Crime Strikes New York Law School
by Daniel Musalle and B. Shaw

Vandals Invade Mendik Library

11:05 A.M. Sunday October 15th. A lone security guard, patrolling the perimeter of NYLS, discovered the main door, leading to the Mendik Library, unlocked. Act- ing upon his own initiative, the security guard entered the construction site and performed an immediate inspection of the premises. Entering a room on the first floor, which contained the blueprints for the library construction, the guard discovered that the new sheetrock walls were destroyed.

Believing that the perpetrator was possibly still on the premises, the guard called for back-up to conduct a thorough search of the building. Responding to the call, the weekend security staff proceeded to sweep the building for further signs of the perpetrator or perpetrators. Finding no trace of the perpetrator on the premises, the guards returned to the blueprint storage room. There, the security guards discovered that the room had been smashed and a crowbar had been used to pry open a tool box. It is not known at this time what items are missing.

Upon leaving the building, a bloodstained blueprint was found which had been discarded at the entrance, possibly indicating that the vandal injured herself during the conduct of her nefarious deeds.

The entrance to the Mendik Library construction site is usually locked by chain and padlock, however, the security guard discovered that the lock was not properly secured. The guards, who are not responsible for the security of the construction site, contacted their supervision, George Hayes, who notified the contractor. The contractor is responsible for security on site during construction. The police were never called.

This latest incident at the library construction site occurred only two weeks after another possible break-in attempt was thwarted by our fast-acting security staff. At that time, a white male was discovered trying to gain entrance to the Mendik Library through a first-floor window in the entrance vestibule. Upon discovery, the suspect fled and no arrest was made.

After the incident two weeks ago, four flood lights were installed in the entranceway of the building as an added security measure. As of Sunday the 15th of October, only one light was in operational order. In addition, the lights installed under the scaffolding, which serve a dual purpose of security lighting as well as illuminating the walkway for pedestrians, were not operating this weekend.

This rash of break-ins points to a breach of security at NYLS. The Mendik Library is the "showcase" of this century old institution. What will be done to prevent this from occurring again?
The Chinese Immigration Law Seminar was a rare event at New York Law School. Besides various of the clinical course offered at our school, and taken for credit, "pro bono" service by law students to benefit people in need of low cost or free legal services is non-existent. Even the Seminar itself, which was well intentioned, was time consuming. But students believed that the cause was important enough to devote many hours of their busy law school schedules, even while suffering from the classic lawyer's excuse: "my time is very valuable."

Things didn't get started until about 10:30 so everyone assumed it would run to about 12:30. Now two hours doesn't seem like much, but after all, the seminar was only intended to give a brief overview of changes in immigration law after the defeat of the pro-immigration movement in China last spring. Two hours should be plenty of time. Lawyers are overworked to begin with and Saturday is probably the only free time that they have away from their busy practices. The things were going well, there was a great turnout, the Chinese pastries and roast pork buns purchased for breakfast were eaten usually with warm. Much to everyone's satisfaction, cheese, yellow zucchini and garlic dip, the traditional NYLS fare, were conspicuously absent. (Perhaps the ushers' discretion. Does to students has outlined his master plan to rounded by groups of people asking the ushers' discretion. Does to students has outlined his master plan to rounded by groups of people asking)

Highlights of the new procedures include:

The major problem is that many people were helped, but time has not been given the opportunity. Though they had been invited as guests they would not be allowed to overstay their welcome. The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.

The counselors were swarmed over, surrounded by groups of people asking them questions. Sometimes two people ask questions at once. But the counselors from Asia Walsh, Lawyers Committee for Human Rights, and those NYLS students who felt confident enough with their information to actually attempt to provide advice were patient and trying earnestly to help as many people as possible. But 12:30 rolled around and innocuous glances at watches began to occur. Shortly after 12:30, the majority of the counselors politely excused themselves and beat a hasty but firm retreat. Many people had been helped, but time had not been given the opportunity. Though they had been invited as guests they would not be allowed to overstay their welcome.

The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.

The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.

The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.

The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.

The Immigration Seminar was a unique event and it is probably to say was one of the first of its kind in the entire country. The NYLS community, especially the administration, should be proud of these students and faculty members that contributed their time and efforts to make the event a success, even though gratitude and recognition was not the point of the seminar. The point was to provide free advice to often confused and helpless people trying to avail themselves of the freedom and security that we like to believe exists in this country. Many people believe (especially lawyers) that attorneys possess some special and inaccessible knowledge. Many count on a lawyer's special training and industry for help. Sometimes this help should be given for free, NYLS and its IWS should encourage and actively pursue a tradition of public service and hopefully events such as the Chinese Immigration Law Seminar will turn to be the rule rather than the exception.
Student of The Month

The Office of Student Affairs would like to recognize Myrna Cuevas as "Student of the Month." Myrna is a second year student who worked her way through the City College of New York where she earned her B.S. in Nursing. She now works as a Registered Nurse on staff at Mount Sinai Medical Center to support herself at New York Law School. Her job in the Intensive Care Unit frequently requires her to work on the weekend or at night, yet she still manages to continue at the Law School on a full-time basis. In addition to her clerkship for the Honorable Michael J. Donzis, Supreme Court Justice of the State of New York, where she works with medical malpractice and product liability issues, Myrna was one of the recipients of the new Minority Judicial Clerkship this past summer. In this program she served justices in the civil and criminal State Supreme Court.

The Office of Student Affairs would also like to give special recognition to four members of the Law School community, whose accomplishments in the last month are noteworthy. We extend our congratulations to Tony Chang, Margaret Lee and Shirley Wong for their efforts in organizing the seminar on the rights of Chinese nationals to recognition by New York Law School. We also recognize as outstanding contributions by New York Law School to the New York City community.

Saturday mornings at New York Law School are usually quiet, not so for a few hours on October 7. Classrooms were buzzing with lawyers, students and about 150 Chinese visitors who gathered for a seminar on new developments in Chinese immigration law.

The event was designed to provide Chinese nationals in the United States with a general overview of current immigration laws and procedures in the wake of the dramatic repression of the student led democracy movement in Beijing last June. The seminar provided opportunities for individuals with specific questions and immediate problems concerning their own immigration status to receive one-on-one counseling from lawyers who specialize in immigration and asylum law.

The event was jointly sponsored by Asia Watch, Lawyers Committee for Human Rights and NYLS. Asia Watch and Lawyers Committee are public interest groups that monitor and promote international human rights in the United States and around the world. New York Law School was represented by Professor Nadine Strossen and a number of NYLS students.

The morning began with a captivating eyewitness account of the events in Beijing and Tiananmen Square by Robin Munro, a British journalist who has worked for Asia Watch in China for the past six years. Mr. Munro was in the Square when the police crackdown began literally crushed beneath the tanks of the People's Liberation Army in a pre-dawn invasion.

