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The New York Law School REPORTER

Vol. III No. 5

ALL THE NEWS WE CAN FIND

• MAY, 1986

Koch Talks About Corruption at Jeffords

By Glen Gentile

Mayor Koch said "we have yet to find a cure for evil in the human soul," as he discussed the corruption scandal currently plaguing the city and decried the perception that corruption is a normal and, perhaps, necessary component of government. The Mayor's remarks were delivered as the twelfth annual Jeffords lecture at New York Law School on March 19.

Citing a recent *New York Times* poll which indicated that only fifty-four percent of the respondents thought the city could operate without corruption, Koch said this "cynicism" stems from the heightened level of scrutiny to which public servants are subjected. "In the private sector," the Mayor said, "bribes, kickbacks and payoffs are often called business expenses. In the public sector they are called crimes". Koch also said "the long history of corruption has made many New Yorkers perceive it as evitable.

The problem with fighting corruption, Koch said, is finding where it exists. According to the Mayor, in order to detect corruption's breeding places, an inspector general system was established in 1978, placing an inspector general in each city agency. As a result, 11,418 complaints of violations by city employees were referred to prosecutors between 1978 and 1985, the Mayor said.

Koch was fearful, however, that in the zeal to eradicate corruption, a society reminiscent of that in 1984 may emerge. "We don't want a society where video cameras are installed in every nook and cranny to spy on public employees and we don't want phone tapping to be an everyday event." Koch noted that Geoffrey Lindenauer's ac-



Koch addresses crowd in Froessel Room
activities were discovered as a result of an intercepted telephone call.

The Mayor then outlined the steps he has taken in the hope of counteracting corruption. A commission, headed by Columbia University Dean Michael Sovern, has been appointed by Koch and Governor Mario Cuomo to examine campaign financing laws. Koch has directed Kenneth Conboy, recently appointed commissioner of the department of investigation, to conduct a review of the inspector general system. The Mayor has also created a new position of auditor general to "conduct internal audits of all mayoral agencies." The contract bidding system has been changed so that all proposals must now undergo a two-tier review before consideration by the Board of Estimate. Koch also created a committee on appointments, headed by constitutional lawyer Floyd Abrams. The committee, which will be "an independent screening panel," will make recommendations to the Mayor as to appointments to positions which require the advice and consent of the City Council. According to

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Levitsky Charges Simon Forced His Resignation

By Robert Goldman

Serge Levitsky, NYLS professor of international law, has charged his resignation from the faculty was forced by Dean Simon.

Prof. Levitsky said he was "summoned" to Dean Simon's office in October and asked to submit his resignation. If he did not submit his resignation, Prof. Levitsky said he would have been "written out of the profession."

At the October meeting, Prof. Levitsky said, Prof. George Dent, chairman of the tenure committee, said "The tenure committee has completed its re-appointment review and based upon the criteria of teaching, scholarship and contribution to the law school, has recommended to deny re-appointment."

Prof. Levitsky, whose student evaluations for his three-years at NYLS were very favorable, called the re-appointment review a "dishonest farce."

In a letter to Alexander D. Forger, chairman of the board of trustees at NYLS, Prof. Levitsky said "I only know that while up to now, I have regarded the individuals involved in my dismissal as merely devoid of a sense of honor and decency, the student evaluations made me realize that the entire "re-appointment review," given the express role assigned to it in the rules approved

by the board of which you are the chairman, was turned into a dishonest farce."

In another letter to Forger, Prof. Levitsky said that a faculty member stated to him both before and after the review that the "decision of the school's administration had been taken at least a year earlier... In a candid and unofficial evaluation of the situation, the same highly respected member of the faculty, stated that in his interpretation of the administration's attitude, I did not fit into the new long range policy of the school which will be based upon young and junior professors who will make their full contribution to the school in twenty years. I had no future at NYLS, will never be given tenure, and should probably start looking for another affiliation."

Dean James Simon rejected the notion that the school is pursuing a policy of hiring younger faculty members as "baseless." He adamantly denied that the administration attempted to influence the decision of the tenure committee which, he said, "went about its job with great care." He also rejected Prof. Levitsky's assertion that the administration had predetermined the outcome of the committee as "nonsense."

Dean Simon appoints the members of

Continued on page 3

On Persecuting Prostitutes

By Kay Mackey and Joanne Zervos

An Acting New York Supreme Court Justice called prostitution the most misunderstood profession at a recent NYLS forum.

Judge Kristin Booth Glen said, "Prostitution is not only the oldest profession, it is the most misunderstood" at the March 18 forum sponsored by the Legal Association for Women, the NYLS chapter of the National Lawyer's Guild and the Gay and Lesbian Society.

Glen and Arlene Carmen, co-author of *Working Women: The Subterranean World of Street Prostitution* were the featured speakers at the forum, which attempted to draw attention to what they described as a basic aspect of urban life-street prostitution.

