam should be put into the "blue books," currently available at the library reserve desk which now contain a copy of many—but not all—past exams.

In view of the situation which occurred with last semester's Tax exam, the credibility of the law school faculty and the student body necessitates that this system be implemented to remove the taint that this cheating scandal has cast upon past as well as future final exams given at Hofstra Law School.

SGA Report

By SGA President
Jim Black

Now that we have reached midterm, this column will be a review of what has been accomplished by the SGA in the fall, and the things we are still planning to finish.

Due to additional funds we were able to allocate several organizations extra money. I am particularly happy that we are able to fund our Yearbook and The Environmental Law Digest.

As promised during our campaign, the constitution has been redrafted and modernized. The most important facet of that accomplishment is the fact that the SGA is now no longer final arbiter of its own decisions. An independent judiciary board now will review SGA actions. We are also for the first time represented on the University Senate, and the Residential Life Judicial Board.

I would also like to congratulate all the student members on the faculty committees. They have done a fine job representing our views and opinions. This has been especially true on the legal writing/Moot Court Committee, which I understand has been very open to student input.

During this semester SGA will be sponsoring several events. We are planning an end of the year party and/or picnic in honor of the Class of 1985. We will again be hosting

the Faculty-Lecture Series. For those who do not know what this is, a faculty member meets with a group of approximately 25 students in the Faculty Lounge to discuss an area of his/her legal expertise. Following the lecture a wine and cheese buffet will be served. Students who attended last year's lecture series found it enjoyable, and educational and I would recommend students to sign up for the series. Sign up sheets will be pasted on the SGA Bulletin Bd. approx a week before the lecture.

In a more substantive vein, we are currently working with the faculty in three areas. We are proposing faculty policy changes in test publication, student-faculty evaluations and faculty evaluations of new faculty. When progress has been made in these areas, we will let the student body know.

The time is approaching for students to consider whether they are interested in serving on the 1985-86 SGA. Elections are a lot sooner than you think. They will be scheduled for March 27th. While I cannot speak for the other members of the present Student Government, I personally will not seek another term. I hope qualified and dedicated people choose to run. If anyone is interested in working on any of the above events or running for office for next year, please speak to someone on the SGA.

NEW PARKING PERMITS

Assistant Dean Robert Douglas has announced that new parking permits must be obtained from the Department of Public Safety. If you do not obtain the new permit, there is a possibility that your car will be ticketed and/or towed.

HOFSTRA LAW WOMEN

Hofstra Law Women presents
"Maternity Leave and the Successful Attorney,"
a discussion led by Carol M. Kanarek,
partner, Manhattan-based legal search and
recruitment consulting firm;
vice-chair of the American Bar Association's
(Young Lawyers Division) Career Planning
and Placement Committee, on
Wednesday, March 13, 12 noon, Room 204.
Refreshments will be served.

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

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COMMUNITY FORUM

THIRD WORLD PERSPECTIVE

Playing Politics

With The World Court

by Dennis Warren

President Reagan's decision to bar the U.S. government from further participation in International Court of Justice proceedings in a suit brought by Nicaragua, does not augur well for the future of the Court.

Neither does the decision help to alleviate the steadily mounting international tensions created, to a large extent, by the struggle among the superpowers for hegemony.

Underlying the United States' recent decision—quite apart from the technical pleadings over the issue of jurisdiction in the case—lies an implicit political motive, predicated no doubt, on U.S. economic and geo-political interests in Central America.

Nicaragua alleges, among other things, that the U.S. government has systematically carried out a program of destabilization, under the capable leadership of the CIA, aimed at overthrowing the Sandinista government of Nicaragua.

The U.S. has countered with charges that the Sandinista is a Marxist government, intent only on executing Soviet/Cuban designs in the region. The U.S. has also specifically charged the Sandinistas with supporting the revolutionaries in neighboring El Salvador.

The foregoing indicate the grave political nature of the dispute, in which the ICJ seems destined to be relegated to a secondary role, instead of its primary one as a peacemaker.

By spurning the court's ruling, the U.S. strengthens the argument of those commentators who view the ICJ as being practically irrelevant, because of its limitations as an adjudicatory organ.

It is evident that, whereas the ICJ may be able to hand down rules based on well-founded decisions, its ability to enforce judgment is often times severely limited. Hence, the case at hand, where the U.S. defies with impunity the court's ruling because it is inconsistent with its immediate political goals in Latin America.

It was not too long ago that the same court cast judgment against the government of Iran, in the much publicized and protracted

hostage crisis situation. Iran, at that time, treated the court's decision against it with disdain.

Now, by its present action, the U.S. finds itself following closely in the footsteps of the country it so vociferously condemned in the past.

But the U.S., unlike Iran or other Third World states, can scarcely allow itself to be perceived in this light, for such action poses a contradiction to the ideals which this nation espouses: peace, freedom and democracy. After all, America is the leader of the free world. The fact is that many developing states look to the U.S. as an arbiter of peace. By its recent actions in the World Court, this perception must be seriously compromised.

The U.S. seems to be sending a tacit message to the rest of the world by its refusal to heed the ICJ ruling: that the court lacks legitimacy and objectivity. Such a stance must seriously undermine the role of the court in today's turbulent world.

But not all nations will blindly accept this suggestion, for smaller states are aware of the importance of the court, particularly in situations where these states cannot defend themselves against superior military might. The undermining of the court, therefore, clears the way for those with superior arms to rule those without. Such a situation puts the superpowers in an ideal position, while rendering the Third World states as mere pawns in an ideological game.

But even more serious than the possible long term effects of the U.S. pullout on the international legal system, is what this stands for in terms of the political situation in Nicaragua.

The U.S. action has drawn the ire of many nations who have viewed it as irresponsible. But the U.S. seems quite willing to bear the momentary scorn of its fellow nations, to achieve its goals in Central America. This move sets the tone for further aggression against Nicaragua, in violation of international law and against international sentiments.

There is one question Americans will be forced to confront in the long run, however: "Was it worth it all?"

DEAN'S CORNER:

Dean Eric J. Schmertz

Distinguished Professorship Convocation

There is nothing more important or more inspiring to an educational institution than the establishment of professorial chairs and distinguished professorships. It honors, in perpetuity, the person and the name of the person for whom the professorship is established—in this case, Benjamin Weintraub. It honors the professor in whose academic discipline the professorship is created and rewards him or her for excellence and performance in that discipline—in this case Alan Resnick. It calls credible, national attention to the school at which the professorship is established and particularly to the scholarly or planned scholarly work in that discipline—in this case Bankruptcy Law. And it adds lustre to the academic and professional notoriety of the school at which the professorship is created.

These Distinguished Professorships have helped this Law School, not yet 15 years old, to dramatically improved its ranking this year in the Gourman Report from 98th to 28th among the 172 accredited law schools in this country.

Today, Hofstra Law School is the happy beneficiary of the name and reputation of Benjamin Weintraub, one of the foremost bankruptcy lawyers in this country.

At Hofstra we are delighted that you and your name have joined our growing group of Distinguished Professorships.

The Weintraub Professorship has its unique characteristics. Its establishment and the stature it accords to Bankruptcy Law is in a very real sense the result of the interdisciplinary impact, the public interest and the dignity that Benjamin Weintraub has almost single handedly brought to Bankruptcy Law. It has been Ben, through his cases, his writings, and his professional activities that the inter-relationship between Bankruptcy Law and other legal disciplines has been shown, and it has been Ben who has demonstrated that when a bankruptcy proceeding is needed and carried out, it not only salvages the fiscal lives of many, but in doing so permits the business enterprise to continue as an employer and contributes to the economy while providing equitable and tangible results for the creditors. In these days we talk a good deal about public interest law. Bankruptcy law, as refined and practiced by Benjamin Weintraub is as effective in the public interest as any other legal subject I can think of. And Professor Resnick has carried on that tradition by his superb teaching of Bankruptcy Law and by his scholarship in the field.

What else is unique is that Ben and Alan are friends, professional colleagues and collaborators. They wrote and published the *Bankruptcy Law Manual*, a definitive work in the field. Their professional relationship transcends their respective ages and respective positions. They have formed a complementary partnership out of which, and to our benefit, this Professorship is created.

The Hofstra Law School thanks you for what you have done and we thank the many others, many who are here today, who have made this historic event possible by contributing to the endowment and by their expressions of support.

Remarks by Vice Dean Stuart Rabinowitz

I have worked with Alan since he joined the Law School faculty in September of 1974. In fact, as I had come to Hofstra two years earlier, I was a member of the Faculty Committee which interviewed and recommended him for appointment. I recall that

the Committee unanimously and enthusiastically supported Alan's candidacy for a variety of reasons: his impressive academic credentials (he graduated from Georgetown University Law Center in 1972 where he was an editor of the Law Review; he received an LL.M. degree from Harvard in 1974 where he was a Graduate Fellow); his practical experience; his enthusiasm for teaching; his desire to excel in scholarly endeavors, his poise and self-confidence and finally, his friendship with Billy Joel's drummer. In addition, I was personally influenced by Alan's willingness to teach Bankruptcy Law, a course which was then assigned to me. I did not want to continue teaching Bankruptcy because, in my view, it held little prospect of any significant legislative or judicial change or opportunity for innovative scholarship. Obviously, I could not have been more wrong nor Alan more correct about the future of Bankruptcy Law. As you know, as soon as Alan began teaching in that area, the law underwent almost revolutionary change which has generated exciting new issues and fascinating debate among scholars and lawyers. Of course, knowing Alan as I do, I suspect similar developments would have occurred had the course we exchanged been Legal History.

It is with both professional admiration and personal joy that I briefly describe the reasons why he is being honored this afternoon. Or, as his youngest son, Craig, has observed, why Alan today is to be "inaugurated into the Hofstra Hall of Fame."

Alan Resnick's extraordinary accomplishments during his ten years at Hofstra have realized the highest aspirations we have set for the development of our young law school. Indeed, I do not believe it an exaggeration to conclude that Alan has played a vital role in our success to date.

Hofstra has recognized from its inception that the primary function of a law faculty is to teach law students. By all accounts (his students and peers), Alan is a superb classroom teacher. And, over the years, students have given him the highest accolade a law teacher can receive: Professor Resnick taught them not just the principles of Bankruptcy, Contracts or Commercial Law; he taught them how "to think like lawyers."

Nor has Alan confined his teaching to the Hofstra classrooms or ignored the fact that members of a law faculty should be actively involved with the legal profession as a whole.

He has lectured extensively on Bankruptcy and Commercial Law to the practicing Bar in programs sponsored by such organizations as the American Bar Association, the New York State Bar Association, Professional Education Systems, Inc., the Annual Uniform Commercial Code Institute, the Nassau Bar Association, the Queens County Bar Association and the Advanced Practice Institute.

In addition to its emphasis on teaching, Hofstra has also recognized that a hallmark of a Law School of excellence is a faculty engaged in significant legal scholarship. Alan's scholarly productivity during his 10-year teaching career has been extraordinary. As you have heard, he has co-authored with Benjamin Weintraub the *Bankruptcy Law Manual* with Annual Supplements. He has also co-authored two other books with colleagues on the Hofstra Faculty. He has authored or co-authored seven law review and law journal articles. He has also written, with Benjamin Weintraub, at last count, fourteen columns in the *Uniform Commercial Code Law Journal*.

Continued on page 6

Next Conscience Deadline February 25

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

COMMUNITY FORUM

Dean's Corner Continued

Continued from page 5

The high quality of these works is evidenced by the fact that his writings have been cited in at least 35 judicial opinions of federal courts, including decisions by the 3rd, 5th, 7th and 9th Circuits. One of his articles which was published in the Rutgers Law Review is widely recognized as the leading article on pre-bankruptcy planning by purchasing exempt property with non-exempt assets in contemplation of bankruptcy. In fact, the State of Maine enacted a new statute, relying heavily upon Professor Resnick's proposal for reform in this area. It is fair to say that Alan has already established himself as a prominent authority in his field.

Lastly, Hofstra Law School has encouraged its faculty to engage in professional, university and community service activities. Again, Alan's record in these respects is exemplary. He is a member of the National Bankruptcy Conference and the Bankruptcy Committees of the American Bar Association and the New York State Bar Association. He is a member of the Panel of Commercial Arbitrators of the American Arbitration Association and consults with practicing attorneys on Bankruptcy matters. He served as a member of the Board of Directors of the Nassau Chapter of the NYCLU and participated on a pro bono basis in its litigations. He has been a member of the Professional Advisory Board of the Association for Children with Learning Disabilities and has organized and moderated programs for that organization, as well as for the Long Island Rehabilitation Association. In addition, Alan has given us the benefit of his leadership abilities by serving as Associate Dean and as a member of virtually every significant law school committee.

That is a brief summary of Professor Resnick's professional accomplishments to date. But there is more to Alan than that. He has somehow managed to maintain his personal order of priorities. He has never sacrificed his family life for his work. On the contrary, his wife, Jill, whose judgment Alan always seeks and follows (except when he makes a mistake) and his sons, Brian and

Craig, have always come first. Alan would rather talk about Brian's baseball successes and Craig's hockey triumphs than even the most subtle of issues concerning voidable preferences. And in a time when it is perhaps not very fashionable to do so, Alan speaks openly of his love and admiration for his parents.

In short, this honor could not be bestowed upon a more deserving person than Professor Alan Resnick. Like the Hofstra Law School he has achieved tremendous professional success at a relatively young age and like Hofstra Law School we can confidently predict for each that the best is yet to come.

Remarks by Professor Alan N. Resnick

When preparing my remarks for today's event, I realized that—considering the lateness of the hour when I would be speaking—what the audience would be most interested in hearing from me is anything at all, so long as it is brief, and followed by clear directions on how to get to the food and drink at the reception. I promise that I will try to be brief, and that I will use this time only to express my gratitude, as well as my sense of responsibility and challenge which this distinguished professorship entails.

First, I wish to personally thank the many friends, relatives and colleagues of Benjamin Weintraub, whose love and respect for Ben, coupled with their enormous generosity, have made this event possible. In this regard, I am especially grateful to the law firm of Levin & Weintraub & Crammes and to other members of the bar who gave their support. And, of course, I am immensely grateful to Ben, whose desire to continue to contribute to scholarship and education in this important field, is the spirit and driving force behind the distinguished professorship being celebrated today. I also thank Ben for his confidence in Hofstra University, in this law school, and in me personally.

I wish to express my thanks to the Board of Trustees, to President Shuart, the Provost

Hammer, to Dean Schmertz, and to my colleagues on the Law School faculty, all of whom supported and endorsed my appointment to this distinguished professorship. I must say, however, that my feelings of gratitude to all of these members of the Hofstra community, as well as to the staff and students, go well beyond the honor I am receiving today. I have been a member of this faculty for more than 10 years, and I have always appreciated the confidence, encouragement and personal friendship which I have received here.

Anybody who knows me well also knows that my expressions of gratitude would not be complete without mentioning my family, who I love, and I thank them for their love and affection.

Now I wish to say a few words about the unique responsibility and challenge which this honor carries with it, because of the name attached to it. Six years ago, I met Ben Weintraub, which turned out to be one of the most significant events in my professional career. We teamed up as co-authors and produced more than 20 publications in five years. But much more than that, Ben and his lovely wife, Jeanne, have become warm and dear friends, and Ben and I enjoy a special professional relationship that brings us into almost daily contact. Ben has influenced me by his enormous energy, intelligence, creativity, wit and dedication to this important area of the law. Most of the lawyers in the audience today know Ben as a "lawyer's lawyer." I know him as a "professor's professor." He inspires me as only a mentor can.

Although most of my students have never met him, they all have been touched by his ideas, and his ideals—through me. The students in my course on bankruptcy law even know Ben's work directly—an article on Assignments for the Benefit of Creditors written by Ben, Harris Levin and Eugen Sosnoff, published in *Cornell Law Review* back in 1953, is reprinted in their casebook which was recently published 1984. In fact, judges, lawyers, law professors and law

students have been benefiting from Ben's remarkable level of scholarship for many years: articles in *Harvard Law Review*, in *Cornell*, in *Rutgers*, in *Fordham*, in *N.Y.U.*, and many others—it's enough to impress even the most productive academics.

In addition, Ben exemplifies professionalism in the highest sense of the word. He has made substantial contributions to the development and improvement of bankruptcy law in this country. He has testified before Congress, served on numerous professional committees, has been an active member of the National Bankruptcy Conference, and has taught and written in this area extensively. And in all that I have seen him do, he has never strayed from the highest professional and ethical standards.

It is for these reasons that occupying a distinguished professorship which bears Ben's name is much more than an honor. It is a responsibility and challenge to live up to Ben's high professional standards. My new title will serve as a constant reminder that I should be teaching my students more than what the law is and how it is applied; that I should try to instill in them a creative, visionary spirit which will put them at the forefront of law reform and development which is where Ben has always been. This title will constantly remind me to keep reaching beyond mere reporting in my scholarly writing, and to continue to strive to break new ground, and to advance new ideas. *This title will always inspire me to go beyond the classroom, and beyond the law library to contribute to the best of my ability on a much broader scale to the betterment of the legal profession in general, and of the bankruptcy bar in particular, and to inspire my students to do the same.*

When one is called the "Benjamin Weintraub Distinguished Professor," there is no room for professional inaction or complacency.