Mr. Munro recounted how thousands of citizens of Beijing, mobilized to support the student demonstrations by pouring into the streets of the city to block the army and tanks from entering the Square, the site of the Great Hall of the People—China's parliament building. (The Square is also the site of the Mao Zedong Mausoleum and in very close proximity to the Forbidden City, which was once the home of China's emperors.) By the evening of June 3, the army had successfully carried out their orders and took complete control of Tiananmen Square. Mr. Munro then recalled how by the time the Square destroyed the tents and mass-shoot incriminates built by the students during their occupation.

Following Mr. Munro, Arthur Helton, a professor of asylum and immigration law at NYU and a member of Lawyers' Committee for Human Rights spoke on the U.S. Government's administrative response to the events in China. His discussion focused on changes in various immigration requirements, as well as certain risks involved in pursuing these new immigration programs.

Mr. Helton also addressed congressional initiatives proposed and pending in both Houses. Mr. Helton noted that congressional remedies are fairly narrow and that some of the proposed enactments carry several risks which could, if attempted, jeopardize a person's already precarious immigration status.

"Congress has a short attention span and a poor memory," said Mr. Helton. Indeed, the crushing of the democracy movement and the execution and imprisonment of its leaders have already faded from the public's consciousness and the bold and sweeping promises made by the President and the Congress seem to be little more than lip service and political posturing. Professor Helton suggested that a lobby must be formed among the leadership of the Chinese community to spur the U.S. Government into action to make good on its promises to facilitate Chinese immigration into this country.

In candid discussions with Chinese nationals in attendance, it was noted that it is just this kind of "hand waving" in the face of the Government that many Chinese who face the risk of deportation wish to avoid. An accounting student at Queens College who also works as a waiter in Chinatown, commented that events such as the Seminar, where non-Chinese organizations reach out to offer free help to the Chinese community, are virtually nonexistent elsewhere. Nevertheless, such help is viewed at first with a great deal of distrust and skepticism. The distrust stems from the fear that by coming forward, Chinese aliens may attract too much attention to themselves. Not only do they fear repercussions for themselves and their families from the Chinese Government if they act, but also action from the U.S. Government which could result in deportation. Though it is the policy of the U.S. Government to keep asylum and related immigration matters confidential, the Chinese still fear exposure and are often reluctant to come forward.

After the remarks by Munro and Helton, the seminar adjourned into smaller groups to deal more specifically with different areas of immigration law. These smaller group sessions allowed individuals to consult a lawyer or be guided by a law student on specific questions concerning their personal immigration status.

The counselors then functioned as an "ad hoc referral service" pointing an individual toward the proper agency or organization which might best assist in a particular area. The lawyers from Asia Watch and Lawyers Committee were not actually seeking clients but were there to provide general advice in immigration law and procedures. However, in matters dealing only with asylum, if an individual was unable to afford counsel, and met a number of other requirements, Lawyers Committee would agree to accept their case.

Two such political asylum cases were actually engaged at the seminar on behalf of student organizers active in the democracy movement in this country and who fear reprisals from the Chinese Government if they return.

NYLS students Tony Chang, Shirley Wong, Margaret Lee and Arthur Helton instrumental in organizing the seminar felt that the large turnout for the success of counseling of many other people at the unusual and important event made the day a great success. Though NYLS has many ties in the legal community, it is rare indeed, that the Law school and its students extend their time, skills and resources to the community without any concern for recognition or personal gain. All who participated should be commended, though too numerous to be named in this article.

U.S.A. or Bust

By B. Shaw

Mr. Munro and Arthur Helton, a professor of asylum and immigration law at NYU and a member of Lawyers' Committee for Human Rights spoke on the U.S. Government's administrative response to the events in China. His discussion focused on changes in various immigration requirements, as well as certain risks involved in pursuing these new immigration programs.

Mr. Helton also addressed congressional initiatives proposed and pending in both Houses. Mr. Helton noted that congressional remedies are fairly narrow and that some of the proposed enactments carry several risks which could, if attempted, jeopardize a person's already precarious immigration status.

"Congress has a short attention span and a poor memory," said Mr. Helton. Indeed, the crushing of the democracy movement and the execution and imprisonment of its leaders have already faded from the public's consciousness and the bold and sweeping promises made by the President and the Congress seem to be little more than lip service and political posturing. Professor Helton suggested that a lobby must be formed among the leadership of the Chinese community to spur the U.S. Government into action to make good on its promises to facilitate Chinese immigration into this country.

In candid discussions with Chinese nationals in attendance, it was noted that it is just this kind of "hand waving" in the face of the Government that many Chinese who face the risk of deportation wish to avoid. An accounting student at Queens College who also works as a waiter in Chinatown, commented that events such as the Seminar, where non-Chinese organizations reach out to offer free help to the Chinese community, are virtually nonexistent elsewhere. Nevertheless, such help is viewed at first with a great deal of distrust and skepticism. The distrust stems from the fear that by coming forward, Chinese aliens may attract too much attention to themselves. Not only do they fear repercussions for themselves and their families from the Chinese Government if they act, but also action from the U.S. Government which could result in deportation. Though it is the policy of the U.S. Government to keep asylum and related immigration matters confidential, the Chinese still fear exposure and are often reluctant to come forward.

After the remarks by Munro and Helton, the seminar adjourned into smaller groups to deal more specifically with different areas of immigration law. These smaller group sessions allowed individuals to consult a lawyer or be guided by a law student on specific questions concerning their personal immigration status.

The counselors then functioned as an "ad hoc referral service" pointing an individual toward the proper agency or organization which might best assist in a particular area. The lawyers from Asia Watch and Lawyers Committee were not actually seeking clients but were there to provide general advice in immigration law and procedures. However, in matters dealing only with asylum, if an individual was unable to afford counsel, and met a number of other requirements, Lawyers Committee would agree to accept their case.

Two such political asylum cases were actually engaged at the seminar on behalf of student organizers active in the democracy movement in this country and who fear reprisals from the Chinese Government if they return.

NYLS students Tony Chang, Shirley Wong, Margaret Lee and Arthur Helton instrumental in organizing the seminar felt that the large turnout for the success of counseling of many other people at the unusual and important event made the day a great success. Though NYLS has many ties in the legal community, it is rare indeed, that the Law school and its students extend their time, skills and resources to the community without any concern for recognition or personal gain. All who participated should be commended, though too numerous to be named in this article.
ATTENTION —
HEALTH IS ON THE WAY

As you all know, there is no exercise facility available to New York Law School students. Until now, we have had to find a health club on our own and pay the going rate for the privilege of working out. But no more. A full service health club with weights, aerobics, sauna, etc. will now welcome NYLS students.