Glen gave a historical perspective of the treatment of prostitution and the reasons women have engaged in the profession over the centuries. Carmen discussed her experiences working with prostitutes in New York City.

"Prostitution has always been an avenue for women to assert their autonomy and independence," said Glen. For example, in ancient Greece

and China, women engaged in the accepted profession of prostitution in order to avoid the domination and allegiance expected of them by the husband or in a family situation. During the 18th century and early 19th century, Europe maintained "a laissez-faire attitude toward prostitution with no clear

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NYLS Calendar

April 29 5 P.M.	Phi Delta Phi	Elections of Officers C-105
April 29 5:30 P.M.	National Lawyer's Guild	Gavin Evans-law student and draft resister from South Africa. Wine & Cheese, Student Lounge
May 22	B.A.L.L.S.A.	Annual Alumni Dinner R.S.V.P. May 8 \$25; \$10 students Honoring Hon. Emilio Nunez
May 22	National Lawyers Guild	Labor Committee B-405 Wine & Cheese
June 7 8 P.M.	'86 Grad Bash	Sporting Club, open bar 8:00-9:30 P.M. Hors D'Oeuvres 8:00, Dinner 9:00 All are invited \$25, last day to buy May 1.

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Levitsky's Resignation

Continued from page 1

all the faculty committees, including the tenure committee. All the members of the tenure committee, with the exception of Prof. Simak, serve as chairpersons of other faculty committees. In a memo from Associate Dean Gerald Korngold to the full-time faculty, dated Sept. 23, 1985, Korngold said "Dean Simon and I will serve as ex-officio (non-voting) members of all committees." Associate Dean Korngold is also a voting member of the tenure committee. He served on the committee when it made its recommendation not to renew Prof. Levitsky's contract. Dean Korngold refused comment as to whether the school is pursuing a policy of hiring younger faculty members at the expense of older ones, and he referred all questions on the committee's recommendation not to renew Prof. Levitsky's contract to Dean Simon.

Prof. Levitsky said that "in the absence of evidence to the contrary, I have no reason to believe that I was fed wrong information by someone privy to the committee proceedings."

Dean Simon told Prof. Levitsky he was "relieved" when Prof. Levitsky handed him his resignation. He said he asked for Prof. Levitsky's resignation "rather than allowing it to go forward in a formal way. Had he not resigned, it would have gone before the tenured faculty for formal action. That would have been part of his formal record. I thought it would be better that that not occur. It seemed to me it would be to his (Levitsky's) advantage that no formal action be taken by the tenured faculty. He resigned on that basis. I did say I was relieved. There was an avoidance of a formal record which could be detrimental to his professional future."

Prof. Levitsky had no comment on Dean Simon's reasons for asking him for his resignation. However, he did say that "by asking me to resign to avoid being accused of professional incompetence, Simon thereby caused the regulations to be bypassed. The regulations specify that the whole matter be referred to the tenured faculty and that I should have been notified in writing."

Prof. Levitsky said "Dean Simon asked me to resign to avoid the procedure. What is it that I was being accused of?" he asked.

The NYLS Standards and Procedures for Tenure, Promotion and Review stipulate that if the recommendation of the tenure committee is negative, "the chairperson shall report orally the recommendation of the committee, the reasons for it and the vote at a meeting of the tenured faculty and the Dean."

Prof. Levitsky charges that there was no meeting of the tenured faculty and the Dean because he was "forced to resign" before the meeting was to have taken place.

If Prof. Levitsky had not resigned, the tenured faculty and the Dean would have voted whether to recommend the professor's reappointment to the board of trustees. If a majority of the tenured faculty and the Dean had voted "yes" then Prof. Levitsky would have been reappointed. If, on the other hand, the Dean had voted against reappointment, at least two-thirds of the tenured faculty would have been needed to override the Dean to pass a positive recommendation

along to the board of trustees. The board makes the final determination.

Prof. Levitsky also said that one member of the two-person review team, charged with observing his classes to assess his teaching ability, came to his office and said that the committee had chosen to disregard his positive recommendations and evaluation.

Mr. Forger responded to Prof. Levitsky's letter in November, saying he was "quite concerned by the nature of" his comments. "I am at the moment in no position to respond intelligently to the matters you have addressed," Mr. Forger continued, "but will, of course, seek to understand better the circumstances that you describe. Your statements are disquieting and I certainly shall direct my attention to them."

Prof. Levitsky said that Mr. Forger had taken no further action on the matter.

Dean Simon said he discussed the matter of Prof. Levitsky's resignation with Mr. Forger, and that he told Mr. Forger that "the action was taken in accordance with the rules of rank and tenure."