I will try my very best to meet the challenge of living up to Ben's high level of excellence.

Thank you.

Law Race and Racism Course Opens Eyes

By Karen M. Funk

"Too many lawyers are insensitive to their greater ethical and social responsibilities...I'd like to think that if there were a consistent and diligent focus in the law schools in general on the lawyer's moral and social responsibility, there would be more concern on such concepts."

Justice Sandra Day O'Connor — in a speech criticizing law schools for concentrating strictly on teaching legal skills at the expense of ethics.

This past semester a seminar course on *Law Race and Racism* was offered. Approximately thirty students participated. Professor Douglas Colbert took the class through the legal history of racism in the United States. After reading the entire Supreme Court opinion on *Dred Scott v. Sandford* (which I thought up until then was only a few paragraphs long) I was shocked that nearly all law students leave law school without ever reading the full opinion. *Dred Scott* is the most revealing opinion on how the government justified institutionalized racism in this country. Blacks and Indians were determined to be property, not people and certainly not citizens. The justification

was on religious and moral grounds because the white majority knew what was best for those "non-citizens."

One of the amazing things I discovered about studying the legal history or racism was that even though the condition of Black people has changed in this country since 1857, some of the language and rationale used in *Dred Scott* is still with us today, and is being used in official statements by Bradford Reynolds of the Justice Department.

The class included presentations from some outside speakers. Two speakers addressed the legal history of Asian-Americans in this country. One speaker was a woman who was interned in an American Concentration camp during World War II. Her husband was a Nisei soldier. The class also had the opportunity to hear Arthur Kinoy talk about his legal strategies and experiences in the South in the 1960's and 1970's.

Law Race and Racism increased student sensitivity to the fact that racism exists in all areas of the law and the society in which we live. Students in the class, both minority and majority (about 50-50) were effected by the impact of this seminar course. Some students were affected more than others. The comment heard most often was "I

wasn't aware of that part of our history". As students got more comfortable with each other and some trust was built (not a normal occurrence in a law school class) minority students discussed their experiences as students at Hofstra. Feelings such as isolation, alienation and a feeling that majority students did not respect them as they respected their other peers. One student told of incidents, (which received knowing nods from other minority students?) in which he had given a correct answer in class and other students would look at him in amazement as if to say or to actually say "that was a good answer, how did you know that, you are pretty smart".

Another concern expressed by minority students was the uncertainty of what was ahead for them after law school. While there are few minority students at Hofstra, according to a 1982 study conducted by the Task Force on Discrimination for the National Association of Law Placement, only 300 Black people were employed by 272 private firms in the 12 largest cities in the United States — less than 2 percent of those lawyers. Black partners in the firms are even scarcer — 41 in the 272 firms. In 1982, the *National Law Journal's* survey of the 151

largest firms showed that 25 of the firms did not have even one Black lawyer, and that overall Black people accounted for only 2.9 percent of all lawyers in the firms — a figure that doubled the previous year's 1.4 percent showing. This situation is circular. Black students do not feel comfortable interviewing with a firm that has low Black hiring so they do not apply — they ask themselves, Why would they want to work in a firm like that?

The majority of students in the class (speaking for myself) were forced to confront their own notions of racism, recognize and face racist attitudes that they carried around with them and hopefully resolve this of themselves. I was glad I had an opportunity to do this while still in law school. Courses such as *Law, Race and Racism* foster awareness and sensitivity, which Justice O'Connor feels is necessary for the development of a lawyer's moral and social responsibility which would result in a concern for such concepts as racism. To have this all happen within the context of a legal framework, makes a course such as *Law Race and Racism* a unique and worthwhile course. If Hofstra is serious about recruiting and retaining minority students, courses such as this are essential.

Letters To The Editor

SGA Representative Counter - Attacks

To the Editor:

I am somewhat hesitant to respond to Joe Lee's letter on the recent SGA budget meetings published in the November-December issue of *Conscience*, fearing that by responding, I will only legitimize what would otherwise be a poorly reasoned, immature collection of Mr. Lee's thoughts on an important issue. Nonetheless, considering the significance of the matter at hand, I find that intelligent discourse on this subject has been lacking, and is therefore necessary.

Notwithstanding the initial tone of this letter, I will strive to keep my remarks on a more mature plane than that exhibited by Mr. Lee. Although it is certainly within his discretion to write in whatever style he might feel to be most effective, I personally found Mr. Lee's incessant name-calling (Queen Victoria, The Man Who Would Be King...) to be incredibly sophomoric and certainly less than what might be expected from any law student.

Mr. Lee began his tirade by noting that I had the "audacity" to call last year's budget meeting a "fiasco," a characterization that supposedly implied that last year's Reps. were "incompetent." First, I made no such implication, and would suggest that Mr. Lee's remarks may in fact be nothing more than the product of his unpleasant realization that, competency aside, this year's SGA implemented a more effective and intelligent budgetary process than that used in the past, thereby accounting for Mr. Lee's feelings of inadequacy. Second, any impression received by anyone to the fact that I sat in on last year's budget meetings (which I did not) was

the product of creative reporting and editing by *Conscience*. Although the *Conscience* reporter with whom I spoke unquestionably knew from both my comments and from fact that I did not attend those meetings, I was nonetheless quoted in a manner that produced distorted conclusions. (One might find this fact to be indicative of the problems recognized by the SGA when deciding to exclude a *Conscience* reporter from the meetings).

I am also somewhat bewildered by Mr. Lee's suggestion that, considering my absence from last year's meetings, my comments were nothing more than "ignorant hearsay." Mr. Lee seems to suggest that my absence renders me incapable from recognizing certain facts about those meetings and acting accordingly. Such a notion is alarmingly naive, for it ignores the fact that the SGA is an on-going entity, requiring present members to often act in response to and in reliance upon past events. (Mr. Lee also conveniently forgets that throughout his letter, he comments upon various thought processes conducted by both SGA President Jim Black and myself, and I can confidently say that however omnipotent Joe Lee thinks he may in fact be, he most certainly was not present when I came to the various conclusions that I reached). Furthermore, if Mr. Lee is every bit the evidentiary expert he fancies himself to be, he should recognize that my statements, although grounded in hearsay, would in fact be hearsay exceptions, as they were clearly based upon statements made against the interests of the declarants. Had he bothered to research the facts, Mr.

Lee would have discovered that I came to my conclusions after speaking primarily with both Jim Black and Doug Lieberman. Although it was clearly stated in the October issue of *Conscience* that Doug voted against closing the meeting and Jim abstained from voting although making his displeasure with the decision to close known, Mr. Lee failed to recognize that, as strong advocates of an open meeting, both Jim and Doug had every reason to present last year's SGA meetings in the most favorable light possible. But, much to their credit, Jim and Doug instead responsibly recounted an accurate description of those meetings, which were characterized by disorder and confusion.

Actually, a lot of things were clearly stated in the October issue of *Conscience*, but somehow, Mr. Lee never got a solid grasp on many of the facts published. Of course, I'm assuming it was ignorance and not blatant malice that led him to completely misquote and misinterpret what I said. Mr. Lee correctly attributes to me a statement that, "It does not matter what an individual says." Unfortunately, such a quote is interpreted by Mr. Lee in a manner that is completely out of context. Mr. Lee suggests that I am saying that "Students don't have the right to oversee [the budget] process." In fact, what I was saying was that the SGA acts as a responsible body, and in that regard, it is not important what an individual SGA member says. Such a meaning would have been inescapably apparent by reading the October *Conscience* had Mr. Lee merely put more emphasis in comprehending what was said, and less emphasis on his juvenile jeering.

In a nutshell, the decision reached by the SGA to close the budget meeting was the right decision. I stood by it in October (as did an overwhelming majority of the student groups most affected by the decision) and I continue to stand by it today. When an open budget hearing affords each group the opportunity to present a case justifying its budget requests, and provides for competent, intelligent, *unpressurized* discussion between the group's representatives and the SGA members (and such a hearing did in fact take place), there is no rational reason to then have those same individuals attend a budget meeting where the only purpose they can serve (and the only purpose they have in fact served in past meetings) is to pressure SGA members and to infringe upon the effectiveness and legitimacy of the budget allocation process. If Mr. Lee suggests, as he in fact does, that the presence of these students is useful in answering questions and offering suggestions, then I would suggest that Mr. Lee does not understand the entire budgetary process. The *hearings* are the proper forum for that kind of exploration and interrogation. If, by the time of the SGA budget vote, the SGA members are still ill-prepared to come to decisions, they are not properly performing their functions. And so there will be no doubts about my implications here. I am not suggesting that last year's SGA was incompetent. Let Mr. Lee decide that for himself.

Neil Kurlander — 3rd Year Rep.

Editors Note: *Conscience* stands by the accuracy of its story and the portrayal of Mr. Kurlander's comments.

Closet Malcontent To The Editor

I used to be a closet malcontent. I thought I was the only person in the world who thought there was anything wrong with Hofstra Law School. Then in hushed hallway whisperings I learned gradually that there were dozens, nay, scores — who shared my beliefs. It's now clear to me that my early instincts were accurate: the Emperor is indeed naked; there is plenty wrong here.

So what's my beef? Why now, in the final weeks of my stay and while still in the good graces of a few school officials and staff, do I spring like a Jack-in-the-box from the aforementioned closet and purport to tell all — like it is? Why don't I just graduate or something and go away quietly? Why can't I simply "pass and be forgotten with the rest"? Why doesn't a mild-mannered gentleman (my own characterization), who should perhaps be contemplating the peace that accompanies one's silvery years behave as such, and not seek to rouse rabble?

Because I don't believe in playing dead, that's why. Because I think we can be a better school than we are. Because we have bright, hardworking students and faculty and we're not making full use of all this light and heat for the students' maximum benefit.

We don't hear very many complaints from students during their first and perhaps second years because they are too busy, confused, traumatized, tranquilized, intimidated or unsure of themselves to criticize their new home. In their final year, with the worst now a fading memory, students' attentions directed to seeking employment and departing on good terms with all, and recognizing that it will soon all be over, they content themselves with counting the days and are simply not concerned with stirring up trouble. (I must pause to say that many school personnel and students may be quite satisfied with the school as it is and will pooh-pooh all this. I do not for a moment claim to be the voice of the majority of the student population; I speak only for myself and, I hope, for a few other sensitive souls in whom I may strike a resonant chord.)

For my part, I choose not to remain silent any longer; as one of the community, it is my

duty to speak out and I do so in the hope that at least some of my thoughts will provoke actions that will benefit the school in general and the students especially.

I believe students are subjected to burdens and deprivations great and small in both academic and non-academic areas. These affect the quality of instruction we receive, as well as our day-to-day life here. Fortunately, it would be relatively simple and inexpensive to make changes, but it would first be necessary for school officials to adjust their mind-set.

Stating the overall problem in business terms, I think there exists a failure to recognize and treat the student as the customer. That's it, the whole thing. The student pays the electric bills, the salaries, the insurance premiums, and so on and on. And the reason for the very existence of the school is the education of the student. When a business forgets who its customer is, it often suffers financially, or in the case of government "businesses," starts to resemble your friendly and efficient Motor Vehicle Bureau, and the public suffers. But when a school forgets who its customer is, it is the student who suffers.

I feel certain that if Hofstra Law would adopt (or reinforce) the student-as-customer philosophy, we could soon see improvements in many areas, as for example, examination and registration procedures. (I'll have specific recommendations on these and other barbaric rites in subsequent letters.)

For example, and without my going into painstaking detail, which I expect to do in the future, I suggest that the student-customer would be better served if the following practices were instituted:

(1) designated office hours for professors, to eliminate the need for playing "catch the prof"

(2) objective examinations in mid-semester, to instill confidence and a sense of direction in the student, aid him in learning, and relieve some pressure at finals time.

(3) post-exam reviews, to provide valuable learning opportunities.

(4) open house discussions with professors prior to registration, to permit wiser selection of courses and to minimize drop-

out frenzy at the start of each semester.

Of course, this merely scratches the surface. When one starts thinking "student-as-customer" many possibilities for improvement reveal themselves. I would hope that

other *Conscience* readers use this and other forums to make known their complaints, as well as their suggestions for improving the quality of the product we're purchasing.

— Jack Foster 3L

Out of State Student Sounds Off

Letter to the Editor:

The Gorman Report may rank Hofstra as the twenty-eighth best law school in the country, but I'll bet Gorman never met the people who run Hofstra's "residential life" program. If it were possible in ranking or accrediting A.B.A. law schools to take into account the quality of housing provided to their out-of-state students, Hofstra would find itself rated—INADEQUATE! The best executed public relations campaign to win Hofstra status as a national law school is substantially undermined if its graduates, who practice outside the northeastern corridor, decline to recommend the school to prospective law students. For example, I believe Hofstra to be a good law school and that I have obtained an excellent legal education at Hofstra. Nevertheless, based on my experiences as an out-of-state residential law student, living in university housing, I would not recommend Hofstra Law School to anyone.

Although the law school is entering its fifteenth year, it remains incapable of coordinating its semester schedule with residential life. This makes it impossible for law students to reside in university housing while participating in the law school's regular program, without serious disruptions. The real problem may lie with the people in residential life, who write the rules and enforce them. In my experience, the insensitivity of those in charge at "residential life" to the legitimate housing needs of out-of-state students is truly remarkable. Those of us who do not have family homes in Nassau County to retreat to during arbitrary housing interruptions are especially inconvenienced.

Additionally, the entrepreneurial zeal with which residential life conducts its billings is strikingly uncharacteristic for a "non-profit" organization. Housing at Hofstra Law

School may be inadequate, but in my opinion it is not undistinguished.

At what university in the United States that purports to furnish housing to its out-of-state law students would these very students be kicked out of the dorms at the start of the law journal writing competition? Yet, Hofstra University can claim that distinction. That happened to me at the conclusion of my first year at Hofstra. It was only after a concerted lobbying effort by a group of able law students that the University relented. The only catch was that we still had to pack all of our belongings and move from the University apartments (forerunner to Twin Oaks) to the Netherlands Complex — while other students were working on their writing projects. Nowhere would the absurdity of such treatment be lost on those running a university residential program—except at Hofstra.

Those of us who were so imposed upon were placed at a significant disadvantage in earning places on the school's scholarly journals that year.

Where in America do those running a university housing program view students with such suspicion that on the slightest pretext they regularly react toward students in a punitive and threatening manner? Yet in my experience, Hofstra has built its reputation on its discourteous treatment of resident students. During my first year I received a letter threatening me with a \$25.00 fine and then expulsion from the dorm if I again failed to respond to a fire alarm drill in my apartment complex. Ironically, the alarm on my floor located far from my room was faulty and emitted a faint bell that could not be heard in my apartment when the doors were shut. The R.A. (a law student) physically

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More Letters

Continued from page 7

startled me awake one morning at 3:00 a.m. to inform me a fire alarm had gone off. He assured me that he knew I was asleep and that I did not intentionally fail to respond to the drill, but that residential life rules required that I be reported for willfully failing to respond. As a former residence advisor at another college, I'd wager that at any university of standing in this country the response would have been to attempt to redress a legitimate safety hazard by repairing the alarm or taking some other corrective measure. At Hofstra, despite my request to the Head Resident and Resident Advisor that the alarm be repaired, no such action was taken. No resident student should be placed in the position of having to fear that by going to sleep in the room he has paid for he will fail to hear a defective alarm and as a result be thrown out onto the street. Yet, during the remainder of my first year, I had to make certain that in the event of an alarm there were students on my floor who made sure I was awakened.

Only at Hofstra would law students who have paid their "Spring 1985" semester housing bill be refused access to their apartments until the beginning of the third week of the publicly posted, regularly scheduled, academic semester. I discussed the matter with Hofstra resident life spokesman Ted Elling. He explained to me that it was perfectly equitable not to include the first two weeks of the semester in the billing marked "Spring 1985." Law students who wished to return to housing when the semester started could do so providing they paid a bill for four weeks' housing. Mr. Elling explained that this was fair because those law students paying the bill could have moved in anytime

after January 2nd—even though the semester started on January 14th. Further, he indicated that the billing was completed in the bursar's office and that they lacked the sophistication to compute a housing bill to include an additional two weeks rental in the regular rent. Mr. Elling underestimates the bursar's office. Any of us who have received a housing bill with infirmity fee, activity fee and housing change computed to the penny don't doubt the sophistication of the bursar's office when it comes to assessing a change. It appears that only when the excess of the billing goes against the University's pecuniary interest does their ability to assess it accurately fail.