The regular membership rate is $599 a year. One week ago, thanks to the negotiating skills of the Business Law Society, NYLS students could now join for $199 a year. We also negotiated a deal whereby any NYLS student or a friend of an NYLS student throughout the city can join for an additional $199 a year. But there is more. We also negotiated a deal whereby any NYLS student can join for $299 a year. And an end to torture and executions. The New York Law School branch of Amnesty will run a letter writing campaign on October 24th, 11:00 A.M. - 4:00 P.M. We are asking people to come to the lounge to write a letter for a political prisoner abroad (in exchange for a slice of pizza). We are also planning to host a symposium in November on apartheid in South Africa.

Art, Entertainment, and Media Law Career Symposium

__**Do you want to know what you may be doing after Law School?**__

__**Do you want to find out how to get into the Art, Entertainment, and Media Law fields?**__

__**Do you want to know what being a lawyer in these fields is REALLY like?**__

***Then SAVE THE DATE, Wednesday, November 15, 1989 at 5:45 p.m.***

There will be a Symposium followed by a reception sponsored by the Media Law Project. The topics of discussion will be the fields of Art, Entertainment, and Media Law. Guest speakers will be from firms and in house counsel from New York City; the speakers will talk about their experiences in their fields and give advice on how to get involved in their areas of specialty. After a short talk from each of the guests they will be available to answer any questions you might have concerning these increasingly popular, and highly competitive, fields of law.

PLEASE COME AND BRING YOUR QUESTIONS . . . WE'LL PROVIDE THE REST

NOW THAT'S ENTERTAINMENT

SBA Update

Mid Year Senate Election Results

James Frisbie
Christine M. Guerci
Bill Kasten
Teresa Kondrap

More SBA NEWS

The SBA is co-sponsoring a Halloween Costume Party with PAD on Thursday October 26th from 6:00 pm — 11:00 pm in the student lounge. There will be beer, munchies and a D.J. Night students are encouraged to attend after their evening classes — there will be plenty of refreshments left!

On October 4th the SBA Senate chartered the NYLS chapter of the ACLU. The NYLS/ACLU is located in room C-102. Anyone wishing to join this organization may drop by the office.

AMNESTY INTERNATIONAL

Amnesty International is an independent worldwide movement working for the release of all prisoners of conscience, fair and prompt trials for political prisoners, and an end to torture and executions. The New York Law School branch of Amnesty will run a letter writing campaign on October 24th, 11:00 A.M. - 4:00 P.M. We are asking people to come to the lounge to write a letter for a political prisoner abroad (in exchange for a slice of pizza). We are also planning to host a symposium in November on apartheid in South Africa.

HELLENIC LAW SOCIETY

Interested? Call Phillip at (212) 249-0403 or keep an eye out for our first meeting.

THE New York HOUSING CRISIS

BONNIE BROWER
Executive Director, ASSOCIATION OF NEIGHBORHOOD HOUSING DEVELOPERS

D. LEE EZELL
Executive Director, BRONX HEIGHTS NEIGHBORHOOD COMMUNITY CORPORATION

5:00 OCTOBER 24 LOUNGE
LECTURE ON REPRODUCTIVE RIGHTS
The Rights of Minors
by Jenice L. Malecki

On October 19, ACLU representative Simon Heller was sponsored by the Legal Association for Women (L.A.W.) to speak on the three reproductive freedom cases coming before the Supreme Court in the next two months: Turnock v. Ragland, Hodgson v. Minnesota, and State of Ohio v. Akron Center for Reproductive Health. All three cases concern restrictions on the abortion rights of women. The rights of minor females were the focus of the discussion.

"Minor rights," commented Mr. Heller, "are a special area in the law." The rights of adults, he continued, "are greater restrictions on minors than on adults." The ACLU position, according to Heller, is on "tricky ground." They will argue that the Court's previous decisions upholding restrictions on minors' access to abortions have rested on incorrect assumptions on what effect such statutes would have on minors. These statutes would necessitate that minors obtain parental consent or judicial bypass (a showing of "maturity" or "best interest").

"Compromise on minor rights," is the real problem in these restrictions on abortion, according to Colleen O'Connor, the ACLU's National Public Education Director. "The broader set of questions" revolve around the court saying that "young people do not have the same rights" as adults.

"Not good for the ACLU position," commented Heller is that Justice Stevens recused himself from participation in the Turnock case. Although the reason is presently unknown, Stevens has been recognized as holding a pro-choice position. There is also settlement negotiations going on in Turnock, and Heller admitted that it was "difficult to discern if that would be good or bad." Heller does believe, however, that "pro-choice activists' mobilization has been effective" in persuading legislators not to restrict abortion in certain states.

Also present at the presentation was Professor Ralph Brown and Professor Nadine Strossen, both affiliated with the ACLU.

Exam Hint 1:
Never write the text of the Emmanuel is silent on this issue.

Be An Overnight Media Darling
Join The Reporter
It is a rare occasion when one is given the pleasure of reading about two extraordinary personalities who have done so much to shape the course of law and pave the way for civil rights and civil liberties. These two formidable people are Hugo Black and Felix Frankfurter and their intellectual relationship is portrayed vividly by Dean James F. Simon in his book, *The Antagonists: Hugo Black, Felix Frankfurter, and Civil Liberties in Modern America.* Franklin D. Roosevelt appointed Hugo Black as an associate justice to the Supreme Court in 1937 and appointed Felix Frankfurter in 1939. Both men had, prior to their judicial appointments, practiced law privately and publicly and had been highly sensitive in their respective practices to the special stature of individual rights; although Frankfurter's devotion to civil liberties was more pronounced than Black's. After their judicial appointments, a reversal of roles occurred. Black, a former Ku Klux Klan member, became the libertarian leader of the Court, while Frankfurter, defender of anarchists and communists, became a staunch opponent of judicial restraint.

The book establishes that, before becoming a member of the Court, Frankfurter was a self-imposed guardian of civil rights and liberties; ironically, we learn that he was instrumental in the early successes of the American Civil Liberties Union. Dean Simon traces Frankfurter's uncompromising support for personal freedoms from his participation in the authorship of the *Money v. Walters* decision, which disclosed the Justice Department's practice of searching the offices of spies and saboteurs. He was arrested and incarcerated, subjected to abominable conditions, and some deportees—all without even the basic procedural safeguards, to his defense of Sacco and Vanzetti during a period of American history not wholly sympathetic to the claims of alleged anarchists of Italian origin.