Two authors, whose works were to appear in an upcoming "Soviet Law" issue of the NYLS Journal of International and Comparative Law, withdrew their articles from the issue to protest Prof. Levitsky's resignation. Professors William Simons and Ger van den Berg, both of the University of Leiden, the Netherlands, withdrew their works after learning of Prof. Levitsky's resignation.

In a letter to Michela Daliana, topics editor for ILJ, Simons said, "It is my understanding that Professor S.L. Levitsky has been unceremoniously removed from his position as faculty advisor for your journal. It is hard, if not impossible, for me to perceive the logic behind the decision to remove Professor Levitsky, and this fact leads me to doubt the scholarly sincerity, if not competence, of a law school and its administration that would engineer such a course of events."

Daliana wrote to Simons asking him to reconsider. In response, Simons wrote: "You will, I hope, understand that as much as I regret the fact that the students are being made the victims, if not the scapegoats, this farcical and yet tragic little black comedy only reinforces my initial misgivings and concerns and makes it for me personally and professionally impossible to participate as a contributor to the Soviet law issue."

Prof. Levitsky said that he never asked Professors Simons or van den Berg to withdraw their articles. He said that when Prof. van den Berg was in the process of reconsidering whether to submit his manuscript to the journal, he contacted Prof. Levitsky for advice. Prof. Levitsky said he told Prof. van der Berg, "Please do not put me in the middle. If you feel you should keep it in, by all means, do so. If you feel you want to withdraw, withdraw. I do not wish to stand in the way, one way or the other."

Dean Simon said "It is unfortunate that anyone would peanlize our student journal for extraneous political reasons. A lot of good work will be wasted. It is most unfortunate and I find it inexcusable."

Thomas Tyler, managing editor of ILJ, said that Prof. Levitsky remains faculty advisor to the journal for this

special issue. Prof. David Schoenbrod also serves as faculty adviser to ILJ. The special issue is scheduled for publication in the early summer.

Henry Saurborn, editor-in-chief of ILJ, said that the decisions taken by Professors Simons and van der Berg were "inappropriate. We got caught in the middle. I couldn't justify their decisions. But there's not much you can do."

Dean Simon said that he did not know, at this point, whether Soviet Law or International Copyright Law will be offered next year.

Dean Korngold said that New York Law School will continue to have a strong program in international law next year.

He said that NYLS appointed Virginia Ramadan assistant professor of law for two years. Prof. Ramadan, who is completing her L.L.M. degree at Columbia Law School, will teach International Business Transactions next year.

In November, twenty-two students signed a petition to ask for a scheduling change for Prof. Levitsky's class in Soviet Law because of time conflicts with Prof. Rosenfeld's Constitutional Law II class and Prof. Zeigler's Federal Courts and Federal System class.

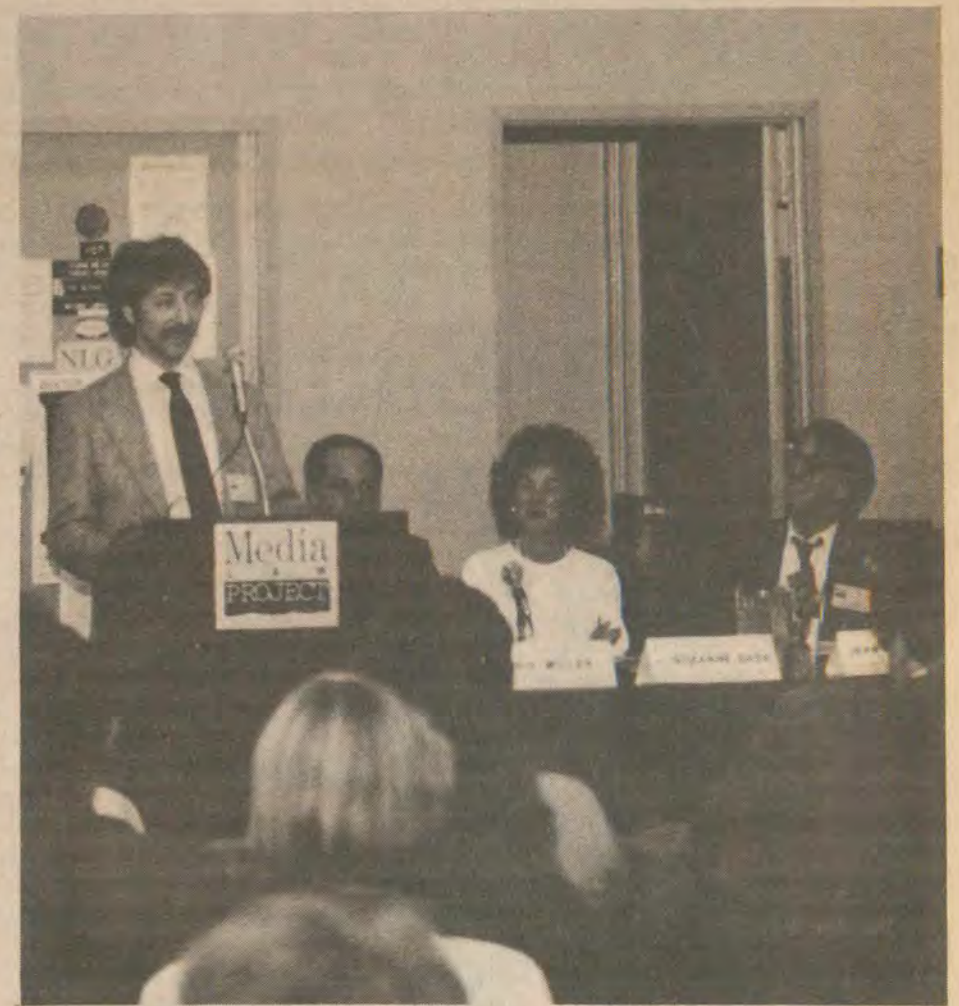
Dean Korngold refused the request, and said that, in view of the extensive time spent on scheduling, it would be a "very rare event" for the administration to implement a scheduling change.