At no other university extant, would a law school which pledged to provide reliable housing for out-of-state residents bar them from housing for the first two weeks of the semester, unless students paid extortionist rates. Hofstra University is quite capable of drafting a housing bill for the law school's spring semester that includes two additional weeks over the undergraduate class schedule. Hofstra is also capable of billing, separately, those of us who elect to return to the dorms two weeks early to take part in the NITA program. It chooses not to in hope of making extra money off of us for services we don't need. Out-of-state law students, like me, who couldn't afford, or refused to pay, this extortion were greatly inconvenienced and our academic studies disrupted by being banned from housing for the first two weeks of the semester.

If Hofstra Law School wants to become an institution worthy of serious consideration by out-of-state students, it should take whatever action is necessary to provide suitable housing accommodations. Like every other private university in the nation, I expect Hofstra will solicit me for a financial contribution, shortly after I graduate. Perhaps only then will Hofstra finally realize that it has forever overdrawn its account at the bank of my goodwill.

—Randy Arthur
Oregon Resident

To Post or Not Post That is The Question

Letter to The Editor:

"Psst. Wanna buy a class rank listing little boy?"

When I heard this offer I stopped dead in my tracks. Was it true? Had someone actually broken the "secret code" employed by the law school and figured out the corresponding GPA's for the numbers, and then matched the numbers with the faces? The realization that I could now find out who got the A in Contracts in order to slash his/her tires forced me to hand over my \$10. I was finally going to read a book I bought this semester....

The above is a hypothetical situation—the list is not for sale. Students have expressed concern with the current method of posting grades. They have seen people actually mimeographing grades! And not just one class list, but several! This leads to two conclusions. Either these people don't have the capacity to remember their grade and need a written copy (these are the same people with nametags sewn onto their clothes), or "Statistics and the Law" has cracked the course line-up and is being taught.

The basic premise behind posting grades is a good one. Most people like to know what their grades are, and how they stand in relation to their class (as a group, not individuals). Also, the waiting for some of the grades is good practice for the five month wait for bar exam grades.

The exam number system is supposed to protect each student's privacy. If he doesn't want anyone else to know his grade, he just doesn't tell anyone his number. However, the code used by the school is easier than the "Jumble" in *The Daily News*. If you know a few numbers, and then know a few other people who are in certain classes—Bingo! You're on your way to an exciting career as an intelligence officer.

There are a few solutions to this problem. One is to use the last four digits of each student's social security number, and then list the grades numerically. Four digits may make it more difficult to compare classes, and numerically make the list a little more confusing than the current "alphabetical by number" system. The problem with this is though it is easy to administer, it does not do anything.

A better solution would be not to post the grades downstairs, but only in the glass cases upstairs. Those cases don't get used after the first week's assignments are done, and grades are very rarely up that early. It would cut down on "invading privacy" since the only way to get the data is to stand in front of the case, pen and paper in hand, and copy all of the grades. This would be a formidable task, and the person doing it would look quite foolish. Then again, who is to say that the type of people doing this would be upset if they looked foolish? However, the code is still a problem.

The best solution would be to put the grades in the glass cases, but assign each student a different number of each class. There are plenty of random number tables in appendices of statistics books to go around. If each class had its own number, the only way to figure the code out is to get the alphabetical roster of every class, and correspond the two. But, by using the random numbers, and not assigning them alphabetically, POOF, that problem is now non-existent.

Anyone who has any other suggestions, or comments on these, should feel free to talk to an SGA rep, or leave a note in the SGA mailbox. Speaking for myself, if I wanted my grades to be known, I would've done better.

—Doug Lieberman

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♥ Messages From The Heart For Valentine's Day ♥

Betsy, Sally and Lisa,

Happy Valentine's Day! I've been on the wagon since you left. Hurry back please! Love, The Bottle Breaker.

MARIE—T-minus 1 week and counting! Watch out Florida!

SEAN—What an unforgettable night! You were awesome! I promise I won't tell Sue, Cathy, Mary Lou, Patty, Lisa, Ann, Mindy, Donna... [Editor's Note: Due to space limitations, the rest of the list had to be omitted.]

FRANK—DIANA LIVES!

"What do you say, little girl?"

Mark—Maybe you should take Trial Techniques again next year and get a few more dates with high school students. It was a pleasure to experience your charming personality every morning. One night we'll give to go sleazing together! Happy Valentine's Day!

Gregg, Alan, Lou—We'll meet you at Buttes. Wait for us. (Hmnn.)

Allison,

Maybe next Valentine's Day we can practice law in New York City.

Gerry—

So glad you saw me in Carol's mirror. Happy Valentine's Day!

—Mr. Woodpecker's Daughter

HELLO JOE M.!

You better get new wallpaper, the stuff on the walls in your office is beginning to look like you.

—20/20 Woman



BILLBA,

Happy Valentine's Day to a man who loves to be abused. Don't let it happen again! With love, from a woman lawyer who cares...

To "a woman lawyer who cares"

I didn't know that the girl next door could look so sexy.

Mike,

There you go again!—Ronald Reagan

Robit,

I heard that Bertha put on some weight over the holidays, is it true? But yes, she's something special!

To BM,

Thanks for a great 1st semester darling. Love, DE.

SCOTT SCHER,

Happy Valentine's Day, darling! Just love our new year's resolution. What happens next year?

Prof. Gans,

I'm sending you last year's personal. The make-up personal will be in April.

Dear LM,

Happy Valentine's Day to a great person. You're even more wonderful than Cagney & Lacey. Will you be my Valentine? Love, LAW

Rose & Ben—Together for Valentine's Day, and forever!

To the students of Hofstra Law School,
Sorry I can't be your graduation speaker. I have a bad cold.

—Constantine Chernenko

Dear Nel,

You're a bad girl. How about leaving some for the rest?

Love, David

Jim B.—Remember the fates of Lincoln and Kennedy.

—Class of '86

Vicki & Bruce—Good going, happy couple! Happy Valentine's Day! Love, the Rubik's Cube Whiz!



Dear Michelle Z.,

Prof. Agata wants to set you up with Morgan and his friends.

—Charlie's Angels

To Al

Got any more "Exciting New Positions" for us

J&M

Dear Doug,

We heard library workers make the best lovers!

—The girls from the entire first year class

To HH,

You'll always be sexy to me.

Love, DE

Dear Ken, Steve and Eric,

What the hell is eminent domain anyway? Does it have anything to do with you putting us on probation? Happy Valentine's Day!

Love, the Angels that fell from grace

To Prof. Jacob's Law Fello,

Did you hear the one about having a nice pair...of shoes? I did.

Signed, Waiting for your tender touch.

I.O.:

I.L.Y.E.T.Y.

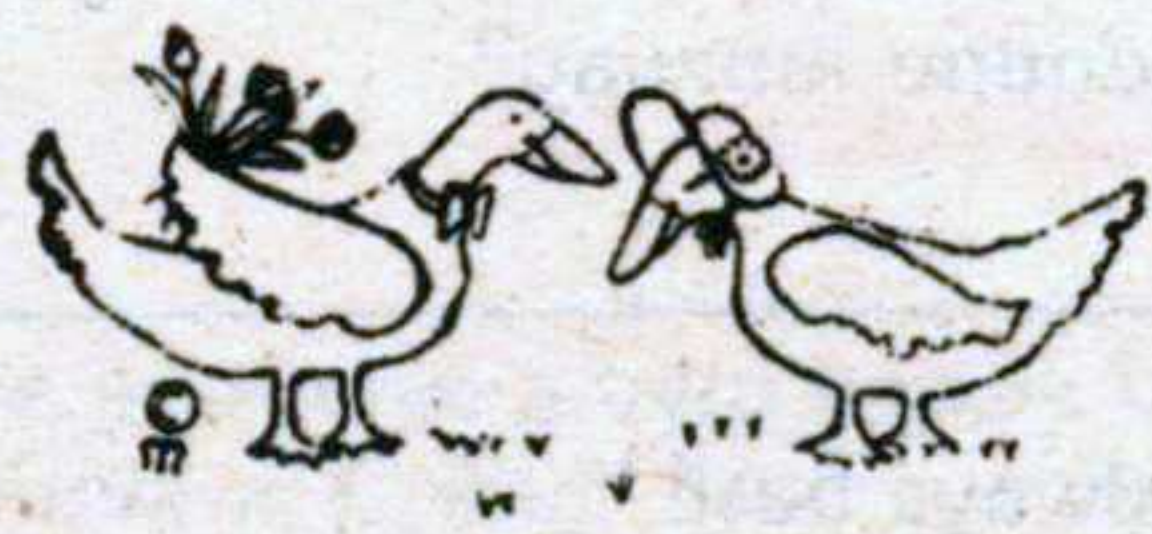
D.G.T.C.

H.V.D.

K.B.

To the Big Dude:

Love you so much!!! Happy Valentine's Day!



Dear DLG—

Happy Valentine's Day to a great teacher. You're the Cat's Meow.

—Your Fan Club

Helayne,

Happy Valentine's Day!

Love, Randy

Diane S.—

Thanks for always listening.

—Marie

Dear Section A:

"Don't wish it away. Don't look at it like it's forever. Between you and me, I can honestly say that things can only get better." How can it get any worse?

—Elton John

Ellen D.

Why did you move?

Pat, Joe, Adam & Andy,
DAY!

Love, Robin

Dear Prof. Silverman,

Have a whale of a Valentine's Day!

—that fox

Dear David,

Thank you for treating me to a wonderful first visit in America. 26 times and counting.

Love, Fay

To all of my Valentines who have helped me through every step of this maddening process: Karen, Brenda, Sandra, Marge, Jack and Wendy. From Day-one we have been in this thing together.

Love, Joy

Bobby,

Happy V-Day!—Robby

Dear Honorary Room-mates—

Ursula, Jean, Claudia and Alison, We love you. Will you have our children?

Tenderly, Those Angry Young Men
in 1-F

Dear Bob Cohen ('86):

I know you're already spoken for, but I hope there's a place in your heart for me. P.S. I passed the Crim. exam. How 'bout tutoring me in something else.

Love & Kisses, ???



Carol—Happy Valentine's Day to my oldest friend in the world. I'm so glad you invited me to your pre-New Year's Eve party—thanks to you, 1985 is turning out to be a good year! Love, Heidle's protege.

Dear Sean,

You're reaching the point of diminishing returns. You may have reached it a little bit earlier. Love, Once may be too much.

Craig,

Congratulations on your engagement! After living with me, marriage should be easy. Hopefully, Donna won't come to her senses before the wedding. Only kidding. lots of luck!—Mike

Randy,

A special Valentine to a special friend. You're terrific!—Yours Truly.

Dear Dave S.,

Stop holding my hand in class. Utt-Oh!

Neil—

Thanks for cheering me up all the time! Happy Valentine's Day. Love—Corporate Bitch

To our Valentine Balsa advisor—Professor Gregory—Happy Valentine's Day—BALSA.

Dear Steve Pointer,

We're so excited—it's Valentine's Day and we just can't hide it! Happy Valentine's Day! —Your fellow Pointer Sisters

Nel,

Happy Valentine's Day. I look forward to hearing about your wild exploits at El Torito. Seriously, calm down you party animal!—Mike D.

Nel,

I just wanted to make sure that you get more than one personal. Once again, Happy Valentine's Day!—Mike D.

Nel,

You like personals, don't you? You wanted 3 of them, DIDN'T YOU? Well, you got 3.—Mike D.



Dear Mr. Moss

Be careful about "Dancing in the Dark," it's V.D. time you know.

Hugs and Kisses
B.I.B.

Sleaze Woman No. 2:

Are there still parrot feathers in your room?

—Squawk, Squawk

Dear Pookey,

I enjoyed looking at your briefs during Moot Court.

Julia,

Let's incorporate.

Dan

Joyce C—

Confucious say "Those who occupy much space, should not attract attention to themselves."

—Those who would like to get a word in edge wise

Ron,

We did call you! And we do love you. Much Love & Friendship.

J&D

Ellen,

Your beauty, smile and style outshine any flea-market cousin?

—An appreciative immigration law student



To Mena—Even though you're really into law and documents, we think you are the world's greatest Mom! Love, your children

Kenny, Thanks for keeping quiet!

Miro—

Maybe we can teach Pat a few things! He obviously has poor judgment! Happy Valentine's Day!

Anne Marie & Paul,

Happy Valentine's Day to one special couple!

—N&M

Vicious,

When you whipped my buns, I screamed in delight, but when I took the bag off your head, I screamed at the sight

Love, the 3 of us

Messages From The Heart For Valentine's Day

Go ahead, punk, Make my Day.
—Bernhard Goetz

To Craig & Donna,
Happy Valentine's Day to the newly engaged couple! Lots of happiness!—Little Sister

Mary and Cheryl,
So glad that there are some other "real" women in the law school. —M&N

Collins and Javier Family—
Happy Valentine's Day. I miss you all. See you in May. Send \$.

Love, Jean

Robit—
It's been a whole year and I am still glad you came east! Happy Valentine's Day!

Dear Alan—Thanks for the C-!

Mike D—You like the way drugs make you feel, don't you?

Hey Seth, is it true that Alexis is your secret Valentine?



Pat,
Caught any sturgeons lately?

Sis' friend

Pat,
You and me the whole night, only if you know the number for dial-the-time and let me call Sis.

Sis' friend

Pat,
So what are you doing on Valentine's Day anyway, you Italian stud?

Sis' friend

Jean Dowd,
"The Babe"—Hot Stuff. Pure, Innocent. Everything I've ever wanted in a slave. I love you.

—ME

Dear Weight Room Hunk,
Show me more! Happy Valentine's Day!

1L Woman

Alan—
...But what am I wood?! Happy Valentine's Day from your favorite doormat!



Tim C—Be there St. Patrick's Day.

—The Gang

To Jockette—
Keep working that body. You're my inspiration. Be my Valentine.

Po Woman

Gregg—
Now that you've exhausted the female population in New Jersey, you're ready to start on the New York women! Happy Valentine's Day, cutie!

Jenny,
I want to congratulate you and Rich on your engagement. Best wishes for the future.

—Mike D.

Stevie P.—
Even though you quit Conscience and the staff is left to carry the heavy load, Happy Valentine's Day!



HERE'S ONE FOR YOU TONY.

Dear Eileen,
Happy Valentine's Day!!!

Love, David

HAPPY VALENTINE'S DAY TO ALL THE WONDERFUL PEOPLE AT NLO!

Nel—
It's a town full of losers and we're pulling out of here to win. Watch out 'lauderdale!

Dear David,
We miss you!

Love, Lauren and Connie

Steve P.
What really is in that white cup you carry?

Dear Jim B. —
A year has gone by and I'm still waiting for a ride in your Toyota!

Dear Jane,
Can I be your Tarzan?

R.M.

Janet, Karen & Mims
How can I begin to thank you. You have done so much to broaden my horizons. I mean, Suffolk County! What exotic land will you expose me to next? Thanks again.

Steve

Ursula,
Bark, bark, bark, bark, bark, bark.
Translation — Happy Valentine's Day.

Love
Brandy



Smike,
Who would have guessed that crazy guy next to me in Torts would become so successful. I'm very proud of you. Though at times I may not appear so, I am grateful for your concern over me. I do listen to what you have to say and I appreciate your being there to listen to me. The best of luck to you always.

Much love,
Sneakers

Ed,
Why waste time working on Moot Court when I can write personals instead? Happy Valentine's Day I love you!!

All my love always,
Lisa

Orsola dohlink,
Vat ees dis Valentine's Day? Ve dont haf dis een Yugosloveria, no? Vill shoe be mein?

—Claudia dohlink

Dear Andy,
They only let us put one in, but quality counts more than quantity.
Have a very happy Valentine's Day.

Love,
Ursula and Claudia

BALSA Members —
Happy Valentine's Day to everyone.

Jean C.

P.J. —
Friendship is like sunshine, it keeps you warm when all else is cold. I hope we remain friends another 5 years.

Love,
Marimba Baby

Dear Jay,
Happy V-day! Study Hard!

Love,
your wife Sue

Pineapple —
I love you. You're the best thing in my life. Marry me, please. Happy Valentine's Day.

—Chunky Soup Man

B.O.
We're always known redheads make good safety nets.

—Ringling Bros.

Dear Ellen akeznep
Seeing you only during school is just not enough, I need more. What do you say?

—ydnar



Janet,
Happy V(irgin)- Day!

Love,
Sexless

To Granma,
My Dreams and Fantasies

—J.S.

Danny M. —
Beware of people eating lunch at your desk.

—Big MacKinney's

To Ruth and/or Sherri,
Shut up cause here it comes.

—J.S.

Dear Rob,
Do you really expect me to go out with you when I can meet real men? For 2 dollars I will be your Valentine!

Love,
Ellen

To two red heads
I don't know, one fantasy.

—Stargazer

To Julie,
The one and only.

All my love,
J.S.

Ursula,
How are you honey? Are you studying? I hope so. Wear warm clothing when it gets cold outside. Please wear the long underwear I bought for you.