The book tracks Frankfurter's intellectual maturation and scholarly development from his attendance at Harvard Law School through the years as professor of law at Harvard and as political advisor to some of the most important men of his era, including Henry Stimson, Theodore Roosevelt, and Franklin Delano Roosevelt. It is unequivocally demonstrated that, at this point, not only was Frankfurter a dedicated libertarian but he was an intellectual force to be reckoned with. However, the legal scholar/adviser of Presidents met his match in Hugo Black. Hugo Black's rise to associate justice was, interestingly, less noteworthy for his dedication to civil rights and liberties than for his stellar performance as an attorney and a politician. The *Antagonists* recounts Black's ascent from his personal injury practice to his appointment as municipal court judge. As a judge, Black's primary tools were fairness and common sense and, as a result, he earned the respect of his fellow Alabamians. His ability to persuade men that his was the team to play on catapulted him to the positions of first, County Solicitor, and then, United States Senator for the state of Alabama. These particular traits were instrumental in Black's later success in forging majorities on the Supreme Court.

At the start of Frankfurter's tenure on the Court, it was by no means inevitable that he and Black would become embroiled in a conflict as explosive as their proved to be. At that time, Frankfurter's reputation as a libertarian was a matter of public record. Dean Simon takes us into their arena on a case-by-case and blow-by-blow basis. The first cases to cause sparks between the two were some of the most important first amendment cases of the century.

During Frankfurter's second term on the Court, his belief in judicial restraint emerged triumphant in his majority opinion in *Minersville School District v. Gobitis.* Frankfurter strongly believed that the judiciary should exercise restraint in reviewing legislative acts. Hence, he believed that religious freedoms could be impinged upon by majorities. Black joined the majority in *Gobitis* although he had serious doubts about the decision. These doubts took firm root and matured into a full-grown absolutist position in *West Virginia Board of Education v. Barnette.* By the time Barnette was decided, the battle grounds had been drawn and the conflict between Justice Frankfurter and Justice Black reached warlike proportions. Obviously, the philosophical bent of Black, which was maximally protective of civil rights and liberties, could not exist peacefully beside Frankfurter's jurisprudence, which was unprotective of those selfsame rights.

Dean Simon demonstrates that without the conflict between the two justices, the course of civil rights and civil liberties might have been very different—and the50s, which we take for granted, might not have existed. Frankfurter, a staunch advocate of judicial restraint, eschewed the entrenched legal doctrines of his time. Judicial restraint was practiced by the prominent justices of the time, including Chief Justice Charles Evans Hughes. Black broke new ground in constitutional interpretation and theory which might not have reached its maturity without the forceful and, at times, vehement opposition of his nemesis, Frankfurter. Frankfurter challenged Black at every turn forcing Black to thoroughly think through and clearly articulate his jurisprudence. As The Antagonists exhibits, there is none so clear an example of this process of dissecting the arguments and throwing them open to microscopic scrutiny as the judicial debate over the application of the Bill of Rights to the states through the due process clause of the fourteenth amendment.

The disagreement between the two justices over the interpretation of the due process clause of the fourteenth amendment centered around whether the guarantees of the entire Bill of Rights should be applied to the states through that clause or only select guarantees must be applied. In a chapter called *Everyman and the Devil,* Frankfurter saw himself as everyman in a righteous battle against Black as the Devil; we learn that Frankfurter, in a letter, invited Black to justify his position of incorporation; a position which Frankfurter believed to be untenable in light of his conviction that the Court was only required to impose standards of procedural fairness on state courts. Black ultimately responded to Frankfurter's challenge, not by a return letter, but in a dissenting opinion in *Adamson v. California.* Black firmly believed that Frankfurter's theory permitted judges to substitute their own values in determining what is fundamental to a
Start Me Up

By Karen Emma
THE STONES. How were they? Do I have a story to tell you.
On Wednesday, October 11th, I all I could think of was “Tonight, I’m finally going to see Mick Jagger. ... The Stones. Life is great.” What could possibly go wrong? The worst is over. I already paid $100 for field box seats. I already paid $20.00 to park my car in the parking lot down the street (since the school refuses to give one-day parking permits). But still I was happy.
There were t-shirts everywhere. Shirts for sale—$20.00. Sweat shirts—$38.00. Well, there goes some more money. A huge Stones tongue was in the parking lot, courtesy of 92.7 FM. The energy in the air was phenomenal. We went into the Stadium and Living Color opened up. They are local guys from Queens, Brooklyn, and Manhattan. They were great. Very energetic. The lead singer jumped up and down and swirled his pony tail around his head like propellers on a helicopter.

They played for an hour. Then, a West African group came on and played the percussion. They were very talented. It was a cultural experience. The dancers did things with their legs that only true Africans can do. After about 45 minutes of this dancing, the stadium lights went on. The fans started chanting. We were ready for the Stones. The lights faded and the band took over the stadium. A loud beat went up. “START ME UP” there was Mick dressed in black top, black pants, a white T-shirt, and a green leather jacket with tails, lined in purple. He strutted on stage and sang his song. The stage depicted a deteriorating city. The Stones were mellow at first, but as the night went on, Mick and Keith were in full bloom, running all over the stage playing their favorite oldies such as “Ruby Tuesday,” “Dead Flowers,” “You Can’t Always Get What You Want,” “Paint It Black,” and then they played “Honky Tonk Woman.” The stage effects were unbelievable. A huge 3-story float in the shape of a woman came out of a box, that towered over the stage. She had on short shorts, sneakers, a tube top, and a bandanna and she swayed in the wind to the rhythm of “Honky Tonk Woman.” Then Keith played 3 solos, including “Joplin.” Mick Jagger appeared on the tallest cherry picker dressed in red and black pants. The crowd went crazy. “Please allow me to introduce myself, I’m a man of wealth and taste...” He ran down from the cherry picker (which was about 8 stories high) and ran across the stage to the other side. For a 45-year-old man, Mick is amazing. He never missed a beat. His voice never failed. He gave the crowd what they wanted—a outrageous performance. Next, he sang “2000 Light Years From Home.” Still dressed in red, the video camera caught him in slow motion in different positions. A very dramatic effect. (Oh, by the way, 3 large video screens were set up in the stadium.)
Throughout other songs, films of political scenes were shown, including poverty in South Africa, Hitler, Winston Churchill, and Martin Luther King. Then, midway through the concert, Mick took a break and Keith played 3 solos, including “Happy.” Keith’s guitar solos were great. Then, Mick came back to “It’s Only Rock ‘N’ Roll” and had everyone singing along with him. The Stones played for two-and-a-half hours. Throughout that time, everyone was constantly dancing, singing and sharing old Stones’ stories. No one sat down. It was a great concert. The Stones played their last song and then came out for one encore—“Jumpin’ Jack Flash.” Then they waved goodbye and were gone. The sky lit up. A beautiful fireworks show was accompanied by Classical music. The stadium lights were turned on, and the Rolling Stones were gone as fast as they came. I guess I was still felt ... The Stones are a legend. A legend of one of the best Rock ‘N’ Roll bands ever.