Prof. Levitsky received the degrees of *licencie-en-droit* and *docteur-en-droit*

from the University of Paris (Sorbonne). He continued his legal education at Oxford and Columbia universities and taught at several American universities, including the graduate schools of Fordham and Adelphi and Columbia Law School. During his tenure at Adelphi and Fordham, he served for ten years in various executive capacities at Texas-Gulf. He then returned to Europe as a visiting scholar at the University of Leiden Faculty of Law in the Netherlands and at the Max-Planck Institute for Foreign and International Patent, Copyright and Competition Law in Munich, Germany. Prof. Levitsky served as senior vice president of the Chase Manhattan Bank, N.A. He represented the bank in negotiations in the USSR and Eastern Europe.

Prof. Levitsky has written six books and more than 240 articles on legal, industrial and commercial topics in general and Soviet copyright law including *Introduction to Soviet Copyright Law* and *Copyright, Defamation and Privacy in Soviet Civil Law*. He currently serves as a faculty advisor to the NYLS *Journal of International and Comparative Law* and he coached NYLS's Jessup International Moot Court team this past academic year.

Former Dean Donald Shapiro asked Prof. Levitsky to come to NYLS in the spring of 1983. Prof. Levitsky began teaching at NYLS in the fall of '83 when Dean Simon was Dean pro tempore.



Bruce Colfin addressing the Media Law Project's Entertainment Career Conference. Seated [l-r] are Harris Miller, Suzanne Baer and Colfin's law partner, Jeff Jacobson.

Personals

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Editorial: The Levitsky Affair: Unanswered Questions and Questionable Answers

"Something is happening here, but you don't know what it is, do you, Mr. Jones."

-- Bob Dylan --

The tenure committee's recommendation not to renew Prof. Levitsky's tenure-track contract does not, on the face of it, make any sense. The committee's deliberations are kept secret. The committee decides by a closed ballot majority vote whether or not to recommend reappointment of a non-tenured third-year faculty member to the tenured faculty and the Dean. There is only a handful of people who know what went on behind closed doors when the committee discussed whether to terminate Prof. Levitsky's contract. Members of the tenure committee and selected members of the school administration are privy to this information. The tenured faculty does not formally know the reason for the recommendation because Serge Levitsky resigned before the matter went to the tenured faculty.

Dean Simon asked Serge Levitsky to resign several times over a two-week period in October. If the professor resigned, he would not have a negative committee recommendation on his record. If he did not resign, he would have faced the possibility of a negative vote—a vote not to renew his contract—by the full tenured faculty. Dean Simon later said he asked Serge Levitsky to resign because he was concerned about the professor's professional future. But there may have been other reasons. Had Prof. Levitsky not resigned, the vote of the tenured faculty probably would have been very close, and the issue could have divided the entire faculty.

Prof. Levitsky resigned even though he never knew why the tenure committee had voted not to renew his contract. In his letter to Mr. Forger, he wrote: "The New York Law School wants to force me to renounce the very meaning of my life by agreeing that I do not know how to teach, my scholarship is deficient, and that I have not contributed anything to the School. You have my resignation, as specified above. But if the resignation is to imply my acceptance of the truth of the accusations contained in Mr. Dent's statement in the Dean's office, I refuse to comply, for they are not based on the truth. They are, in fact, an insult to my entire professional life."

The school's Standards and Procedures for Tenure, Promotion and Reappointment stipulate that the tenure committee bases its recommendation for renewal of contract upon the criteria of teaching, scholarship and contribution to the law school. A reasonable person, judging Prof. Levitsky's career and his brief tenure at New York Law School, would have to conclude that,

far from being deficient in any of these areas, he has been exemplary.

Let's look at the record.