—Mrs. Bischoff

Adam,
It's not that I don't like your body, it's just that you can't defend widows and orphans. Will you be my Valentine anyway?

Sis

Adam,
I'm sorry that I'm not voluptuous enough for you, but I don't want to be meaty. Can I be your Valentine anyway?

Sis

Adam,
Incest is always best!

Sis



S.C.,
Do you love loving him this Valentine's Day?

—M.S.

Dear E.
I never learned that Chemistry could be so deadly in high school. Guess I never had the right teacher. Happy Valentine's Day!

Love,
the English Major

Karen N.
What did your dog do? Don't you think you've kept him locked in the house to long?

—Your appreciative roomie

Dear Jean,
If I find that hotdog in my bed again I'm moving out! (Just kidding.) Happy Valentine's Day!

—Your appreciative roomie

Scott,
Happy Valentine's Day to my sexy study partner. Have a good day.

Jean

Cianciulli —!
If you disappear to Point Look-out with half of my Trivial-Pursuit, I won't love you anymore! Give that boy his walking papers and come play with us again.

—(who else?)

Michael,
Sometimes the two of us don't seem to share as many ridiculous moments as all of the others. But I know we are and always will be very good friends.

Love always,
Debs

Jean,
Happy Valentine's Day to a truly wonderful friend. Our friendship extends over oceans, above the highest clouds ...

C.G.



Mr. Sheehan,
You have a secret admirer. Your combination of brawn & brains is simply flammable.

Your secret admirer

To Mich the Dish,
Happy Valentine's Day to the cutest thing on wheels.

Washington Irving

To Rockin' Robin,
Here's to a lot more quality time. Happy Valentine's Day.

Irving Washington

To Brooklyn Lori,
This too will pass. Happy Valentine's Day.

Sam

To Brooklyn Lori,
Still waiting to hear those "Basement" tapes. Happy Valentine's Day.

Gus Lesnovich!

To Dammit Janet,
Saturday was great. Sorry I woke you when I left. Happy Valentine's Day.

Newton Mimow.

To M. Lambert,
30 days is nothing. I promise I'll wait for you until you get out.

Barney

The Wednesday Night Librarian,
Put the beeper in your bedroom then stop me.

—Stevie

To the Mole,
War is declared.

Have a nice day.

Messages From The Heart For Valentine's Day

To Larry K —
I'm dreaming of you and I together. Look
for me in Crim. Pro.
I love you.

To Lori B.,
See you at Falstaff's after WW.

David,
You will always mean a lot to me. Happy
Valentine's Day.
—Nebbie

To I.G.,
Let's have a candle light dinner. I want to
stare into your eyes for hours.
H.D.

Dear Larry,
So when are we going to have our illicit
affair?
—D

Gentle Glenn,
Happy V-day! Otay!? You're shrinking
just kidding.
Love,
Clie

Laura G —
Times are rough. Can you spare a Jag?
—Chevette Drivers of the World

To Miss Sweatsuit 1987 —
Get some real clothes.
—Mr. Blackwell

Robsey —
Happy Valentine's Day to my best buddy!
Love ya!

Steve S—
Can I just look at the Sports Section?
—Newsprint Breath

To Beth Winters:
Hope your briefs are moot, your cites
stale, and your precedents overturned!
See you in court,
Jason Winters

Giuseppi,
Mi amore.



Gina D.
One down, five to go. Happiness, love
and health on V-day.
Love, your absentee classmate

D & S,
You're invited to a private screening of
"Micki and Maude."
Guess Who

Prof. Hickey,
We love you as our property professor,
but we want you by adverse possession.
Love,
1L girls, Section B

C.S.M.
Happy Valentine's Day "Shweetie!"
Love, Pineapple

Donna,
I love you now and forever. We will have
happiness always.
Craig

No, you can't have 5 bucks.
—Bernhard Goetz

Jeanie,
Did you fiduc. this morning?
Love "Jiggly"

J.C.H.
I'll ditch polyester 4U.
Dan

Dear Stevie
Happy Valentines Day. I'm buying at
Dunkin Donuts-South, after I get out of the
basement.
Love, BLB

Helene,
You've been an inspiration in the 'ol
library. The hours go by a lot faster when
you're working with someone you like so
much. Happy Valentine's Day!
Love ya,
Your 6-12 partner

Arthur M
For Valentine's Day, I hope you receive a
personality.
—Gruntees

Hey Jeep Man ...
We still love you! and Thanx!
Love, the Valentine Vixens

E.C. —
My lo-cal sweetie.
J.H.

Joel,
Watch out. She may be back!
—A Concerned Citizen

Allison,
Why haven't you packet yet? Are you
waiting until May? Lets beat the traffic and
leave in April.
Jean

Dear "CD",
Will you still be wearing
Your long overcoat
When you are performing
Various acts of deep throat.
The Policeman

To 2L gentlemen,
You're a kind and generous person who
any girl would be honored to have around.
Be patient. Ms. Right will come along, when
you least expect her. When she does, it'll be
well worth the wait.

Dear Lisa Maria,
I need a little TLC.
dell

Lil' Baby — You're my inspiration and I'm
addicted to you — you're a hard habit to
break.
Love ya', Phil



Claudia,
I hope you have a very happy Valentine's
Day. Where is Cupid?
Love, Jean

Sue
You're my crush.
—Green Eyes

Julia,
I'm yours.
—Danny

Joe L. —
Do you want to sell, rent, or lend your old
casebooks?
—Eyeland Books

You're the cat's meow.
—Nectar

You are the cat's pajamas.
—Honey

Claudia,
Vaht eez theez Falentinez Day? Schtupit.
Anyvay, Dah-link, tank gudnez you came
here vit me. Lof yu.
—Orsola

Debbie J. Cherry,
You are the fairest of them all. I'll always
cherish our friendship. Shtup you later!
Love,
Me

Dear "C.D."—
Tonsil Hockey can be a mistake, When
you deal with my hunk of tubesteak.
Love,
Caroline

Allison
Happy Valentine's Day. I hope we make it
to Italy.
Jean

MAH
Nice feet. Innocent face. sick mind.



Dear Troy,
Those who love you will forgive you your
personality problems. Too bad there are not
too many who love you.

Steve W.
Caution: Obnoxious behavior causes
baldness.
—Wass-busters

Eric, Steve and Ken,
Happy Valentine's Day. Lets do a dietetic
lunch and set a date for the unveiling.
—Baited Breath

Rob,
Thanks for listening. Happy Valentine's
Day.
Love,
Deb

Vivi:
Ashes to Ashes
Dust to Dust
You came back from California
With an enormous bust.
Love,
Jeanie

Italian Eyes —
I love your looks. You look great in your
tan cords.

Lisa —
Thanks for all your encouragement and
help during the past few weeks. It's nice to
know that someone cares. Have a happy
happy valentine's day and keep on plugging
... our day will come.
Love,
Helayne

To the Mouse Queen,
Happiest of Valentine's Day to a real
sweetie.
Hugs & Kisses,
Helayne

Betsy, Dina, Judy & Pam,
Let's do Roy's again real soon! Happy
Valentine's Day.
Love,
HH

To 1L Section B,
Happy Valentine's Day!
Love,
Your Rep.

Steven,
Good luck on the bal and happy valen-
tine's day too!
Helayne

Dear Caroline,
Roses are Red
Violets are Blue
Your perfume has gotten better
But you still smell like an Irish Setter.
Love,
Scott



Paul Newman —
We miss you and your "chicken in a cup".
Love,
Doot-da-do and Friend

To Ursula and Jean,
Hot Dog is disgusting and you two are
really getting ridiculous! Happy Valentine's
Day, anyway.
—A concerned friend

Kenny,
How's the Junior?

Rob,
You really are a very nice guy. Happy
Valentine's Day.
Love,
Jeannie

Shameel —
My first semester without you. Can I sur-
vive?

Edith & Eileen —
What's the clinic like without me?
—A former G.P. Student

Cheryl,
Thanks for being there. You've really
been a good friend. Happy Valentine's Day!
Love,
Helayne

Horace (alias Ottis),
Lots of love and been to you on this
valentine's day.
Love,
H.

Alan R.,
If only you were taller!!!
Love,
You know who

Randy,
Now that you have this fantastic job, just
let me know when we're going out. My
parents can't wait to meet you!
Happy Valentine's Day!
Love,
Helayne

Lou,
When are you going to get organized?
Happy Valentine's Day!
Love & Kisses,
Miss Heller

Beth C.
Happy Valentine's Day to a very special
person. Thanks for everything.
Love,
Helayne

Jean:
I'm asking for Suzy's hand in marriage.
Please say yes! Happy Valentine's Day. man!
—Frap.



♥ Messages From The Heart For Valentine's Day ♥

To Frank—

Be our ELS Valentine. P.S. Can we put our twigs in your carburetor?

Love,
Me, Curly and Larry.

To the Editor and Staff of *Conscience* and the entire student body of Hofstra Law School —

I love you all.

—Mary Harris, Library Desk

Lori —

Happy Valentine's!

Jen

To Mark,

I feel like I'm standing in the door,
While you're standing in the rain.
But we've got the same hot blood
burning in our veins!
I love you.

Your Brother

J.T.R. —

Knee pads weren't on the booklist. Happy Valentine's Day.

Love,
B-minus students.

Dear Lisa,

Mooooo! When's the party? Happy Valentine's Day.

To the Scotch Plains Beauty—

How about if I change my facial expression? Will you love me then? Be my Valentine.

—Hotdog

Jean Marie

I know the real truth about the typewriter and the food money, young lady. A mother always knows.

—Mrs. Collins



To V.,

The one girl who has more rebounds than Wilt Chamberlain. Happy Valentine's Day!

—The Celtics

Dear Personal Manager,

I couldn't have picked a more able assistant. Doesn't hurt that I think you're cute also. Thanks for your help.

Your Boss

Dear Boss,

It has taken 18 hours to re-write these personals. You're Welcome.

Stevie P. —

Are you in trouble with the boss again?

Rob, Urs, Claud, Al, Jean,
Happy V-day! Go for it!

Love,
Rob

Joyce C. —

Rev. Rul. (l)(b)(s) "Shut up or ship out."
—Future Tax Lawyers of America.

To the cutie at locker 679,

Your smile has brightened many a day for me here. (Your perfume ain't bad either!)
A not so secret admirer.

Sean ..

If your legal skills are as great as your dancing, you'll make a helluva lawyer!

Love,
Your "Legal" Bimbetts

Ivory Girl,

Happy Valentine's Day!

Love,
Your Roommate

To Bear,

Happy Valentine's Day!

—Livid in Lancaster

John P —

Men can be J.A.P.'s, too.

—Bloomie's Credit Dept.

To Yeoman Rand,

Love,
Tony G.

Dear Kansas D.

I'd say happy V.D. but I know you girls from Kansas play it safe. Oh well — have a good one anyway!

Love,
BLB



Dear Pat and Adam,

Are you suffering from an acute case of animus revertendi? Do you want to come home with us?

—Sis and Friend

Connie,

From one redhead to another, with all my love.

Meister,

If only you would fondle me the way you fondle your files... Please let me check your body for toxic substances.

Lance Corporal:

It was very upsetting having to leave you for Trial Techniques. Law school and the USMC have certainly tried their best to separate us. But we'll both be out soon, and will finally be able to live our lives — husband and husband.

All my love this V-day,
Michael

D.J.,

I can't believe its been almost two years. You've been there for me whenever I've had doubts about this place. Thanks for being so understanding. Whatever happens when I get out I'll never regret coming here because I was fortunate enough to become friends with you. Happy Valentine's Day!

All my love and friendship,
Brandy's friend

Marie H.,

Happy Valentine's Day to our favorite A.D.A.

1K
Past and Present

Jill —

Much love.

—Adonis II.



Dear Helene, Laura, Joanie, and Thalia —
I've had a rough week, can I come up for a cup of coffee? I'll bring the cookies!
Happy Valentine's Day

—EZ

P.S.

An extra kiss to Helene who didn't think I'd include her. (you dummy!)

Hope,

If we're still not speaking come Valentine's Day, I would like to say "Hi," and ask you, "Why you are so stubborn?"

Frank

Dean Sean and Denis,

Thanks for Saturday Night!

—Love all the girls in the Class of '85

Joe Lee,

Thanks for all your help and "unadulterated" guidance with legal research.

Love,
IL M & P

Querido Juan,

Feliz dia de Valentino! La proximas vez, no te duermas!

—Ursula y Claudia

To Adam and Pat,

The slides came back. When do you want to see them?

—The other two members of the sexual habits student group

Andy,

Happy Valentine's Day to the fastest detective in Saucomy's.

—From the only girl you never had an "af-fair" with.

DEBBIE,

When in school, you're very quiet. But when you take off your clothes, you're a riot.

Love,
Ron Jeremy

JEANNIE,

You've made a hard time in my life much easier to bear.

I love you for that and all the other things that make you such a wonderful friend.

Love,
Debbie

Dear Bets, Din, Helayne,

Happy.

Love,
Robin

J.T.R. —

Please stop by my office on Valentine's Day to thank me for you know what. Bring your beard.

L.K.

M.B.

I had a hot dream about you. Happy V-Day!

Love,
R.B.

Nel,

Make my day.

Randy

Prof. J —

On this Valentine's Day
Who's Gonna Pay and
Who's Going Belly-Up.

—The Back of the Room Gang

To B.D., S.C., M.S.

But who's the other woman?

—Nat. Anquirer

Jim B —

You're such a hunk!

Steve P —

You're the cutest editor on L.R.

Viscious & Caroline (A.K.A. "The Bloom- ingdale Babes").

Happy V.D.

From Your Sexual Suspect
Me

Jean,

You're more important to me than my career. I would die 4 U. I've decided to come home. Be My Valentine.

Prince.

Dear Robin and Robin

We never knew as many of you till we came to Hofstra! You wild and crazy women! Happy Valentine's Day, Happy Valentine's Day!

Love,
Claudia and Ursula

Kevin Copeland —

Happy Valentine's Day to my favorite beverage man. Looking forward to your visit in April.

Love,
JMC

Caroline and Vera,

You guys are terrific! Years from now we'll look back on our days in Hofstra and laugh, or cry or get pains in our stomach and spend all night in the bathroom.

Regardless, we'll always be together.

Love,
Jeannie and Debbie

Greg from Jersey,

Is your "?" as big as your beek? I hope so.

—?

C.P.,

Strawberries cream and thou. Happy Valentine's Day.

To My Favorite Probation Officer —

I would say "Cover Me" but we've already blown our cover. Happy Valentine's Day.

—Love

The Dish (A.K.A. Rockin' Robin)

"Viscious" Vera,

Roses are Red
Violets are Blue
The California Air
Did wonders for those 2.

Love,
J.B.

Ursula —

I'm still in love with you. Give me another chance. I'll change if it means being near you. Be my Valentine.

H.D.

Dear Loretta,

Why don't you sell yourself to help my bail fund? Think of it as a Valentine's gift for the slime who's done everything.

Love,
The Instigator

John the Librarian knows on Monday nights that girls just wanna have fun!

Roses are Red
Violets are Blue
The *Conscience* Editor is cute
L.N. thinks so, too.

Go For It Joel!

Adam E —

Do you have to drive a Porsche to act like an idiot?

—An admirer

Section A needs a sex symbol. Section B, how about sharing Jonathan?



Prof. G. —

Now you have two exams for Individual Income Tax!

—Veggie

Jim B —

Why do you take out other girls when I am the one after your heart?

[Editor's Note: *Conscience* disclaims any liability for defamation of character or libelous statements found in these personals. For free consultation, call Jacoby and Meyers.]

COMMUNITY FORUM

Time Inc. V. Sharon: An Absence of Malice

By Randy Montellaro

The jury's verdict is in, the case is over, but the public's verdict and the effect libel suits will have on the press must still be determined.

Recently a jury found that a *Time* magazine article published in Feb. 1983 did not libel former Israeli defense minister Ariel Sharon although the article contained false and defamatory statements because the magazine did not publish it with "serious doubts as to its truth." To a layman the jury's verdict may seem inconsistent. After all, how can an article be both false and defamatory but not libelous? To make matters even more confusing, the jury went out of its way to state that *Time* was negligent and careless in reporting that Sharon had discussed "The need for the Phalangists to take revenge" for the assassination of their leader, President-elect Bayhir Gemayel of Lebanon. A day after this alleged discussion took place.

The explanation for these seemingly inconsistent findings can be found in American libel law and the landmark case of *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964). In *N.Y. Times v. Sullivan*, the elected Police and Fire Commissioner of Montgomery, Alabama brought suit against *The Times* and black clergymen for inaccurate statements in an advertisement charging the existence of "an unprecedented wave of terror" against blacks engaged in non-violent demonstrations.