FOR YOUR INFORMATION
For those of you who haven’t gone to the concert yet, here are a few helpful hints:
1. Leave yourself ample time to get to the concert.
2. If you’re taking your car, try not to park in Shea’s parking lot. It took some 2 hours to get home. I parked my car on a side street and it took me ½ hour to get home.
3. If you’re taking Mass Transit, it will take you a long time, also. After the concert, there were crowds of people waiting to get onto the train. Fortunately, everything is well organized. Cops are there to see that everything runs smoothly.
4. Make sure you bring binoculars. Unless you have floor seats, you’re going to need them.
5. Bring warm clothes. The Stones are going on Rain or Shine.

Downtown Dangers Descend on NYLS
On a dark and deserted Tribeca street, in the shadow of City Hall, a lone NYLS student, on his way home Sunday night, was harrassed by two large males who verbally accosted her and followed her until she ran away. Frightened by this experience, the student, who will be known as K., ran back to the law school seeking help.

The story of K. Worsh, K. requested two students in the lounge to escort her back to the subway at Chambers Street. Luckily, no one was hurt this time.

Whither is our late night escort service? Implemented only during finals, this essential service should be conducted year round, because all the fellow students is cut down in the prime of life by marauding sociopaths? We say no.

We want a late night escort service for students walking to the local trains, and we want it now. Let’s not wait until another student runs aground.

The administration has the luxury of driving to and from this island of peace in a metropolitan swarm with no well. If the administration turns its back on the safety of its students, then the students should organize themselves to provide the much needed service for the late night walks to the subway.

WE CALL UPON THE SBA TO IMPLEMENT A VOLUNTEER LATE NIGHT ESCORT SERVICE.
REGISTRATION MUST BE RECEIVED BY 11/1/89

The Pieper Course Includes:

☆ Complete lecture series
☆ Essay writing
☆ Multistate Practice and Exam
☆ Multistate Professional Responsibility Exam (MPRE)
☆ Multistate Volume
☆ New York Law Volume
☆ Professional Responsibility Volume
☆ Plus – John Pieper’s In-Class Guidance

Law student’s discount of $125 will be deducted from the cost of $1,076 for any student still in law school who registers for the Pieper New York Multistate Bar Review Course by November 1, 1989.

For more information see your Pieper Representatives or contact:

PIEPER NEW YORK-MULTISTATE BAR REVIEW, LTD.
90 WILLIS AVENUE, MINEOLA, NEW YORK 11501
Telephone: (516) 747-4311
The Bar Course That Cares.
The Tree That Knew Too Much

By Phillip D. Spyropoulos

"They're going to turn me into a pencil!" shouted the tree.

The other trees, startled from their age-old hibernation, looked at it with confusion.

"They're going to turn me into a pencil!" again exclaimed the hysterical tree.

"Shut up and go back to sleep, you're having a bad dream," said a neighbor.

The young mother-tree looked at both of them disapprovingly, "now that's no way to speak to your sister. You may be only a few years old but you're old enough to know better. And as for you young tree, try keeping it quiet or you'll wake up the whole forest and embarrass me like you did when your cones started cracking before their last summer.

"As soon as you have to bring that up again, the other trees will hear.

"If you were as concerned about your capillary action as you are about what the other saplings thought, you'd be a much taller tree by now. Now get back to hibernation.

The young tree pretended to hibernate but it couldn't. It didn't sense that something was going to happen. It could sense it, it knew it couldn't get the thought out of its trunk and lay there awake until sleep finally arrived weeks later.

Winter came and passed. With spring, the trees slowly awoke out of their heavy slumber. It was a happy time, the trees all fresh and rested, ready for another season's growth and birth, ready to be tickled by the bumble bees and the soft spring breezes, ready to see the saplings grow larger and stronger, ready for invigorating sun and the refreshing rains. For the trees, it was like waking up into a perfect dream.

The most exciting event of this season was the birth of trees from their mother's cones. As every day passed, the forest enthusiastically kept tabs on the little seedlings. "This one looks like its going to grow strong like its mother" or "this poor little fellow is not going to make it." The younger trees were especially involved with this whole happening, proud of their newly earned right of participating, while the older trees, having lived these things each spring for over a century, were content in passively enjoying the affair.

And then there were the birds. Big beautiful birds with bright colored stripes, tiny ones from front page

The Appellate Division, First Department, ordering the dismissal of (the student's) essay on the exam in that course is a possibility that cannot be ruled out.

The court held that, "[at] least when a student's very right to remain in school depends on it, we think the school owes the student some manner of safeguard against the possibility of arbitrary or capricious error in grading. . . .

It does not (the school) for its Corporations pro- fessor to deny these allegations by de- nying that (the student's) grade was based on the overall quality of her answer, and not as (the student suggests) on any single, absolute rule with respect to the structure or organization of her answers. . . .

The court concluded that the school's decision to dismiss (the student) should not have been made in the absence of reasonable assurances that the zero given on her essay was a rational exercise of discretion by the grader, and accordingly reversed the matter back to New York Law School.

The court ruled that (the student) was arbitrary or capricious; and dismissed both Susan "M" and her allegations. The court seems likely that this Committee will hear the "M" case. It also seems possible that the outcome will remain unchanged and the committee will reaffirm its decision to dismiss Susan "M." Can New York Law School give Susan "M" the "reasonable assurances" that the court believes are in its professional responsibility to give? Do these safeguards even exist, and if they do, are they merely illusory? These issues deserve attention. But, as is usually the case with administrative matters, the answers remain vague and the issues remain unresolved. One thing seems clear though, whatever her particular situation, Susan "M" must desire readmission to New York Law School and is willing to fight for it.
... And a Good Time was had by All

Compliments of the Reporter

Let's Do It Again Soon!

A COLLAGE by David Wind
The 80's
—What the hell happened?
—What was it all about?
—Where did it go?

Anyone who thinks they can answer these questions:

Let Us Know

In Writing, By: November 15, 1989

The Reporter

needs articles, pictures, advice, gossip and lots, we mean "lots" of juicy bits of Sensationalism from the past decade.