Prof. Harold T. Berman of Harvard, one of the most highly recognized professors of international law, called Prof. Levitsky "One of the most distinguished scholars in the world in the field of the Soviet law. His book on the Soviet copyright law is a gem. In addition to his excellent understanding of law he brings to his work in comparative law, a broad knowledge of the history and literature of many countries, as well as a rich experience in international business and legal practice".

Here's what some of our fellow students had to say about the professor on his Fall, 1985 evaluation forms:

"I feel very fortunate to have had the opportunity to have studied and learned from him."

"Whoever is responsible for Professor Levitsky's dismissal cares very little about the students and the quality of this school."

"It would surely be a weak, disinterested and stupid administration which let a professor like this go. How often can one say that he was taught by a gentleman and a gentle man."

"I think whoever decided to fire Levitsky ought to be hanged and I wouldn't mind being the one to tie the noose around his neck."

As for contributions to the law school, Prof. Levitsky serves as a faculty advisor to ILJ and he helped coach the moot court team.

The Levitsky resignation raises important questions about the school's policies and the resignation itself. We're forced to ask why? Why did the tenure committee vote to deny reappointment to a renowned scholar on the tenure track? Why did the administration pressure Prof. Levitsky to resign rather than face the vote of the tenured faculty? And why did they force a man of Prof. Levitsky's stature out of New York Law School at a time when the administration has, at least publicly, said that it supports a strong international law program? Is there a hidden agenda to undermine the international law program and concentrate more heavily on required and semi-required courses? Is there a hidden agenda to grant tenure only to younger faculty members?

We call upon the administration to address our legitimate concerns at a public forum.

And we, at *the Reporter*, would like to go on the record as the first student organization to urge Serge Levitsky to withdraw his resignation.

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BAR REVIEW

Moot Court: Oral Agony

By Joanne Zervos

The N.Y.L.S. Moot Court Association hosts an intramural competition each semester. The competitions offer students a unique opportunity to test their advocacy skills before students, professors, practicing attorneys and judges. The brief writing enables students to experience collaborating with fellow students in writing, organizing and presenting a submittable piece of written work.

This spring's John Marshall Harlan Moot Court fact pattern was written by Luis Caso. The issues addressed were criminal and constitutional. Specifically, whether young adults, ages 18-29, form a cognizable group for jury selection purposes. Where cognizability exists, the jury rolls are monitored to insure that the cognizable group is represented in proportion to its population within the community. The second question concerned whether strip searches of all arrestees placed in a holding cell is constitutional under the Fourth Amendment.

The competition was organized by Chris Burgess. Students were given two weeks to conduct research and write a brief arguing either position. Two preliminary rounds were set for each

contestant for the third week. Each contestant argued both the petitioner's and respondent's position before Moot Court alumni. The quarterfinal and semi-final rounds, heard the fourth and fifth weeks, were argued before N.Y.L.S. faculty and Moot Court Executive Board members. Final arguments, held in the Froessel Library, were heard by Hon. Judge Ellsworth Van Graafieland from the Second Circuit Court of Appeals, Hon. Judge Keenan of the Southern District of New York, Mr. Richard Murphy, District Attorney of Richmond County and Mr. Jeffrey Fogel, Director of the New Jersey A.C.L.U.

The finalists were Diane Loewe and Michael Morris for the petitioner and Helen Miller and Moira Umemori for the respondent. The best brief award was given to John Koester and Herbert Lazar. Best appellate advocate award went to Moira Umemori.

The following members of the 1986 Moot Court Executive Board have been awarded the **Order of the Barrister**: Luis Caso, Richard Mackiewicz, Edward Margo, Carol Morokoff, Phyl Newbeck, Michael Rubin, and Micheal Shor.

Koch

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Koch, this should end the stranglehold which county political leaders seem to hold over the appointment process.

The Mayor also proposes to create a city lobbying commission to review such activity and has asked the corporation counsel to review the financial disclosure laws.

Koch was awarded an honorary degree at the lecture, which was attended by Deans James Simon and Gerald Krongold, and Alexander Forger, chairman of the New York Law School Board of Trustees, among others.



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On Persecuting Prostitutes

Continued from page 1

demarcations between good and bad women, Glen added.

"Restrictive prostitution legislation manifests and reflects social and political needs for control" said Glen. "Anti-prostitution legislation," she continued, "assaults civil liberties, but ironically mirrors the gender discrimination that permeates a particular society during periods of significant economic expansion."

Glen said that during the Crimean War in the late 19th century, heavy legal and moral sanctions were brought against prostitution. Ostensibly passed for V.D. prevention, the Contagious Disease Act and the Mortal Sin Act of 1881 were actually attempts to curb social class unrest by stigmatizing and punishing prostitutes, Glen averred.

New York had not enacted legislation criminalizing prostitution until 1967. However, according to Glen, in anticipation of the Democratic National Convention held here in 1969 and the civil protest which might result, New York passed the Ohrenstein-McCall Bill (Penal Law Section 240.37) which prohibits loitering for the purpose of prostitution.