The Supreme Court in overturning a verdict for *Sullivan* under Alabama libel law held that the constitution requires that for a public official to recover for defamatory falsehood relating to his official conduct he must prove "That the statement was made with 'actual malice' — that is, with knowledge that it was false or with reckless disregard of whether it was false or not...." In *Curtis Pub. Co. v. Butts and Associated Press v. Walker* decided together at 388 U.S. 130 (1967) the Supreme Court applied the *New York Times* rule to libel actions "instituted by persons who are not public officials, but who are public figures" and involved in issues in which the public has a justified and important interest."

If Sharon were not a public figure but a private individual, he would have won his suit against *Time* magazine. A private individual has a less demanding standard to meet in a libel suit. In other words, a jury's trading of falsity and defamation would be enough to warrant recovery.

Why the distinction between public and private figures? Why must a public figure show actual malice on the part of the press to recover and the private individual is not so burdened? Is the showing of actual malice a mere technicality as former Israeli Prime Minister Manachem Begin would have the

public believe when he claimed a moral victory for Sharon? Let's answer the third question first. No, the finding of actual malice is not a mere technicality and the reason this standard exists can be found by answering the first two questions I posed.

The Supreme Court has recognized that the First Amendment exhibits "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks," on public figures. Any other standard would have a chilling effect on the press and would inhibit the press in courting controversial stories.

Admittedly, the press does make factual errors at times. But it must be remembered that the press has the responsibility of getting the story to the public as quickly as possible or the story's news worthiness will be lessened. Who must be in the position to determine whether the press should run a story? The media which has the responsibility of informing the public admit on approaching deadline or a jury looking back at the event with hindsight months after it occurred. There can be but one answer. Editorial judgments should not be subject to jury second guessing. As Thomas Jefferson said, if he had to choose between a free press. A free press keeps public officials and figures on their toes and responsible to the public's will and needs. A "free" government will not survive long without a free press.

The price we all pay for this free press are occasional inaccuracies. The effect of inaccuracies can be lessened by more free press not less. One point of view always spurs another in another forum. Members of the press act as check on each other and in the process further wide open debate. Even a false statement may contribute to public debate, since it brings about "The clearer perception and livelier impression of truth, produced by its collision with error."

Whether you believe that last statement or not one thing is unquestionable. A truth defense to libel actions with the burden on the defendant is clearly insufficient. "[under] such a rule, would be critics of official conduct may be deterred from voicing their criticism, even though it is believed to be true and even though it is in fact true, because of doubt whether it can be proved in court or fear of the expense of having to do so." This does not mean that the media can print or broadcast anything they want about public figures no matter how untrue. This is where the actual malice requirement comes into play.

Actual malice is an often misunderstood term by the public. In the context of libel or slander actual malice, as the Supreme Court explained, is a knowing or reckless disregard

to the truth by the press. In practice this means that there has to be something about the information itself or its source which sets off alarms in the minds of the publishers that the information is untrue and that they should conduct further inquiry. Malice does not mean ill will, prejudice, hostility, hatred or even the intent to injure.

A false and damaging defamation would against an ordinary citizen, have amounted to libel. Public figures must also prove malice and rightfully so. Honest error or even negligence isn't enough, lying or a reckless disregard at a knowable truth must be shown.

Public figures need to prove actual malice because of their standing in society. Public figures as opposed to private citizens have voluntarily placed themselves in the public eye and thereby exposed themselves to increased risk of defamatory falsehoods. Public figures also have significantly greater access to the media than do private persons to remedy an inaccurate portrayal of events concerning them. The last point can be best exemplified by Sharon and Westmorland. Both received ample press which enabled them to present their sides of the story even before their libel trials began. *Time's* editorial policies have come under increased scrutiny and criticism by other members of the press. It was *T.V. Guide*, another member of the media, which disclosed the alleged inaccuracies in the CBS documentary and Westmorland's involvement in the Vietnam War.

The juries findings in *Time v. Sharon* were divided into three parts. A fourth stage would have occurred to determine the extent of the damage to Sharon's reputation if the jury had found that *Time* had libeled Sharon.

In round one the jury said that *Time's* article did defame Sharon because, according to the jury, *Time* implied that Sharon consciously intended for the massacre to occur.

In round two the jury said that the story was false. According to the jury there was no basis for *Time's* charge that Sharon discussed the need for the phalangist to take revenge for Gemayel's assassination.

If Sharon had been a private citizen these two findings would have been enough under American libel law to enable Sharon to win his suit. But because Sharon was a public

figure he had to win the third round and prove actual malice. He lost. *Time*, according to the jury, believed what they had written. *Time* did make a mistake, they may have even been careless, but the mistake wasn't deliberate or reckless. No intent, no malice.

Time won, or did it? In the court of law *Time* prevailed, but in the court of public opinion the jury is still out. Some members of the public will undoubtedly believe that *Time* came out the loser because the jury found that the *Time* article was false and that it defamed Sharon. True these findings were included in the jury's verdict but it only tells part of the story as this article on American libel law has attempted to illustrate. *Time* wasn't only on trial. The interests of a free press and the First Amendment were also at stake. Unless actual malice is shown those interests must prevail.

Libel suits present the greatest danger not to the large news organization but to the smaller weeklies and monthlies which don't have the battery of attorneys to advise them whether or not to publish something. Smaller publications also lack the financial resources to defend a libel suit. The high cost of doing battle means even when they win they lose. These publications will thus shy away from the controversial story because they are afraid to pay the price.

On the whole journalists are reputable and they maintain a high level of professional responsibility and integrity. There are very few publications that sink to the depths of the *Star* or *National Enquirer*. Most publications keep the public's "right to know" in mind when they print.

One last point must be addressed which will hopefully soften the *Time v. Sharon* juries' finding of falsity and defamation. *Time* has maintained they were unable to obtain evidence supporting their contentions because Sharon was a member of a foreign government which restricted access to evidence and witnesses. For all anyone really knows, *Time* may be right. Whether this is true no one knows but the ramifications are disturbing. Foreign officials can sue American news organizations, conceal evidence the news organizations needs to defend the libel suit and, win or lose, get favorable publicity and make a newsman's job impossible.

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Hofstra To Hold Major International Scholarly Conference On President John F. Kennedy In March; Members Of Kennedy Family, Associates, To Participate

An international scholarly conference on *John Fitzgerald Kennedy: The Promise Revisited* will be held at Hofstra University on Thursday, Friday and Saturday, March 28, 29, and 30, 1985.

The Conference is the fourth held at Hofstra in a series that examines the lives and careers of the Presidents of the United States who served in the White House during the University's history. Hofstra was founded in 1935 and the first conference in the series was devoted to Franklin Delano Roosevelt. It was held in his centennial year in 1982. The following year, Hofstra held a Harry S. Truman Conference and last year, one on Dwight David Eisenhower.

Let us think of education as the means of developing our greatest abilities, because in each of us there is a private hope and dream which, fulfilled, can be translated into benefit for everyone and greater strength for our nation.

J.F.K. July 30, 1961

Professor Paul F. Harper, Chairman of the University's Political Science Department, is Director of the Kennedy Conference. Planning for the Conference has been under way for more than a year and it has had the cooperation of the Kennedy Family, many of the former President's associates and of the John F. Kennedy Presidential Library in Boston, Massachusetts.

Senator Edward M. Kennedy, the late President's brother, has agreed to serve as Honorary Chairman of the Conference's International Honorary Committee and he has been invited to be the guest speaker at the Conference banquet session.

Among the more than 150 members of the honorary committee, some of whom will be in attendance, are former Presidents Gerald R. Ford, Jimmy Carter and Richard M. Nixon; former Israeli Foreign Minister and Ambassador to the United States Abba Eban; former Secretary of Defense Robert S. McNamara; Margaret Truman Daniel; former British Ambassador to the U.S. Lord William Harlech; former White House Press Secretary Pierre Salinger; former U.S. Senators Adlai E. Stevenson, Eugene McCarthy, Jacob K. Javits, George McGovern; and Abraham A. Ribicoff; Former French Premier Michel Debre; former Special Assistant to the President for National Security McGeorge Bundy; former British Prime Minister Harold MacMillan; Generals Lyman L. Lemnitzer, James M. Gavin, and Maxwell D. Taylor; Speaker of the House of Representatives Thomas (Tip) O'Neil, Jr.; and former Kennedy Assistants Arthur M. Schlesinger, Jr., and Theodore C. Sorenson.

Let us never negotiate out of fear. But let us never fear to negotiate.

J.F.K. Inaugural Address
Jan. 20, 1961

Others include journalists Eric Sevareid, Mike Wallace, Anthony Lewis, Bill Moyers and Hugh Sidey; Governor Mario M. Cuomo; Caroline B. Kennedy; Mrs. Robert F. Kennedy; Eunice Kennedy Shriver; Mrs. Lyndon Baines Johnson; Patricia Kennedy Lawford; Jean Kennedy Smith, authors James McGregor Burns, William Manchester

We would like to see an America where the welfare of every citizen is the concern of all... which makes full use of its great capacities to advance the welfare of all — not a welfare state — but a state with meaningful compassion for those whose welfare has been undermined.

J.F.K. Chicago April 28, 1961

and Theodore H. White; Mayor Andrew Young; former Secretaries of State Edmund S. Muskie, Dean Rusk and Cyrus R. Vance; former Mayor Robert F. Wagner; President of the AFL-CIO Lane Kirkland; Reverend Jesse L. Jackson; and Curator of the John F. Kennedy Presidential Library David F. Powers.

McGeorge Bundy, now a professor at New York University and former President of the Ford Foundation, will give the opening address of the Conference. He was Special Assistant to President Kennedy for National Security.

In addition to the scholarly sessions at the Conference, a number of special panel sessions have been scheduled. One of these will be a roundtable discussion featuring former members of the Kennedy White House staff including Theodore Sorenson, David Powers and McGeorge Bundy. Another will focus on science and space and will include Jerome B. Wiesner and James A. Van Allen. A civil rights panel will include John Lewis, Burke Marshall, Robert Weaver, Harris Wofford and James Meredith.

Relations between President Kennedy and the fourth estate will be discussed at a special media panel session that will include Henry Brandon, Joseph Kraft, Sander Vanocur, Sarah McClendon, John Seigenthaler, and Mary McGrory. Still another panel session will be devoted to biographers of President Kennedy and it will include

Bruce L. Miroff and Herbert S. Parmet. The Conference will also feature special invitational addresses by prominent persons from both the national and international communities. Pierre Salinger will be on this panel.

In conjunction with the Kennedy Conference, Hofstra will feature a number of special exhibits that will be open to the general public and schoolchildren as well as to the members of the university community. An exhibit of Kennedy memorabilia, including campaign buttons, posters, books manuscripts, documents and sculpture will be shown in the David Filderman Gallery on the ninth floor of the Hofstra Library. An exhibit of more than 125 photographs, editorial cartoons, and the front pages of newspapers from the Kennedy era will be shown in another gallery in the Hofstra Library. A third exhibit, to be shown in the Emily Lowe Art Gallery, will feature work of artists done during the Kennedy years. The art is part of the permanent collection of Hofstra. Also on display during the Conference will be a taped Kennedy Press Conference and film screenings of special motion pictures devoted to the Kennedy Presidency.

Hofstra's Kennedy Conference is expected to attract thousands of persons including scholars, students and faculty, high school teachers and their students, the general public, and former and present government officials. Many will come to attend the sessions, some to see the exhibits and some to attend film screenings.

For further information about Hofstra's John F. Kennedy international scholarly conference call the Hofstra Cultural Center at (516) 560-5669/70.

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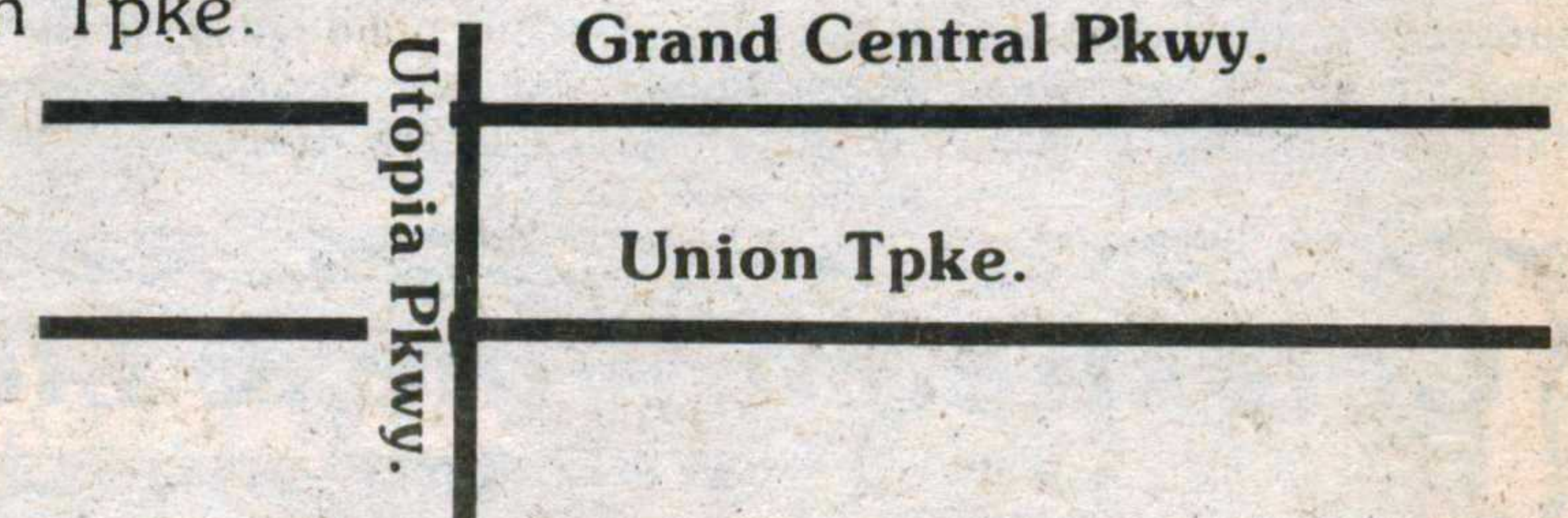
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Walter W. Heller

**Science and Space —
Friday, March 29, 1985**

Jerome B. Wiesner, Moderator
Lewis M. Branscomb
Carl Kaysen
Emanuel R. Piore
Isidor I. Rabi
James A. Van Allen

**Civil Rights —
Friday, March 29, 1985**

John Lewis
Burke Marshall
James H. Meredith
Robert Weaver
Harris Wofford

**Media — Saturday, March 30,
1985**

John Seigenthaler, Moderator
Henry Brandon
Joseph Kraft
Sarah McClendon
Pierre Salinger
Sander Vanocur
Mary McGrory
Simeon Booker

**Biography — Saturday, March
30, 1985**

William Manchester
Bruce L. Miroff
Herbert S. Parmet

John F. Kennedy

The New Frontier

FOURTH ANNUAL PRESIDENTIAL CONFERENCE
THURSDAY, FRIDAY, SATURDAY
MARCH 28, 29, 30, 1985

HOFSTRA
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HEMPSTEAD, NEW YORK 11550

COMMUNITY FORUM

Martin Luther King Jr. Remembered

by Eric Zucker

Early morning, April 4th.
Three shots ring out.
Over Memphis skies.
"Free At Last!"
They took your life,
But they could not take
Your pride in the name of Love."-U2.

On Tuesday, January 15th, with just a few hours notice and no formal preparation, a group of over thirty students and professors commemorated the birthday of Martin Luther King, Jr. at the law school. The impromptu nature of the proceedings was underscored by Professor Doug Colbert's apologetic opening statement that no photographs or recordings could be found in the few short hours since he had decided to organize the gathering. In keeping with the spontaneity that spawned the idea, he suggested that he would briefly relate what Martin Luther King meant to him and encouraged anyone who felt so inclined to add their own personal responses.

Prof. Colbert recalled to the group that he was a senior in college when Reverend King was assassinated, and that, "It was a time of hard decisions." As tears began to fill his eyes, he told the audience that it was because of King's example that he decided to go to law school so that he could contribute to the struggle for social justice in this country.

Professor Dwight Green spoke next. Pacing back and forth, he recalled that one of the earliest recollections of his childhood was seeing his aunt on television when she was involved in a civil rights demonstration. Momentarily injecting a humorous note to the occasion, he boasted that somewhere in his belongings was a button that he got when, as a child, he accompanied that same aunt on the March on Washington where he heard the Reverend himself speak. Turning serious again, Prof. Green said that although he has always been inspired by "King's vision for a better world and society", he was "mourning the faltering of that vision in today's generation."

The last person to step forward was student Trevor Campbell. To the general sur-

prise of everyone, he informed the congregation that he and Martin Luther King, Jr. had been friends, and that King often stayed at his sister-in-law's house. Considering Mr. Campbell's stature, it was less surprising to hear that he had acted as a bodyguard to Coretta Scott King.

To a hushed audience, Trevor recalled some of the intimate conversations that he and King had shared. On Life, King told him that one's life was measured not by length, but by the quality of the life lived: "To pass this way and never have done anything would be worse than to have never been here at all."