Thanx - We appreciate it,
You will too . . .
From the Hearts of
Dilip Marrass
Oscar McDonald
Elizabeth Nachlin
Donna Santiago

Friday the 13th 1989 . . . The Central Park Jogger show remarkable signs of recovery. The trial of the young black boys that daubed the object of their psycho-pathic night of "wielding" painstakingly gets under way . . . A young black man was killed a few weeks ago in Bensonhurst by a mob of young Italian Americans. They were "pissed" because one of them had been dumped by his girlfriend, and she had started to date a black boy. One of their friends said that it wasn't that they had anything against the particular boy who died, "he was just in the wrong place at the wrong time." . . . Right pal, just wait until your friends find out what it is like to be in the wrong place at the wrong time," when they're led to a prison filled with lunatics just waiting to get a piece of some sweet white meat—maybe that's justice . . . Let's not make this just a black & white thing. Just this week on the holiest of days for the Jewish people, two Jewish boys were beaten so savagely by a gang of white non-Jews that their spleens were removed. One begins to stabilize in the hospital, while the other dies with a fractured skull hovering perilously on the thin tape wire that separates life from death . . . Friday the 13th? No, just realize that the city that "loves to hate itself" . . . What do you think it's like to grow up in this city? I know what it was like for me, and it wasn't very nice. Fortunately, I had parents who had worked hard enough to give me the means to change my environment. For the age of fifteen I packed up and went to boarding school . . . I got out. A lot of my generation didn't. Hey, why should they? This crazy beautiful city is their home . . . And that's why I'd like you to meet my friends—each has their own tale to tell about what it was like growing up in New York City. Meet Donna, Oscar, and Elizabeth—their experiences range from the public schools, to the playgrounds, and back to the sidewalks of New York. Their backgrounds portray the ethnic diversity of our city—Oscar is a young black man, Donna a Puerto Rican woman, and Elizabeth (for all intents and purposes) a nice white girl. They are all Law students, they have all read Brown v. Bd. of Ed. and are all too familiar with the Supreme Court's efforts to promote racial harmony. In fact, you could say that we are the "children of those efforts" as we all attended desegregated schools in this city. As I said earlier I left, they stayed. These are their stories exactly as they stated. I think you owe it to them as your peers to listen . . .

Donna
When a young black man was murdered by a gang of white youths in Howard Beach, people were in shock. "How could this happen in New York?", they exclaimed in disbelief. People explained it away as an isolated incident, wanting desperately to believe it could not happen again. I for one had no problem believing that racial violence could happen in New York. Ten years ago I would have had no problem believing that it happened on my block.

A young I was 12 years old my family and I moved from Manhattan to Queens. The area was a white middle class, family neighborhood of row houses and tree lined streets. All the neighborhood teens could gather at the local park to play handball, softball, basketball or just to hangout. Everyone was happy and everyone was welcome (or so I thought). One day some black guys came to the park. The boys from the neighborhood chased them away with vicious slurs and threats of violence. This was not an isolated incident. It was to be repeated before my eyes many times.

The first time, I asked one of the guys—"Why?", wondering to myself had something happened before I had moved here to inspire such hatred. No. There was no reason. The response came simply, "This is our park and they should stay in their park." At that moment I thought maybe there isn't a park where they live, or maybe it isn't as nice as ours, but to my shame I accepted this answer in silence. Who was I to challenge this behavior? I was a Puerto Rican girl from the Lower East Side, I had my own problems. But my skin was white and besides it was quite awhile before anyone bothered to ask me what my last name was. By the time they realized that not only Italian girls were named Donna and went to Catholic School was it too late to rescind their friendship.

Oscar
Growing up in Brooklyn, N.Y. has been quite an enlightening experience to say the least. As a minority, I did not experience racism on a conscious level until I was 14 or 15 years old. Looking back and realizing how bad racism was and is in Brooklyn, I feel that I must have had my head in the sand.

Overt racism is quite a hard pill to swallow, and when I received my first taste of that pill I almost choked. In 1979 my mother and I were living alone in Cony Island. My mother decided that she wanted a larger apartment. We started to call Real Estate offices and ads for apartments that were advertised in several newspapers. Sometimes I would call, and sometimes my mother would call. Most of the time the landlord or Real Estate agent would tell us to come right down to view the apartment, but every single time we arrived at the apartment or Real Estate office, the white landlord would tell us that the apartment had just been rented. We got the hint. It's a shame that you cannot normally see one's skin color through a telephone.

Between 1982 and 1985 I worked in an all white Brooklyn neighborhood called Mill Basin. On several occasions groups of white boys would drive by while I was waiting for my bus to go home and fling fist sized rocks and bottles at the blacks waiting at the bus stop. On several other occasions, the same ignorant rednecks would drive by with fire extinguishers and try to spray us with water. Doesn't this remind you of an old newscast so often shown on documentaries of black in Birmingham being sprayed with fire hoses?

Should I have quit my job, which was financing my undergraduate education? Should I have stopped travelling in all white neighborhoods?

The answer to these two questions is obviously no. I would not think twice about killing someone who would try to restrict my right to travel freely in America, much less in a borough where I was born and raised . . .

"As in any caste system our differences were rubbed in our faces" . . .

I spent the next years angry at my friends for behaving this way, angry at myself for wanting to be accepted by them, and angry at the black kids for running as if they were guilty of a trespass. At the time I rationalized, perhaps there is an understanding here that I did not know about. Later I would realize that what existed was a severe lack of understanding.

Well, the neighborhood has grown up. The community is racially, ethnically, and religiously diversified, and everyone at the park is happy and everyone is welcome. But everywhere people are not living in harmony that I doubt anyone would realize that what existed was a severe lack of understanding.

For the next few hours, white and black children played, listened to stories and talked together. We were taught racial harmony at an early age. I remember learning about Dr. Martin Luther King. His picture hung over our blackboard. I remember learning a song that was popular at the time . . . "the ink is black, the page is white, together we learn to read and write." We were not supposed to look at each other and ignore the difference in our skin color. Instead we were taught to appreciate the richness of black culture, and the importance of the struggle to promote racial equality. Parents and Grandparents came in to teach us songs, or talk about experiences. They didn't think we were too young to hear horror stories about burning crosses down south. Neither did we. We sang "We Shall Overcome" on our way home on the bus.

By the second grade, though, the bus stopped coming and I went to my neighborhood elementary school which was predominantly white. Many years later I learned that I had been part of a specially funded program to give me an underprivileged . . .

Elizabeth
When I was very young, my mother used to put me on a bus with a bunch of other white kids and we were all taken to P.S. 307—a predominantly black elementary school. None of us questioned it. We were in kindergarten and this was school. This was how it was supposed to be.

For the next few hours, white and black children played, listened to stories and talked together. We were taught racial harmony at an early age. I remember learning about Dr. Martin Luther King. His picture hung over our blackboard. I remember learning a song that was popular at the time . . . "the ink is black, the page is white, together we learn to read and write." We were not supposed to look at each other and ignore the difference in our skin color. Instead we were taught to appreciate the richness of black culture, and the importance of the struggle to promote racial equality. Parents and Grandparents came in to teach us songs, or talk about experiences. They didn't think we were too young to hear horror stories about burning crosses down south. Neither did we. We sang "We Shall Overcome" on our way home on the bus.