At present, Manhattan District Attorney Robert Morgenthau is lobbying the New York Legislature to require, for the first time, mandatory imprisonment for second and subsequent prostitution offenses. (Intro. to S. 5327 A. 4476 (1984)).

In reaction to the AIDS scare, legislators are turning prostitutes into scapegoats by attempting to test them for the disease, Glen said. "In reality," she continued, "the most current federal studies indicate that less than five per cent of all sexually transmitted diseases from women to men are linked to prostitutes."

"At 18,889 city-wide arrests for prostitution related offenses at a cost of \$2,500 per arrest and processing, the prospect of all those zeroes is staggering," Glen said. Millions of tax dollars which could be put toward social services are spent on an ineffectual revolving door policy, she added.

Arlene Carmen, a staff worker with Judson Memorial Church, runs the Working Women Project which offers free medical and gynecological services for prostitutes. Since 1975, the project has operated a renovated bus where prostitutes can gather, socialize and find respite from the street.

Carmen pointed out that many of the reasons asserted for regulation of street

prostitutes are inaccurate and pretextual. "Street prostitutes are not forced into the profession by villainous pimps; instead, women choose the profession to escape unhappy living situations: sexual abuse, battering and forcible ejection from the home are the common scenarios", she said. In what Glen termed "the last bastion of entrepreneurialism," women choose to work for themselves. Many street prostitutes, Carmen said, are single women who must support their children. Welfare is inadequate as are virtually all jobs open to them; consequently, Carmen believes, street prostitution becomes the most lucrative alternative.

"Probably the most pernicious myth surrounding street prostitution is that it creates an escalated crime rate. Although crime is an ever-present factor in the life of a street prostitute, the prostitute is seldom the perpetrator-she is usually the victim," Carmen said. "Tricks", she said, are the greatest danger to prostitutes, since prostitutes have virtually no legal recourse. Carmen recalled the astonishment of one trick arrested for killing a prostitute: "Imagine, going to jail for killing a whore," he said.

Carmen also described the police lists of prostitutes which are "synchronized so that no one prostitute is arrested more often than another." Carmen underscored this fact by telling her own experience of arrest in a vice squad sweep while in a coffee shop eating with prostitutes. She was imprisoned for more than forty-eight hours and subjected to three strip searches routinely administered in a corridor. When she was finally arraigned, the charges were dismissed and she was released.

Carmen also described how one night while sitting on the bus with a few prostitutes she noticed one woman chewing and blowing bubbles. Carmen asked the woman for a piece of gum. The woman chewing and the other women on the bus started to laugh. The woman stuck out her tongue and Carmen was shocked to see that it was a condom. The women explained to her that even though tricks do not like it, the women have devised a way to use condoms in order to protect themselves from disease, when performing oral services.

"The lesson to be learned," Carmen said "is that prostitutes are only rarely arrested for committing a criminal act. They are almost always arrested because of who they are, where they happen to be, and what they do for a living."

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UP FROM THE UNDERGROUND: LOOKING FOR AMERICA

By Dianne Pine

Springsteen always sang about its people, John Cougar Mellencamp re-discovered his small town, ELO is calling it and that means major record companies are scrambling to sign it. What is it? America! Musically, America has been re-discovered both as a subject and, more importantly, as a source for young bands who are singing about — you guessed — America. The *Rain Parade*, the *Long Ryders* and *Green on Red* all come from the Los Angeles 60's scene and have been heavenly influenced by America's musical roots. The *Long Ryders* and *Green on Red* take America even further by singing about the American dream, searching for

heros and the people. The *Rain Parade* is overtly psychedelic and are more closely tied to the 60's revival which received so much press and gave us the current hit makers *The Bangles*. As a live band the *Rain Parade* is known for putting audiences into a swaying trance. Their first two independently released albums featured layer upon layer of shimmering psychedelic guitars winding through slow melodic tunes with lyrical references to kaleidoscopic effects. *Crashing Dream* is *Rain Parade's* *Island* record debut. This time around they sound less like the *Beatles* circa *Rubber Soul/Revolver* and more like the *Rain Parade*. The LP is a pleasure to listen to, creating dream-like images

with psychedelic overtones on songs like *Don't Feel Bad* and *Mystic Green*. There is a more "Pop" approach, and *Depending On You* sounds like something from the classic singer/songwriter vein of the mid 70's. If you remember *America* (the group-*Horse With No Name*) then you will hear some similarities in *Fertile Crescent* and *Sad Eyes Kill*.

Whether it's easy to listen acoustic flavored mood music, or psychedelic swirls, the *Rain Parade* offers both in abundance.

The *Long Ryders*, on the other hand, rock out hard. Founder and principal songwriter Sid Griffin once described the *Long Ryders's* sound as *Creedence*

Clearwater Revival meets the *Clash*.