With his voice cracking with emotion, Trevor told of how after the bombing of the church in Atlanta, Georgia, where so many innocent lives were lost, he spoke to King about his anger and frustration. King insisted that anger must be converted into passive resistance, and not violence. Physical power lay with the authorities, so if the Movement was to win it had to do so relying instead on moral right. Trevor exclaimed that only Martin could convince someone to take such a path at such times because, "He didn't see just a part of the road; he saw the whole road....Sitting with Martin you felt you were sitting at the feet of Jesus....To love and to contribute has been the central message of all great men."

With a passion and a poetry that was startling in such a spontaneous statement, Trevor Campbell rejected the notion that King's dream was faltering. "The dream has not died with me. I don't think that it has died with you all since you're here today. I may be just a grain of sand. I may be just a drop of water. But together we can be a wave to move mountains. We can't all be Martin Luther King, Jr., but we can all be dignified human beings, and do our share."

These statements were followed by a request for a moment of silence during which the air was charged with living emotion. I can only speak for myself, but King's birthday, at moments such as those shared on that day, seems to have far more relevance than Washington's. Every generation should have its hero, and I hope that this commemoration becomes a standard ritual at Hofstra.

Faculty Votes to Accept Minority Recruitment Plan

by Dennis Warren, Karen Funk and Eric Zucker

The Hofstra Law School faculty recently voted to accept a proposal which, if implemented, could lead to a significant increase in enrollment and retention of minority students, Dean Eric Schmertz said, in an interview last week.

But Dean Schmertz declined to elaborate on the details of the proposal prepared by the Ad Hoc Committee for Recruitment and Retention of Minority Students, pending what he said was the final approval of the University President and Board of Trustees.

Dean Schmertz said although some aspects of the proposal would be implemented almost immediately, there were still other areas to be worked out at the University level before it would be released to the public.

The Ad Hoc Committee for Recruitment and Retention of Minority Students was initiated by the Dean in 1983, on the urging of then Balsa president, Joseph "Bernie" Davis, that the law school establish a program to attract more minority students, and to incorporate those currently attending more fully in the school's total experience.

The need for such a program became even more apparent, following a joint meeting between committee members and faculty last year, where a number of graduating minority students described in detail their perception of the atmosphere of the law school as being uninviting, and, in some cases, hostile.

The students said they oftentimes felt excluded and isolated at the school, based partially on the lack of interaction between themselves and non-minority students. The students did not deny, however, that there was some contact between these two groups, but said such contact was oftentimes limited in numbers and scope.

At the joint meeting, minority students pointed out that although not a general rule, the insensitivity of some faculty members helped to contribute to their feelings of isolation. They said the situation could be

remedied in part if the curriculum was structured so as to reflect more areas of minority involvement and concern with the law.

Subsequent to these hearings, the committee has held more than a dozen meetings to examine the charges of the minority students and to work out some means of correcting this negative perception, as well as to increase the enrollment of minorities to the law school.

Among the factors reportedly considered by the committee in preparing the final recommendations, include increasing the number of minority members of faculty and administration on staff, the availability of financial aid to qualified minority students, the relevance of the curriculum, and the strength of the clinical program designed to enhance retention of minorities. [See adjacent article on race and racism.]

The Ad Hoc Committee also reportedly delved into the thorny problem of placement of minority students following graduation, recognizing that minorities find it much harder to get work than their non-minority counterparts.

Whereas some members of the Ad Hoc Committee, without discussing the specifics of the recommendations, said the proposals seemed a positive step in the direction of turning around the problem of inadequate minority representation at the law school, others say the recommendations could still go further, particularly regarding the area of financial aid to incoming minority students, and the numbers of such students to be admitted.

Members of the Ad Hoc Committee who helped prepare the report included Professor Burton Agata, chairman of the committee; Dr. Greta Rainsford, a member of the University's Board of Trustees; Professors Douglas Colbert, Eric Lane, John Gregory; Mr. Hugh Christenson, placement officer; Ms. Joy Johnson, Balsa president, and Ms. Brenda James, Balsa vice-president. Original members of the committee also included Joseph Davis and Dean Robert Douglas, who served as the committee's first chairman.

Representing Gay and Lesbian Clients

For the past several years the media has blitzed the American public on the horrors of AIDS. The illness, Acquired Immune Deficiency Syndrome, is an epidemic and has killed thousands of its victims. A disproportionate number of victims are gay. In addition to being a major health crisis, the disease has had adverse social and legal effects on gay people. Homophobic people have seized the AIDS crisis as a handle with which to accelerate their anti-homosexual crusade. Anti-gay forces have tapped people's latent fears of gays and turned them into feelings of anger and disgust.

Since the early 1970's gay rights advocates had been making slow but steady progress. The AIDS crisis has at best abated that progress. At worst we have seen increased prejudice and discrimination against gay men and women. The battle against such oppression needs to be fought on all fronts, both legal and non-legal.

The American courtroom has often been the arena where civil rights were won. Changes in case law have brought about changes in attitudes and behavior. Judicial decisions have been catalysts for progressive social change; e.g., *Brown v. Board of Education*, *Roe v. Wade* and *Griswold v. Connecticut*.

Bringing cases to court gives gay litigants and the gay community a sense of power when they challenge the practices of

discriminatory employers, landlords, hospital administrators and the like. Arthur Kinoy used to bring lawsuits on behalf of employees and would cross-examine the employers in front of the employees. Seeing their bosses sweat in court was inspirational and gave the workers a tremendous sense of power.

Attorneys working on gay rights causes have had to be creative; in most jurisdictions there is no statutory or common law protection for being homosexual. Attorneys have had to side-step the "gay issue" and argue traditional contract law (e.g. when a gay schoolteacher was fired) or first amendment freedom of religion (e.g. when a bank officer was fired after he told his boss he was President of Dignity/Integrity, a national religious group for gay Catholics and Episcopalians).

While many advocates of gay rights would prefer to argue straightforwardly that gays deserve equal treatment as gays, often this approach fails in the courts; e.g., 5th and 14th amendments due process and equal protection arguments have been unsuccessful. Most courts prefer to hang their hats on some rationale other than that gays are equal of straights and shouldn't be discriminated against. Thus, the side-stepping continues and if and when cases are won, the principle is rarely established that gays qua gays deserve protection.

Some legislatures have enacted statutes

which protect gays from discrimination. Among them are the State of Wisconsin and the town of Ann Arbor, Michigan. The city council of Buffalo N.Y. passed a bill in April of 1984 which protects gay city employees from discrimination. The bill includes a clause which covers outside contractors associated with city services and projects.

Gay rights activists have tried for many years to pass a similar ordinance in New York City. It has been defeated every year, however, largely due to the lobbying efforts of extremely vocal anti-gay groups.

There are people lobbying in Congress and other legislative bodies for the passage of gay rights bills. However, as in New York City, the opposition is quite vocal and well-financed; they have many paid lobbyists working for anti-gay legislation.

Anti-gay groups, e.g., the Moral Majority, have vowed to finance the political campaigns for anti-gay candidates. Gay rights advocates have responded by financing campaigns and working hard for candidates who are committed to gay rights. Leaders in the gay community are urging all gays to vote in primaries and general elections. For the past few years there has been a Democratic registration table at New York City's gay pride rally.

Lawyers working for gay rights, like all civil rights attorneys, have been courageous; often they are ridiculed or shunned by family, friends and colleagues. Lawyers for gay clients face a unique problem. Some people assume they are gay. Lawyers must expect and prepare for these assumptions.

Sometimes public interest attorneys have goals that differ from their clients, for example, an attorney may want to proceed on a narrow ground in order to win the case whereas the particular litigant may want to achieve a broader objective by winning the case based on a newly established gay rights principle (or vice versa). Lawyers, while being in a position to counsel their client on matters of strategy, must be careful not to be paternalistic and impose their goals on their clients.

Gay rights attorneys, gay, bisexual, or straight must confront their own prejudices and misconceptions about homosexuality. Prejudices run deep and we are often unconscious of those we harbor. Lawyers must confront their latent homophobic feelings and not let them interfere with their work on behalf of gay causes.

Progress has been made in many areas in the past twenty and thirty years. But maintaining freedoms in America requires constant effort; for as William Kunstler told us, "The country can become like Nazi Germany overnight."

To those people who are not sympathetic to the rights of gays per se, we argue that if they don't wish to support gay rights as an end unto itself, they should understand that the denial of rights for one oppressed group brings our institutions and individuals one step closer to denying rights for everyone else.



The Investment Decision

by Rob Grossman

One of the most difficult economic decisions facing each of us is that of how to invest funds that we have set aside for that purpose. To make the decision requires a look both at the possible investment vehicles and also at the criteria for the one you have chosen.

When you invest, the basic choice is between equity and debt. Historically, the term "equity" has meant ownership of stock in a corporation. (The balance sheet is divided into three sections — assets, liabilities and shareholders' equity — where the shareholders' equity, or, simply, equity, portion is the residual ownership value of the assets of the corporation. Therefore owning stock is called an ownership or equity position.)

However, a more general definition recognizes equity as an ownership interest in any property, net of debt, whether stock (which is an ownership interest in a corporation), or a house or other real property, or any other property or collectible. The single large alternative to an equity is a debt.

To invest in a debt instrument, or security, is to lend money. To do this, you can "buy" a bond, note or mortgage, a money market instrument, certificate of deposit or simply put your money into a passbook account. The effect is all the same, to lend your money to someone else in return for interest on an repayment of the principal, or amount lent.

And this is the most important defining difference between the broad category "equity" and the broad category "debt." An equity position gives no assurance or promise of repayment. If the asset is skillfully used, it may provide a return and have a resale value. But you have to employ, manage and care for your asset, or hire someone else to do it for you. And the capital invested may increase or decrease in the event of changes in the market value of the asset.

Debt, however, entails a promise to repay. And although the borrower may not be able to repay as promised, it is possible to secure the obligation so as to minimize loss. If there is a market for trading of the type of debt you own, such as a corporate bond, the value may fluctuate between the time of issue and the time of maturity. But the face amount, which was promised at issue to be paid at maturity, will remain the same. There also will be a rate of interest specified, to provide a predictable return over the life of the debt.

vide a predictable return over the life of the debt.

Evaluating which type of investment to make means, in the first instance, knowing yourself. What is your investment planning horizon? Are you willing to invest not only the money, but also the time and effort to manage an asset that you own directly? Are you willing to pay the extra amount for professional management? Is there enough income after management fees are paid?

Do you want equity in a new company where there is little track record of earnings, but great potential, and a perhaps chance to be in on explosive growth of the company at a low price? What if this means a chance of losing all or a large part of your investment if the company fails?

Do you want a dividend paying blue-chip with a high expectation of moderate growth? Or do you want a fixed term investment? Do you want an investment with a steady stream of payments, with a return of your principal at the end? Or do you want the principal amortized along the way?

What is your reaction to price changes in the value of your assets? Can you sell at a loss, if necessary, and take it in stride? Will you be able to know when to sell without holding on too long?

What is your total income? How do you expect to rely on the funds you invest and the income generated?

The answers to these and many similar questions will determine what is right for you as an investment, and the choice is obviously very personal. And it's not even that simple, because the reason that one investment is right at one time may make it wrong at another.

For example, if inflation is expected, higher interest rates may also be expected, since one component of an investor's required return is a return for a factor of inflation. Put another way, an investor may develop a yield expectation, expressed as an interest rate or percentage, that could include (1) a risk-free rate of return, plus (2) a premium for the danger inherent in the borrower, as well as (3) a factor for the expected rate of inflation, and (4) an allowance for other relevant, determinable elements, with (5) an error factor added in as well. So that even if everything else remained the same, the interest rate the investor would demand would rise if inflation were expected to rise.

What would happen if an investor liked

bonds and wanted to buy them? Should they be bought if interest rates are expected to rise? (Or, what reaction will be expected of bond prices to a rising interest rate market?)

To visualize the effect of a change in interest rates on bond prices, think first of a special type of bond that pays interest only, and is never redeemed. The interest is based on the stated amount at the date of issue, and remains the same perpetually. (Such an instrument exists in England, and is called a British consul.)

If such an obligation were issued in the face amount of \$1,000 with an annual interest rate of 10%, the payment to anyone holding the bond would be \$100. per year, year after year.

But what if the market interest rate dropped to 5%? What would an investor pay for the right to receive \$100. per year if his required return were 5%? The investor would pay $\$100/.05 = \$2,000$. The yield went down, and the price went up.

Now assume that the investor's required return rose to 20%. What would the investor pay for \$100. per year at 20%? $\$100/.2 = \500 . The yield went up, but the price went down. In other words, price varies inversely with yield.

That analysis, $\text{Price} = \text{Return (the periodic payment the investor expects to receive)} / \text{Interest Rate (or rate of return)}$, in an expanded form, will provide a model for evaluating all types of investment. That model is the formula for Present Value. The method is called Discounted Cash Flow.

Discounting is simple enough intuitively. Money has value over time, since it can be put at interest. But this is nothing more than giving a certain amount today to receive a certain amount in the future. So that if you were promised \$100 one year from today and your required return were 10%, you would pay \$90.91 for it now. ($\$90.91 \text{ plus } 10\% \text{ of } \$90.91, \text{ or } \$9.09 = \$100.$)

Your concern as an investor is with trying to find what you should pay for the expected future return, what the value is to you at present, so that you may realize the return you demand over the life of the investment. Present value analysis works back from the return in the future, bringing that return (or stream of returns) to the present at an interest yield that is the investor's required rate of return. The \$90.91 is the present value of the \$100 to be received in one year at 10% interest.

If you were promised \$100 two years

from today, with nothing in between, at 10% the present value would be \$82.65. That is what you would pay now in order to receive \$100 two years from today. The choice of a 10% rate of return for this example is arbitrary for the sake of this example, but in actual use it should be calculated by evaluating the various factors listed before.

Another way of thinking about it is in reverse. If you took \$90.91 and put it at 10% interest for one year you would then have \$100.

Similarly, if you took \$82.65 and put it at 10% interest compounded for two years, you would have \$100. That is compound interest, and the process is the inverse of discounting. In compounding, you start with an amount today which grows to a Future Value. In discounting, you start with an amount to be received in the future, and reduce it to a Present Value.

On this basis, the price of the consul at \$1,000 is the present value of the stream of payments to be received (here assumed to be \$100 per year for an infinite number of years), discounted at 10%. A bond with a terminal value (principal repayment) would be treated differently in that the formula would be a summation of the payments, as above, but including the principal repayment in the last period, with each receipt discounted for the appropriate period (from the time when it is to be received back to the present).

In fact, any investment can be treated by this model. The major difference between handling a bond and handling an equity is that the bond tells you what payments you are expecting to receive, but you have to determine this for yourself for your equity position. The payments from your equity would be the net cash flow stream you would have projected for each future period, as well as some estimated terminal value in the period in which you expect to sell.

It is true that there are real, great uncertainties inherent even in a rational model such as discounted cash flow, and that these uncertainties can add to each other when combined in the formula. Nonetheless, the process of "filling in the blanks" that you must go through to be able to use this method, if honestly done, can uncover benefits or problems inherent in the investment that might otherwise not be understood, and the method is useful in ranking (choosing among) various investments.

Hofstra Celebrates It's 50th Anniversary

It was the midst of the Great Depression. Franklin D. Roosevelt was in the White House. Much of Long Island was still farmland.

The year was 1935 and it was not the most auspicious time to found a new institution of higher learning. But in Hempstead that year, that's just what Truesdel Peck Calkins and some area businessmen set out to do.

From the vantage point of 1985—fifty years later—it is obvious that Calkins and his associates were very successful. For today, Hofstra University is a nationally and internationally recognized academic institution.

During the coming spring semester, Hofstra will begin an eighteen-month celebration of its beginnings. The University not only survived the Great Depression, but it also came through the pressures of three wars and an assortment of economic recessions.

At the beginning, the founders had a site—the fifteen-acre estate of the late William S. Hofstra and his wife Kate Mason Hofstra—on Hempstead Turnpike. They enlisted the help of New York University, with whom they affiliated, and announced plans to start a college.

Initially, it was to be a two-year liberal arts school, Long Island's first co-educational higher educational institution. Its students would complete their requirements for the bachelor's degree at N.Y.U. in New York.

The first class of about 150 students, almost all of them validictorians or salutorians from Long Island high schools, who were awarded scholarships, began classes in the former Hofstra estate house in 1935. They were taught by a faculty of thir-

teen, newly arrived from Manhattan's Washington Square.

The new educational institution started life with a rather cumbersome name—one that was not easy for cheerleaders to cope with. The official name for the first few years of its history was Nassau College-Hofstra Memorial of New York University.

By 1937, the fledgling college in Hempstead was confident enough to try its own wings and it sought independence. The State Board of Regents granted a charter and in 1939 Hofstra College was on its own, the thirteenth youngest of private American higher educational institutions.