By the second grade, though, the bus stopped coming and I went to my neighborhood elementary school which was predominantly white. Many years later I learned that I had been part of a specially funded program to give me an underprivileged . . .
MOBILIZE FOR WOMEN'S LIVES

Sunday, November 12, 1989 Washington D.C.

SUPPORT LEGAL, AFFORDABLE ABORTION AND BIRTH CONTROL

TRANSPORTATION INFORMATION

Buses leave from 3 departure points:
- Union Square, Columbus Circle and 86th and Lexington Ave.
- Departure Time 5:00am Expected Return 10:00pm

Skate areas are not transferable

Round Trip Fares $30.00 Low Income $15.00

Send coupon to purchase bus ticket to NOW-NYC, or Call Ticketron or Ticketron Telecharge)
Train and Plane information call (212) 532-6193 after October 2
Ticket requests received after Nov 1, 1989, must be picked up in person.

Send tickets to: Name:
Address:
Phone #:

Send to: NOW-New York City
5 West 18th Street
New York, NY 10011
Phone 212-807-0721

[ ] Enclosed is $ for bus seats.
($30 regular fare, $15 low-income)
My deposit: $[1]
[ ] Here is a contribution of $ to a low income activist can go.
[ ] Payment for help: Lobyday Nov 13
[ ] Bus Captain: [ ] Lift Pass

If You Are

The Big Tree.

We Are The

Small Axe...

Learning to Live

With the First-Year

Writing Program

By Alexander D. Rosati

"I'm Lost." The first year student looked at me with a confused expression, standing on the No. 1 train headed downtown.

"Well, it's only natural being lost is as much as part of first year as Torts. Another part of the first-year experience is the feeling of alienation and futility about the first-year writing program. There is some good news about the program. A number of beneficial changes have been made, however, the bad news is that so far as the changes go, there are still a great many problems that need to be solved.

Last year there was a storm of criticism over the first-year writing program. Complaints ranged from "too much work for too little credit," and "we're never told how to do anything until after we're graded." My professor won't help us and refuses to meet with us." Unfortunately for last year's students, most of these complaints reached the writing department through a survey that was given out at midterm. This left no time for improvements to be instituted until the present semester.

Professor Lieberman, the director of the writing program, offered some insight into the program, its goals, and the changes that have been made. "I'm trying to introduce students to a whole different type of writing and we are attempting to force students to confront their own weaknesses."

Apart from the goals of the program the school has initiated several changes in response to last year's criticism. Several teachers were not asked to return, the syllabus has undergone extensive renovations and the allocation of grade credit percentages was overhauled.

"We had lots of complaints last year, many were about specific teachers," said isn't on page 15.
THE ATTEMPT AND NOT THE DEED CONFOUNDS US

By Don Lash

In an August 29 decision, the U.S. Court of Appeals for the Second Circuit reversed the convictions of three natives of Colombia for possession of cocaine with intent to distribute (U.S. v. Edwards-Franco et al., CM88-1395). The Court of Appeals reversed the verdict of a jury in the Eastern District of New York because it found that the trial judge's pejorative remarks about Colombians at the sentencing hearing gave the appearance that the judicial process might have been infected by ethnic prejudice. In part, the judge had remarked as follows: "their regard for the judicial system, the men who run their laws, I am glad I'm in America. That's why I pledge allegiance to the flag... (They should have stayed where they were. Nobody told them to come here... Nobody tells them to come and get involved in cocaine... My father came over with $3 in his pocket. It is not just racial and ethnic prejudice; it is not just prejudice and stratification, part of the very real drug problem. It would be unwarranted optimism to assume that all blacks are foolish enough to make their prejudices a matter of record, so that the damage caused by them may be remedied. If ignorance and prejudice cannot be excluded from the bench, they certainly cannot be excluded from the jury box and prosecutor's table. The risk of harm will be dramatically enhanced if those clamoring for imposition of the death penalty in drug cases prevail. It is not just racial and ethnic prejudice that must be guarded against. There is also hostility toward the 4th, 5th, and 6th Amendment rights of Americans, and the perception that these rights are somehow inappropriate in drug cases. In a recent campaign advertisement, a New Jersey gubernatorial candidate was accused of being "soft on drugs" because the law firm with which he was associated had "fought to keep drug dealers out of jail." Presumably, his firm had done criminal defense work. The implication is that an attorney who successfully defends a person accused of a drug offense, whether by introducing reasonable doubt or by vindicating a constitutional right, will be exalted with an undeserved co-conspirator. Such statements are like rhetorical steroids, intended to quickly foster an image of toughness and political manhood. Like any complex, endemic problem in American society, drugs require organized and intelligent responses. Simplified rhetoric and appeals to collective fear are counter-productive. There are clear historical parallels. During the post-WW I period, when the United States was faced with tensions resulting from economic injustice and stratification, part of the response consisted of the Palmer raids and the Sacco and Vanzetti prosecutions, born out of an unreasoning fear of immigrants and alien ideologies. During the height of the Cold War, when the United States was faced with the dangers of Communist expansionism and espionage, part of the response consisted of McCarthyism and academic purges. During these periods, concerns for due process were felt to be outweighed by the dangers posed by fish-peddling anarchists or screenwriters proselytizing Marxism. Cretins, opportunistic politicians with nothing of value to contribute to the solution of national problems sought to exploit public apprehensions and sacrifice unforfendable scapegoats for their own advancement and aggrandizement. The drug problem should not be minimized. The social costs seem to be multiplying as efforts to combat the problem are only incrementally intensified. Many Americans are held captive by a destructive counter-culture. Tragically, however, attention is diverted from development of a comprehensive and balanced program which can maximize available resources, by pronouncements that strain an already overburdened metaphor of warfare and single out a group or groups for blame and vengeance. Lady Macbeth said "the attempt and not the deed confounds us." Let us hope we can face the tasks at hand without being defeated by the worst in ourselves and in those with positions of public responsibility.
Beware of Respite

By Barry Block

How can you tell how long a New York Law student has been here? Easy—just check for high blood pressure, high cholesterol, and obesity. You’re likely to find a close correlation between the length of time at school and an increase in these health risks. No, I’m not talking about exam pressure (a topic for a future article). I’m talking about those ever-present, ever-present deadlines.

Yes, those complimentary eating events that are held several times a week at NYLS. Of course, there’s the traditional Tuesday and Thursday events sponsored by Student Affairs. In addition you can count on anybody from Moot Court to any of the school’s twenty or so clubs to sponsor one of these “galas.”