Long Ryders's songs are characterized by loud, ringing guitars and anthemic urgency in their voices. *STATE OF THE UNION* is the *Long Ryders* 3rd release (1st for *Island*) and this record will place the band along *U2* and the *Alarm* (the *Long Ryders* are currently opening for *The Alarm* on their US tour).

The *Long Ryders* lyrics set them apart from their Irish & Welsh counterparts/as the *Long Ryders* sing about looking for heros and the lost American Dream. In the spirit of American Romantics, *Looking For Lewis and Clark* (the single) expresses the desire to find idols and ideals in contemporary America. "Looking..." is a rave-up — loud brash and proud — made for jumping up and singing along. *WDIA* celebrates American radio in the south — it has a slower semi-funk feel. *Lights of Downtown* and *Mason-Dixon Line* have Country & Western themes like truckers and love gone wrong combined with those signature ringing guitars. Side two gives us the haunting *TWO KINDS OF LOVE*, a song of survival during farm auctions and factory shut-downs. Storylines run from depression era comparisons in *Just Can't Ride the Box Cars Anymore* and *Good Times Tomorrow*, *Hard Times Today* to a widow's tale in *Capturing The Flag*. What the *Long Ryders* do best is sing about the glory of being American — every local, region, and pleasure in roll-call style as in the title track *STATE OF OUR UNION*.

Green On Red has gone through changes since their first self-released and much ignored album in 1982. 1983's *Gravity Talks* (2nd LP) was filled with rollicking keyboards and angry vocals, while 1985's *gas, food, and lodging* sounds much like their new 7-song mini LP for Polygram *No Free Lunch*.

Lead singer Dan Stuart explains away the diverse changes as growing up and changing his focus from inward anger to story telling. Either way, *No Free Lunch* explores the stories of American Losers and anti-heros. The title song *No Free Lunch* is a semi-auto biographical tale of his band's history. Dan's vocals remind you of Neil Young, slightly whiny. The band rocks hard, keeping you hopping, especially if you enjoy the slightly rockabilly/Country & Western style the band plays in. *KEEP ON MOVING* is a typical road song about losers moving on. Loosely based on the band's travels — it paints a grim image of being down & out. *HONEST MAN* is a slow sad ballad, a farmer's story perhaps and *Ballad of Guy Fawkes* is an overview of politics, praising guerillas and panning socialism, set to a slightly bluesy piano.

Dan Stuart's overly naive view of life crops up on side two's *Time Ain't Nothing*, which alternates between being a song of hope, pain and being young. The characters are losers and survivors in almost all of *Green on Red's* lyrics.

The choices of coping or turning to drugs make several appearances. Thus attitude is commendable. While at 25 when most rock-n-rollers are still getting their teen-age kicks, *Green on Red* has attempted to deal with life in America head-on.

Musically, *Green on Red* borrows from *Dylan*, *Neil Young* and there is even a *Willie Nelson* cover (*Funny How Time Slips Away*). Anyone who enjoys acoustic guitars, and heart-searching lyrics will keep this LP on their turntable.

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SHAKING PHILLY: THE DEAD-HEAD SPECTRUM

By Joanne Zervos
and special to the Reporter
Mr. Robert Epstein

"In an article about 'Grateful Dead' published by the folklore society in 1908, the motif of a widespread group of folktales is described that recounts a traveler who comes on people refusing to bury a dead man who had refused to pay his debts. The traveler pays for a decent burial and goes on his way; later he finds a horse or a dog which miraculously helps him perform some task that earns him a fortune or wins him a princess. At the tale's end the animal benefactor turns out to be the ghost of the corpse that the traveler had befriended- and the new found fortune the gift of the Grateful Dead... My question is: How many other rock groups or folk singers use titles that have such deep cultural roots?" William Safire, "Of 'The' I Sing", N.Y.T. Feb. 1986.

An attempt has always been made to characterize the Grateful Dead as the forerunner of the psychedelic scene, misconceived as the San Francisco Sound. True. But this is only one phase of the band's musical accomplishment and life story. The Dead evolved from traditional motown and blues tunes like "Dancing in the Streets", "He was a Friend of Mine", and their own "Viola Lee Blues", into the psychedelic elec-

tronic spaces of "Cryptical Envelopment" and "The New Potato Caboose", into the Western type ballads of Marty Robins' "El Paso", their own "Mexicali Blues", and promoting the New Riders with Garcia on pedal steel, into what I see as a heavy understanding and expression of the themes and music of Bob Dylan.

The deaths of Ron "Pig Pen" McKernin and later Keith Godchaux respectively organist and pianist, had key impact on the band's style and strive for individual freedom.

The Dead, it seems, tread respectfully on its influences in order to capture the highest degree of individuality in its peculiar potpourri of musical experience. They have achieved a gentle balance of complete simultaneous orchestration of notes while maintaining the personality and structure of the pieces they perform.