As it approaches its golden anniversary, Hofstra University can look back on a remarkable record of growth and development. Today, it has an enrollment of more than 11,500 students and a faculty that totals more than 400 full-time and 200 part-time professors. Hofstra Hall, the former estate house, still stands (it was recently renovated), but it is one of 78 buildings on a campus that now includes 238 acres. The University's academic programs are accredited by eleven educational and professional agencies. It was the first university on Long Island to qualify for a Phi Beta Kappa Chapter.

In 1939, the University budget was \$150,000. In 1985, it totals \$75 million. At the beginning, the Hofstra Library's holdings were housed in one room. Fifty years later, the Library occupies a ten-story building and has more than a million volumes. For its first three decades or so, most Hofstra students commuted to the campus. The first dormitories were built in the mid-1960s. In recent years, 24 more were added and now

more than half of the University's full-time undergraduates live on campus.

In 1981, Hofstra became the first private university in the nation to achieve 100% accessibility for all of its programs and activities for disabled students.

A Golden Anniversary Committee is headed by George G. Dempster, Chairman Emeritus of the University's Board of Trustees and former New York State Commissioner of Commerce.

Preparations for the University's 50th anniversary celebration began five years ago when a special on-campus committee, under the chairmanship of Professor Joseph G. Astman, started to hold monthly meetings to make plans. One of the Committee members is Virginia Calkins, daughter of the founder and first President, Truesdel Peck Calkins.

The anniversary celebration actually began in 1982, when Hofstra launched a series of international scholarly conferences on the lives and careers of the Presidents of the United States who served in the White House during the University's history. Three annual conferences have been held since then (Roosevelt, Truman, Eisenhower) and a fourth, on John F. Kennedy, is scheduled for March 28, 29 and 30 of this year.

On April 18, Hofstra will hold an anniversary convocation preceded by an extensive academic procession through much of its campus. The convocation will open a two-day scholarly conference on higher education between now and the beginning of the 21st century. The keynote speaker will be Dr. Ernest L. Boyer, former U.S. Commissioner of Education and President of the Carnegie Foundation for the Advancement

of Teaching. The event will be attended by professors and administrators from colleges and universities in many parts of the nation, by members of the Hofstra community, and by many of the University's alumni. Members of Hofstra's first classes have scheduled reunions on the campus during April. (Hofstra's alumni now total almost 60,000.)

Other events related to Hofstra's 50th anniversary that have been scheduled for the Spring semester include a Gala Dinner-Dance on May 11, a Dutch Festival on May 5, a major concert in the Hofstra Stadium featuring a prominent recording star on June 8, and several special art and photographic exhibits.

During its anniversary celebration, Hofstra will hold many international scholarly conferences. These include conferences on The Harlem Renaissance (May 2-4), New York State History (June 7-8), Evolution of Business Education (September 19-21), Eighteenth Century Women Writers (October 10-12), Johann Sebastian Bach Tricentennial (October 24-26), Fifteen Years of the Warren Berger Supreme Court (November 6), Avant Garde Art and Literature (November 14-16), and Television 1985: Past, Present and Future (November 19-21).

"Our celebrations," said President James M. Shuart, "mark a significant milestone in Hofstra's history. We are mindful of the tremendous accomplishments contributed by many people over the five decades of the University's lifetime. We take pride in where we are today and we are confident that Hofstra will meet the challenges that face it in the years ahead."

Raymond Mak Speaks at Labor Law "Forum" on Concerted Activities

The Hofstra Labor Law Forum was proud to present Mr. Raymond Mak as the guest speaker of our lecture series in November. Mr. Mak received his L.L.M. in Labor Law from New York University. He is an associate at Seligman & Seligman, a New York City firm that specializes in all areas of labor law. Mr. Mak currently wrote an article on "Concerted Activities" which is to be published in the *Hofstra Labor Law Forums*.

Mr. Mak spoke about "concerted activities under the National Labor Relations Act." Excerpts from his speech are as follows:

Today I'm going to talk about a particular aspect of Labor law which I find intriguing, and hopefully, you will also. The topic is the concept of "concerted activities." You may ask "How can this topic be intriguing?" After all, its only two simple words. Well, as you'll see, they're actually not so simple. They have a special meaning and a significant impact on Labor-Management relations.

Congress sought to equalize the bargaining power between management and labor. Congress passed the National Labor Relations Act.

Section 7 of the Act in effect guarantees to workers the right to form labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for their mutual aid or protection.

The problem is with the definition of "concerted activity."

If workers want to form a labor organization [that] is clearly protected by the Act because it explicitly says so. But what if certain activity is not mentioned by the Act? Just what exactly constitutes "concerted activity"? This is where the problem starts. Neither the courts, the National Labor Relations Board, nor the Act itself defines the meaning of "concerted activities," so how can we determine whether certain activities are concerted activities or not? Well, certain students have been developed. For example, certain ac-

tivities, even though they're "concerted," is per se unprotected. This includes activities which are illegal, violent in breach of a contract, excessively disloyal, or those which are unrelated to employment conditions.

In applying these standards, the courts have been fully consistent with actions which involve group or union activity. But Section 7's protection to "concerted activities" doesn't extend only the context of unions. It protects employees in the non-union context as well, and in this regard, I know from experience that a lot of employers are surprised when they get hit with an unfair labor practice charge even though his workers are not unionized.

Also, what happens when a single individual employee engages in a certain activity, is that a "concerted activity" protected by Section 7? This is where the courts have been inconsistent in applying the Act. You see, by the term's very definition, "concerted" means that you need more than one employee to engage in activity to be protected. But was this what Congress intended when Section 7 was enacted? Remember that one of the purposes of Section 7 was to equalize bargaining power between all workers and management.

Well, two sets of laws has been recently established — one deals with the situation where there is a collective bargaining agreement, and the other where there is none. In both situations, a single employee engages in an activity which the employer doesn't like. The question is — Is this a concerted activity? On the flip side of the coin — can the employer retaliate, for example — by firing him, without committing an unfair labor practice?

Lets take the situation where there is a collective bargaining agreement. (This means, by the way, that there is a union. If there was none, then employees would most likely have informal employment contracts.)

If the bargaining agreement says the

employer shall not require employees to drive an unsafe vehicle, and one employee honestly believes that his truck has defective brakes, and refuses to drive it, is that single employee engaged in a concerted activity?

Other circuit courts, however, had held that when a right is invoked pursuant to a bargaining agreement, it is a concerted activity even when only one employee is asserting that right — and it's irrelevant whether he's doing it on the behalf of other employees, or whether he's in fact right or wrong in asserting that right — as long as he has a honest and reasonable belief for his assertion of that right. This is called the Interboro doctrine. It's based upon the rationale that since the negotiation of a collective bargaining agreement is a concerted activity, involving more than one person, a single employee's assertion of a right contained in that agreement is merely an extension of that "concertedness." An employee's refusal to drive a truck which he honestly believes is unsafe, is considered to be a concerted activity, and if the employer retaliates in any way, he has committed an unfair labor practice.

Last year, the Supreme Court upheld the Interboro doctrine as a reasonable interpretation of Section 7. It said that as long as there's a reasonable basis or reliance upon a right contained in a collective bargaining agreement, and that as long as the activity is not unprotected per se, a single employee can engage in concerted activity and be protected by section 7 of the Act.

Interboro, however, only deals with the situations where there is an existing collective bargaining agreement. So what happens when there is no such agreement? When you're practicing Labor law, you will find that this is the more likely scendrio where the issue of concerted activities pop up. This is because where you have a bargaining contract, it will usually provide for the arbitration of grievances. So as far as an attorney from a Labor Law Firm is concerned, he's frequent-

ly involved in the situation where there is no collective bargaining agreement.

As I've said from the beginning, Labor law is constantly being developed, both by the National Labor Relations Board and by the courts. The concept of concerted activities is no exception. It's been constantly refined, if that's the right word, by the Supreme Court and by new Boards.

Despite these developments, however, there are still a lot of problems with the meaning and the application of concerted activities. For example, what did the Supreme Court mean in the Interboro case by a "reasonable reliance" or "a reasonable basis" in the collective bargaining agreement? It didn't explain how to make this determination. The result is that even though courts are now required to recognize the Interboro doctrine, all they have to do is find that the employee did not have any reasonable reliance or reasonable basis in the agreement and therefore, he wasn't engaged in concerted activity.

Also, under the current NLRB law, what constitutes authorization by one employee to another to result in a finding of concerted activity? Can one employee merely express his grievance to another or does he have to say "I authorize you to go and talk to the employer about this"?

Finally, is the intent behind Section 7 well served by looking to the number of employees involved in certain activity? Is it fair that where there is no bargaining agreement, a single worker also complains to his boss about something may be fired, but if two workers with the identical grievance complains, they're protected by Section 7?

These are only some of the problems which remain with the requirement of concerted activities. As far as the National Labor Relations Board is concerned, it may all change as a result of new members appointed under a new President. And as for the Supreme Court, who knows what the future holds for these two "simple" words.

I would say offhand
that Monday is a poor
choice for our
Make-up class.



The continent-wide drought in Africa continues. The Sahara is reclaiming the villages millions of people called home. The pains of hunger and loss grow stronger daily. One outburst of aid and compassion won't stop starvation in Africa, but any contribution can mean food to an African family. *Conscience* urges you to send whatever you can. Some famine relief agencies are listed below. Make checks out to "African Relief Fund."

American Jewish Joint Distribution
Committee
Room 1914, Dept. M
60 East 42nd Street
New York, NY 10165

American Red Cross in Greater N.Y.
150 Amsterdam Avenue
New York, NY 10023
(or to your local Red Cross chapter)

Care, Campaign for Africa
Room 6801 — 660 First Avenue
New York, NY 10016

Catholic Relief Services
P.O. Box 2045
Church Street Station
New York, NY 10008

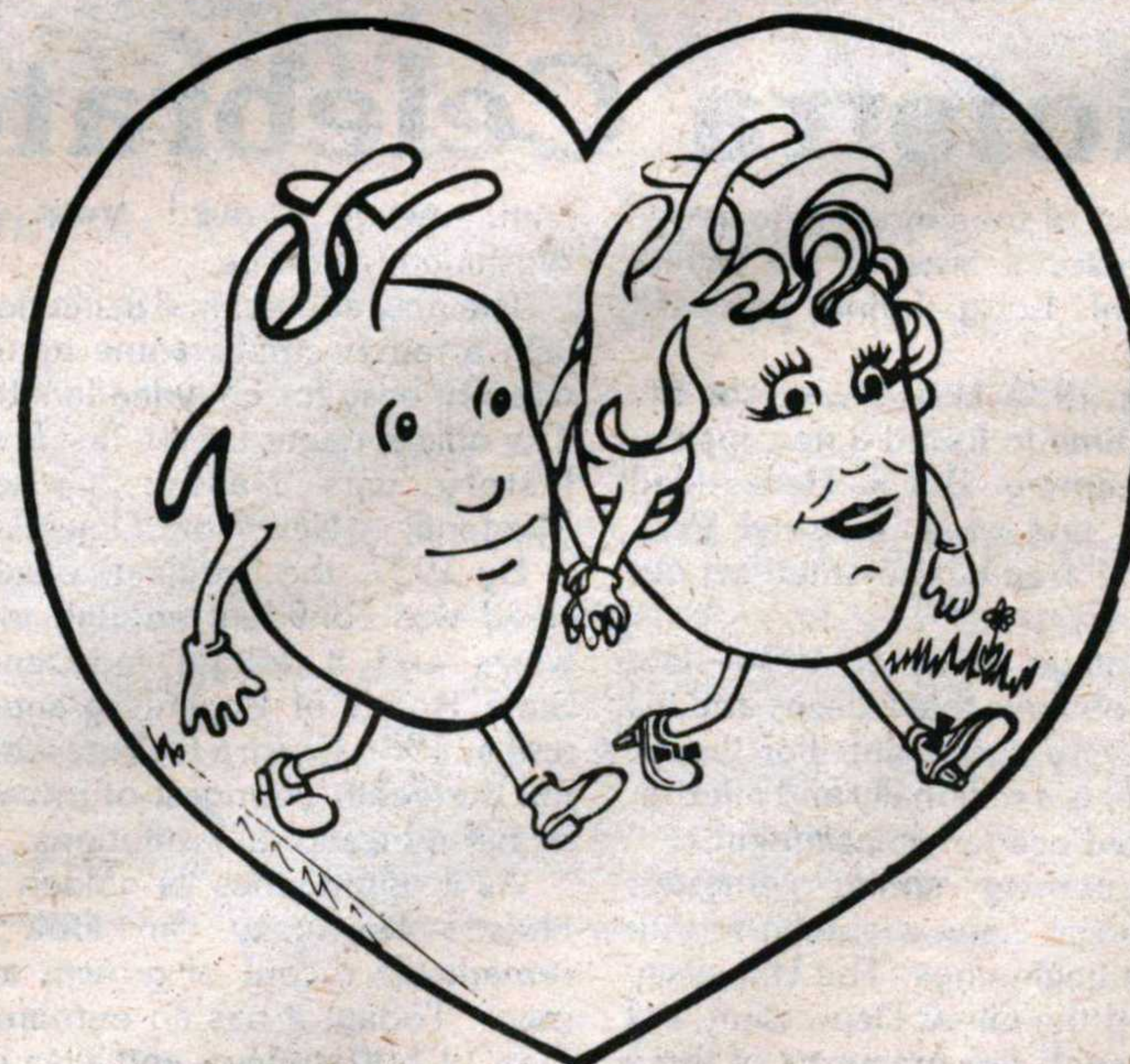
Lutheran World Relief
360 Park Avenue South
New York, NY 10010

Oxfam America
115 Broadway
Boston, MA 02116

Save the Children Federation
Africa Emergency Fund
P.O. Box 925
Westport, CT 06881

U.S. Committee for UNICEF
P.O. Box 3040
Grand Central Station
New York, NY 10163

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SPORTS

It's Now or Never

by Ray Mirro

Although there is snow on the ground, spring training camp will soon be beginning for the Defenders' third intramural softball season. Last year, in only their second season, the Defenders qualified for the playoffs. This year, the team's goal is to win the championship but it appears that it is now or never. All but two players are committed to playing out their options and becoming free agents after the season or retiring. Already lost over the winter to free agency was gold glove second baseman Mike "Guido" Fischer. Now Captain Chuck Zadoff, General Manager Marie Hoenings and Super Scout Anne Marie Chmielewski will have to work long hours to try to re-sign those Defender superstars playing out their options. For one last season, however, the Defenders will all work together for their common goal of winning the championship.

At third base will be often-injured Jim "Let's Play" Ball who is returning from a knee injury that sidelined him all of last season. Jim should provide some additional power to the lineup once he regains his playing form. He has in the past made numerous Brooks Robinson fielding gems.

Moving to Shortstop will be Tony "The Hitch" Giancana. Despite his unorthodox style, "The Hitch" has provided tremendous power and RBI production similar to that of Cal Ripkin, Jr. Tony is a defensive wizard who is signed to a long-term contract.

Solidifying the middle infield by shifting to second base will be senior stateman's Mitch "Pops" Sandler. Mitch has already stated that he is retiring after this season. He is a clutch singles hitter who provides leadership on and off the field.

Remaining at first base is Joe "Sky" Megale who plays the position with all the style and grace of Keith Hernandez. "Sky" is the cleanup hitter who can win a game with one swing of the bat. However, he is most noted for his long fly outs and he holds the club record for being the only player to look at a called third strike.

On the mount is Randy "Rubber Arm"

Montellaro, who holds the club record for the most games started, completed and innings pitched. (He has pitched every inning of every game for the Defenders.) A gold glove award winner as a pitcher, "Rubber Arm's" outstanding defensive ability has robbed opposing batters of many base hits.

The battery mate is none other than Dave "Stat Man" Muskovitch. "Stat Man" is a streak hitter with a good on-base percentage that he announces after every at-bat. He is also an excellent defensive catcher who is not afraid to block the plate.

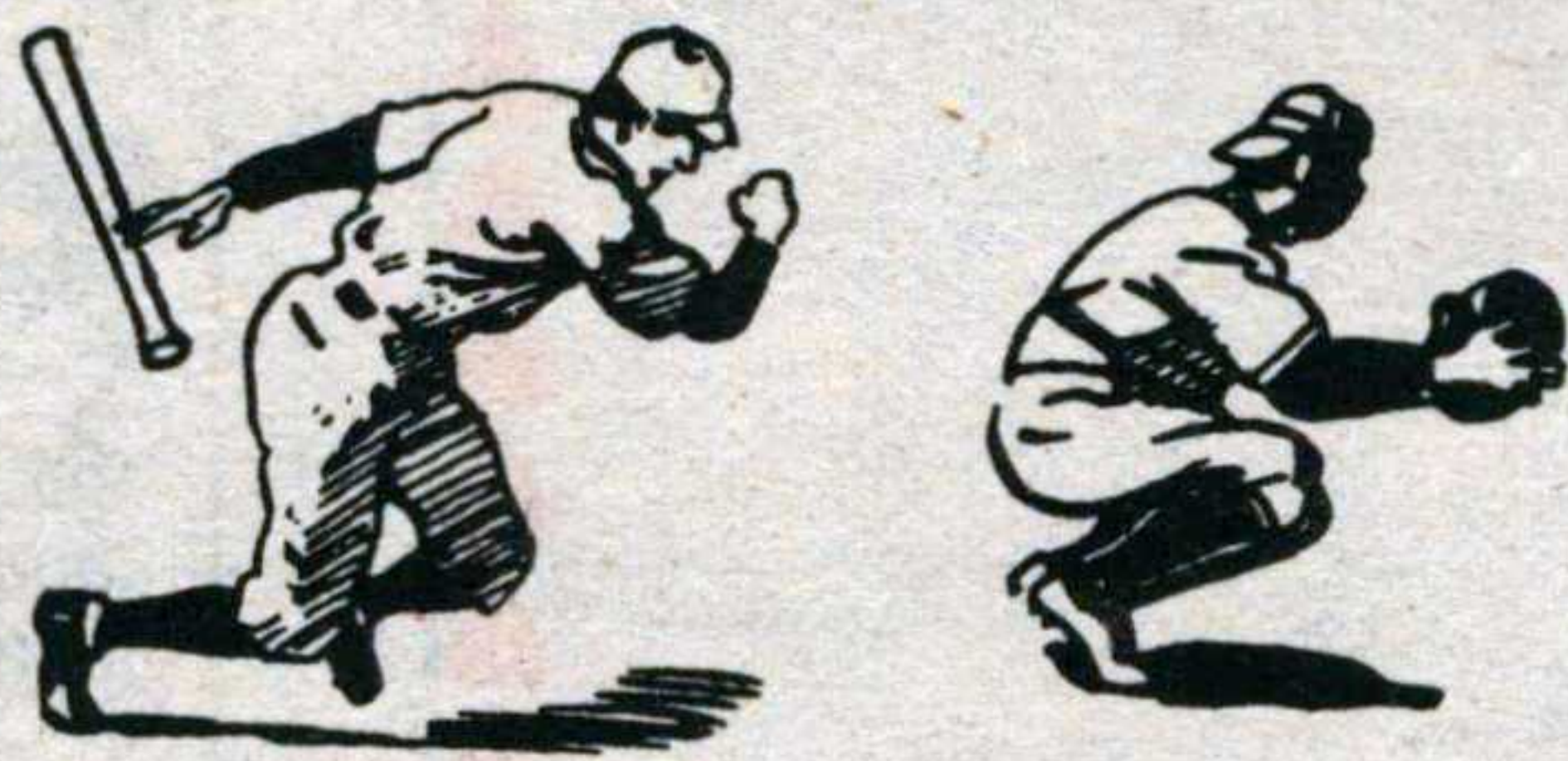
The outfield consists of Kevin "Buddy" Way in right field. "Buddy" has the potential to be a great power hitter which he displays regularly in practice and infrequently in games. "Buddy" provides a steady defense in right field and has made game-saving catches.

In right centerfield is Captain Chuck Zadoff, who is in danger of losing his whole team. Captain Chuck is also signed to a long-term contract. He is a line drive hitter who always comes through in the clutch.

In left centerfield is Roy "Mookie" Mirro. He is the lead-off man and catalyst. He patrols centerfield with speed and grace but has no arm. He also has the thankless job of making out the lineup for each game for which he has received nothing but grief from disgruntled teammates. (Editor's Note: This "legend in his own mind" is the author of this article...)

Rounding out the outfield is leftfielder Jim "Rifle Arm" Huggard. Jim possesses a cannon of an arm and is not shy about using it. Base runners should beware when "Rifle Arm" comes up throwing (which he always does). Jim provides left-handed power and is a definite pull hitter who loves that short porch behind the Law School.

If the Defenders can play together and put all the free agency aside for one more season, they may be able to fulfill their destiny. They have to improve upon last year's success and achieve their goal of a championship. They are at the crossroads and if the desire is there, look out for the Defenders!



It's Official: O'Leary is a Mangohead

In a crowded pre-season press conference at Hofstra's Physical Education Complex, Mikey Ambrosino, captain of the third year hockey team known as the Mangoheads, dropped a bombshell on the press. Ambrosino officially confirmed the rumor that had intrigued both the press and fans alike for weeks. Intramural football and basketball sensation Denis "Larry" O'Leary had signed on for the 1985 Mangohead hockey season.

Pandemonium broke out as the Mangohead fans could hardly contain their excitement. The press hailed this news as highly significant. Longtime Mangohead fan Joel Shafferman commented that "the addition of O'Leary to the Mangohead roster was the best news he had heard since the Mets signed Gary Carter."

O'Leary, or simply Denis to his friends, was born of poor, but industrious sharecropper parents in Hawaii. His family later moved to the Bronx and finally settled in the small town of Chester, New York. It was in Chester that O'Leary excelled in football, basketball, and, of course, hockey. This news could not have come at a better time as the hockey season is scheduled to begin in early February.

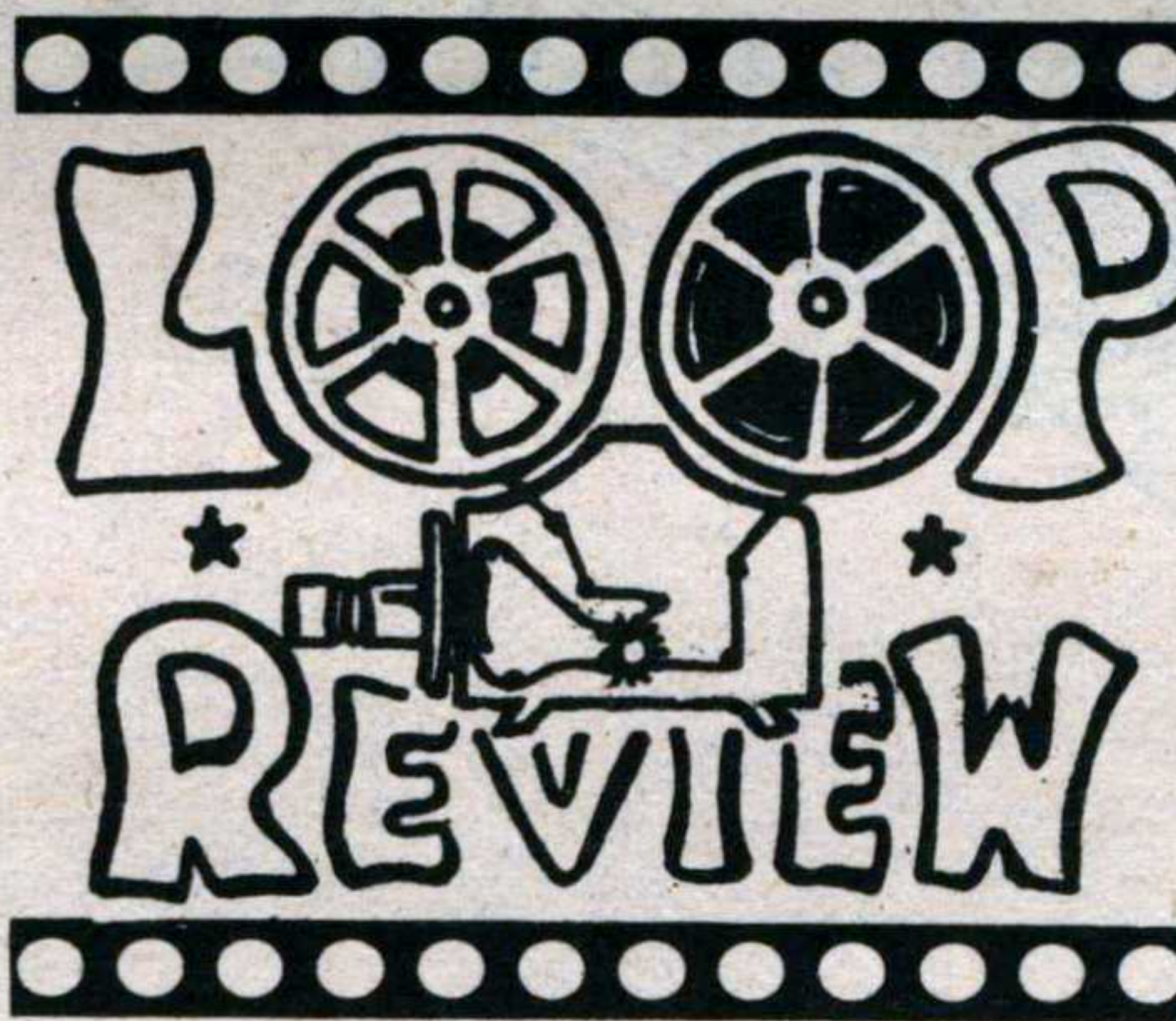
In other Mangohead news, several team members recently took a road trip to

Syracuse, New York, to attend a hockey clinic. The clinic was both interesting and informative. In fact, "Irish" Bill Condon found the clinic to be particularly beneficial as he stayed up late into the night discussing strategy with a Canadian player.

While in Syracuse, the Mangos visited with longtime Mangohead fan Bruce Springsteen. Springsteen was in Syracuse with his E Street Band to play two dates at the Carrier Dome. The Mangos stayed to watch the concert and returned to Hofstra the following day to begin formal practice.

With the season about to begin, "Brooklyn" Lori Barenkopf has convened try outs for the Mangos cheering squad known as the Mangoettes. Barenkopf, founder and captain of the squad, is said to be pleased with the progress of the squad and has promised to be ready for the first home game. "Brooklyn" Lori noted that the Mangoettes were thrilled to learn that O'Leary would be joining the team. She also added that the Mangoettes wanted to wish veteran Mangohead "Rockin'" Ron Rockower a speedy recovery from his bout with mono. She then turned to lead the Mangoettes through their famous butting of the heads cheer. It's going to be a great season.

Film Clips



by Joel Shafferman

During the recent hiatus from my legal endeavors, I had occasion to sample some of the recent fare that has been dished out from the kitchens of Hollywood and elsewhere. By the time your eyes will be feasting on these words, the films that are mentioned here may have been swallowed by the perennial red ink menace. But do not fret, for I am certain that sooner or later these treats may repeat on us before we know it.

One of the most memorable films that I've experienced in recent memory was *The Killing Fields*, which was superbly directed by Roland Joffe. It would be most accurate to say that this incredible piece of work absolutely devoured me. The film in a sense is a chronicle of New York Times columnist Sydney Schanberg's experiences as a foreign correspondent in Cambodia during the concluding years of the civil war between Khmer Rouge and the American-backed Lon Nol government. Besides being a vivid dramatization of the horror of that period, *Killing Fields* also explores the meaning of friendship and asks us to consider whether we enter into friendships because of genuine affection for our fellow men or whether our friendships are purely self-serving. *Killing Fields* is a dynamic film event that sizzles into

one's head like a steaming hot plate of Szechuan Chinese food.

Another worthwhile film to see is Francis Coppola's *Cotton Club*. This dazzling achievement is set during the 1930s at and around Harlem's legendary Cotton Club. The film centers around the struggles that two groups as diverse as gangsters, jazz players and dancers must go through in order to make it during those chaotic times. The performances by Gregory Hines, Richard Gere, Nicholas Cage and particularly James Remar as Dutch Schultz are brilliant. *Cotton Club* is a sweet and smooth entertaining experience; a work that is of pure delight to one's senses, much like a creamy chocolate soufflé.

If what you are craving for is a movie with all the ingredients needed for a typical American tear-jerker, then *The River* is for you. This film, which was directed by Mark Rydell who also directed *On Golden Pond* and stars Sissy Spacek and Mel Gibson, tells the story of a farming family's struggle to survive against the powerful forces of nature and man's greed. The film moves at a fairly rapid pace and tries to leave its audience teary-eyed and worn out. This is a truly American film with a formula that is safe and familiar, yet very satisfying, the way a cheeseburger, fries and a milk shake is.

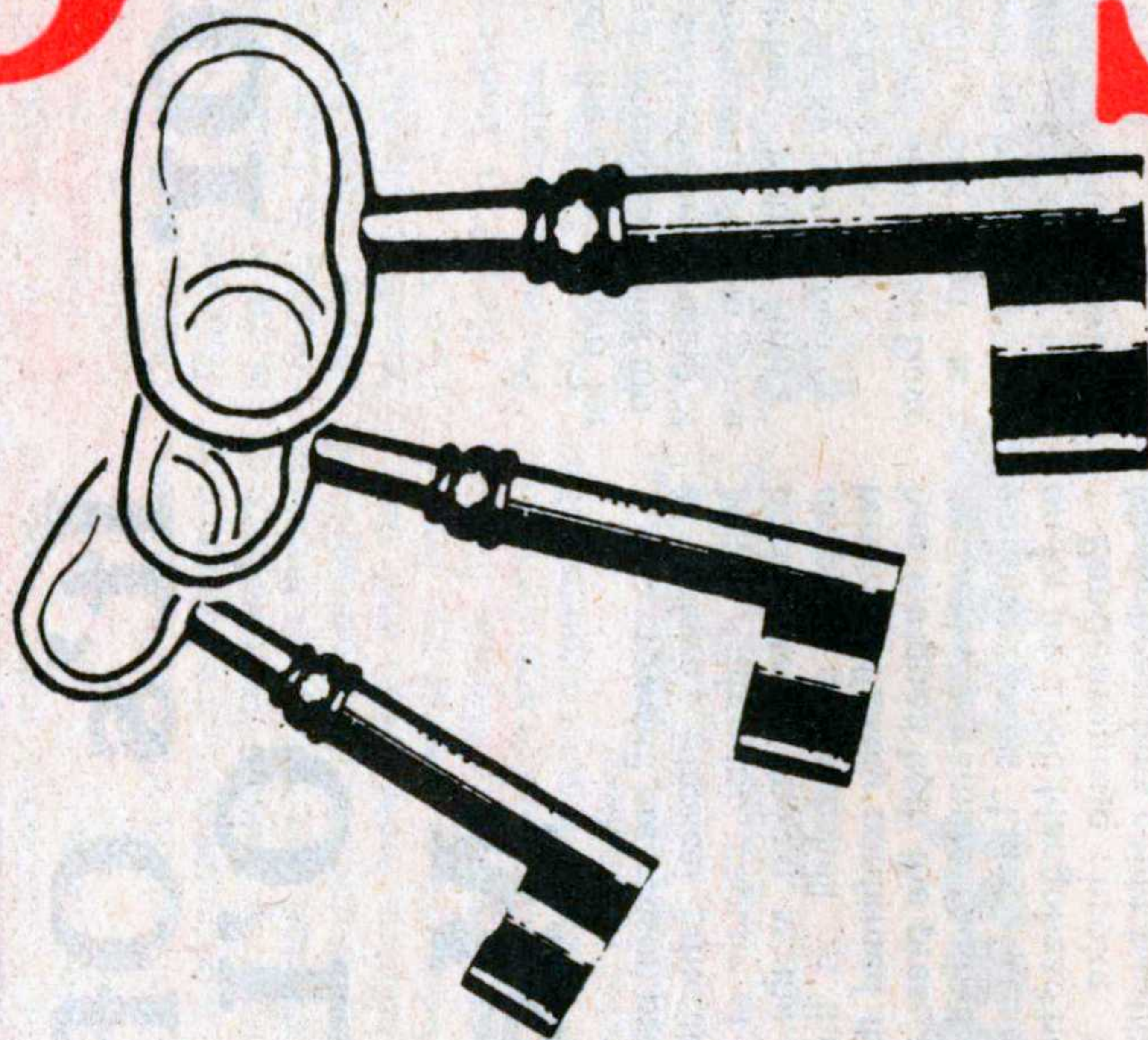
Finally, if one wishes to see an American film that's the antithesis of *The River*, I recommend viewing *Maria's Lovers*. The film's plot centers around a spellbinding young woman's relationship with a returning World War II soldier. The film's director, Andrei Konchalovsky, makes a Pennsylvania steel mill town look like an enchanted European village. Performances by the ravishing Nastassja Kinski, Keith Carradine, John Savage and Robert Mitchum enabled this creative, yet flawed, film to ultimately succeed. *Maria's Lovers* is recommended for those with a taste for unusual and foreign spices like cumin and curry.

**TO: ALL HOFSTRA LAW SCHOOL FACULTY & STUDENTS
FROM: PROFESSORS BUSH & GANS
SUBJECT: CONTRACT RENEWALS FOR PROFESSORS
DOUGLAS L. COLBERT & KENNETH G. ROTHSTEIN**

The Joint CLAC-Appointments Committee is considering the renewal of Professor Douglas Colbert's and Professor Kenneth Rothstein's contracts. The Committee invites written comments from students and faculty regarding the renewal of these Professors' contracts.

Please submit your written comments regarding Professor Colbert to Professor Bush, and your written comments regarding Professor Rothstein to Professor Gans. All comments should be received no later than **February 20, 1985**.

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