Instrumentally, the Dead have moved away from the alembic system of wall-to-wall sound into a more controlled use of synthesized sound.

What has not changed is the interminable travelling nature of this band. Their music travels to cities and towns coast to coast (I guess like their fingers and arms move across their instruments).

The first signs of Spring foreshadows

the East Coast Dead Tour. Spring shows, usually general admission, clear the auditoriums of floor seats so the Dead Heads can dance, stand, space and celebrate without the aggravation of arena people checking tickets or trying to confine them to seats. An authorized taping section behind the soundboard allows other Dead Heads the freedom to set up their elaborate recording equipment without fear of it being confiscated by the authorities or trampled on by their unconfineable counterparts.

The '86 tour began with three shows in Hamden, Virginia, the traditional starting point of the tour. From there the tour took Dead Heads to the Philadelphia Spectrum for three shows, Cumberland County, Maine for two shows, Providence, R.I. for three shows and finally Hartford Conn. for three shows. The tour will go down in Dead chronicles as the Box of Rain tour. The band played the song in Virginia, Maine and Hartford. It has been thirteen years since bass player Phil Lesh sang and the band performed this truly beautiful Dead song.

The first Philly show began with the band's powerful arrangement of the song "Gimme Some Lovin'", originally performed by the Spencer Davis Group. Brent Mydland, keyboardist, played long cliff-hanger like chords on organ while the bass of Lesh and drums of

Mikey Hart and Bill Kreutzman kept a tight three beat tempo creating an adrenalin rush of twist and rock among the Dead Heads. Lead guitarist Jerry Garcia sang the next tune "Deal." He took off with his stylized winding progression leads while the rest of the band furiously performed their own riffs around his music. Rythmn guitarist Bob Weir sang the next tune "Willy and the Hand Jive" a traditional blues tune. Garcia followed with the Hunter/Garcia blues tune "Candyman" from the Dead album American Beauty. The Spectrum, sold out at 16,000, seemed like a small college auditorium as the music encompassed the space.

The band played "Cassady" a Weir/Barlow classic about Neal Cassady Kerouacs friend in "On The Road". This version exemplified the improvisational abilities of this band as they jammed on chords which separately would seem incomprehensible, yet, together captured the speed, spirit and dust of the beatnik road travellers Garcia followed with "West L.A. Fade-away." The lyrics seemed mumbled and inaudible. The tune sounds a little like Stevie Wonder's "Supersitition", however, it appeared a little simple, plaid for the Dead. Weir sang his polka tempoed rendition of the Western tunes "Mama Tried" and "Big River." The band rounded out the set with a bouncy rendition of "Might As Well", a Hunter/Garcia tune about a Canadian train ride. The tune brought the crowd to its feet, in good clean dancing fun.

Like Maestro Leonard Bernstein, Garcia nodded the introductory beats to "Shakedown Street" to begin the second set. Appropriately for this Palm Sunday show, Weir sang their biblical version of the song "Samson and Delilah" by the Reverend Gary Davis. The version was one of the best in recent years because of its smooth, slow, tempo. At this time there was also a noticeable flow of power from the rythmn and drum section. Garcia sang "He's Gone" from the "Europe '72 Album". Weir followed with "Spoonful" the Willie Dixon blues tune. Garcia displayed his own groovy version of blues music with long, rounded, enuciated siren like tones.

As the rest of the band went backstage, Hart and Kreutzman took center sound with their Drum Jam. Hart played with synthesized drum and Nubian drum sounds. When Garcia and Weir came on stage they engaged themselves in a chinese-high pitched stacatto Space Jam, which led into a stifled version of "The Other One" with the rest of the band. "The Other One" is from the Dead album "Anthem Of the Sun."

It was time now for another Garcia ballad, the question was which one. The choice was "Comes A Time" from the Garcia album "Reflections" the performance was flawless. Garcia's voice, although sometimes inconsistent, at 44, was distinct, soulful and piercing. Weir ended the set with the Young Rascals tune "Good Lovin'". The Calypso-like arrangement of the tune got the whole house swinging.

The Dead came out and encored with the standard new tune "Day Job", a lamentable reminder to the weekend Dead Heads, that Monday at the office awaited them. As the song says "whether you like that job or not you got to keep it on ice while you're lining up your long-shot which is to say, hey, hey, hey keep your day job till your night job pays."

Transition



Maryann Kaufman, Assistant to Dean of Students Joan Fishman, left NYLS Friday April 11, after five years of service, to join W-R Family Associates, a private investment firm.

During her tenure at NYLS, Ms. Kaufman showed a sensitivity towards students and an understanding of their concerns



The Reporter's Party at Katie O'tooles March 20,

If you missed it.

The winners of the prizes were:

Grand prize: Luis Cabezas

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