Don’t be fooled by the “healthy” vegetables that are often displayed with the respite. These are merely for show. The fact is that hardly anybody eats them anyway (if you come eight minutes late to a respite, the veggies are usually the only thing left). Incidentally, the combination of green vegetables and cheese results in the formation of calcium oxalate (the leading cause of kidney stones). The real heart and soul of any respite is the pretzels (salt), potato chips (more salt), and cheese, gloriously cheese (cholesterol). And of course, let’s not forget the soda (sugar). (Coffee and tea generally suffer the same fate as the veggies.) A final “bonus” at special events is wine (alcohol), to help night students stay sharp for class and mixed nuts (even more salt).

The following chart illustrates some alternatives that might actually reduce health risks.

<table>
<thead>
<tr>
<th>Present Choice</th>
<th>Danger</th>
<th>Healthier Choice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pretzels</td>
<td>Salt</td>
<td>Banana chips</td>
</tr>
<tr>
<td>Potato chips</td>
<td>Salt</td>
<td>Carrots</td>
</tr>
<tr>
<td>Mendix Sushi</td>
<td>Salt</td>
<td>Unsalted nuts</td>
</tr>
<tr>
<td>Medium cheese</td>
<td>Cholesterol</td>
<td>Assorted fruits</td>
</tr>
<tr>
<td>Swiss cheese</td>
<td>Cholesterol</td>
<td>Fat-free yogurt</td>
</tr>
<tr>
<td>Cheeseburger</td>
<td>Cholesterol</td>
<td>Oatmeal cookies</td>
</tr>
<tr>
<td>Soda</td>
<td>Sugar</td>
<td>Plowed settlers</td>
</tr>
<tr>
<td>Green vegetables</td>
<td></td>
<td>Don’t eat with cheese</td>
</tr>
</tbody>
</table>

While all the changes that have been instituted are clearly beneficial the program still has some problems. The teachers who the school uses are not professional teachers but lawyers from the private sector, some of whom have only a few years experience. The course still continues to struggle with the “subjectivity factor” in which the teacher’s own preferences and styles can easily interfere with and stifle his students. Of course complaints still abound.

“My teacher hasn’t really taught legal writing, we haven’t been exposed to enough real life examples of legal writing,” said one anonymous, first-year student, buried amidst books on the first floor of the library. “Most people were left groping.”

Another student was distressed that the teacher was spending a great deal of time teaching grammar. “I learned my grammar in 8th grade, I don’t need to learn it again in law school.” Although there were a great deal of negative comments, there were also some positive ones. “Our teacher is very practical, he uses real life examples,” said one student, who was quick to add, “he doesn’t really follow the syllabus.”

In the end one comment really summarizes the whole problem. “It’s a necessary evil,” Prof. Lieberman put it. “Every school is struggling with the same problem of how to teach writing effectively. All I can say is that if the students have complaints or suggestions I wish they would speak first to their teachers and then to me. My door is open.”

Neil and Leba Sedaka invite you to the opening of an exhibition of paintings by FRED N. ORLANSKY

at Cafe Americana
105 Hudson Street (at Franklin St.) New York, N.Y.
Telephone: (212) 219-8012

Exhibition runs October 26–December 31, 1989

All NYLS students are invited as special guests.
Charles W. Froessle Moot Court

Competition Finals

By Jackie George

New York Law School's premier intramural moot court finals were held on September 27 in the Froessle Reading Room. Over 70 students participated in the competition. This experience leads to participation on the school's intramural teams. These teams have won many victories including the U.S. National Championship in the Philip C. Jessup International Law Moot Court Competition.

This year's overall winner was Ms. Roberta Silver who was chosen from the finalists which included: Melanie Fess, Max Langrind, and Joyce Yearwood. The Best Brief Award went to Howard Merkrebs and Roberta Silver. The Best Team Award went to Dan Isaacs and Rob MacNeney. The Best Individual Oral Advocate went to Max Langrind. Alexander Rosati, Stuart Minion, and Lori Freudenberger also won oral advocate awards.

We were honored to have on the bench the Honorable Vito J. Titone of the New York State Court of Appeals; the Honorable Ellsworth Van Graafeiland, Senior Judge of the U.S. District Court for the Southern District of New York, and the Honorable Warren Eginton of the U.S. District Court for the district of Connecticut.

Jeffrey Greenberg authored this year's fact pattern, which was centered on a state law which required all individuals seeking medical treatment in state hospitals to submit to a screening for infectious diseases. Competitors argued the constitutionality of the statute under the fourth and fourteenth amendments.
Sometimes you are what you don't eat.

Think fast November 16.

Don't eat a thing on the Thursday before Thanksgiving. Then join the six million Americans who, since 1973, have mailed us the money they saved to support our life-saving projects. You'll not only learn what it's like to go hungry. You'll know how good it feels to help those who are. Please write: "Fast for a World Harvest," 115 Broadway, Dept. 4000, Boston, MA 02116. Or call for more information: (617) 482-1211.

AND JUSTICE FOR SOME

By Peter Georgalos

We are nearing the close of yet another decade, the 1980's. This has been a decade marked by peace, violence, turbulence, and tears. One thing that has remained the same during this period of time, is, a fathers' right in his unborn child. His rights have not changed during this period of time. The reason is quite simple, a father has NO rights with regard to his unborn child.

Why is this? In this day and age when individual rights are valued as dear as life itself, how can a man be denied his rights to see his unborn child live? Has anyone pondered this simple question? Is the female part of society still blinded by the old stereotype that a man is incapable of the understanding and sensitivity that a child may need. I would hope not.

Is it fair to say that a woman has the "right" to do what she wants with the unborn child simply because it is in her body? To be totally accurate, I am referring in this article to married couples and unmarried couples who have reached the age of majority. Where is the consideration to the potential father? True, a woman does have a greater burden during pregnancy. A woman much carry the child for nine months. She must also deal with the medical effects of the pregnancy. Is this a good enough reason to deny a father his rights in his unborn child? The answer is an unequivocal "NO!"

Is everyone aware that if a woman does become pregnant and does want to have an abortion, she may do so without consulting the potential father of the unborn child. A woman does not even have to tell the father she is pregnant.

We are constantly hearing the discrimination women are going through. The claims that they are not being treated as equals by men. However, are they not doing the same to men in this situation? What the women are telling us is that "this is my body, I will do what I want with it and you must accept it." While at the same time their claims of discrimination and inequality go unheeded. Is this not pretty one sided?

Granted that the burden is on the woman. However, should she not even consider the father's wishes? What if the father wants the pregnancy to go to term and woman does not, who wins? Is it fair to the boyfriend, what about the father? Who wins? The wife wins and the husband is left out in the cold. Has a father's role been reduced to just a sperm making machine? Even if this is true, does this not give the father some interest in preserving the life of his unborn child?

Is it truly possible to imagine the pain and anguish and the feeling of hopelessness a father must feel, being able to do nothing for the unborn child, but just letting the decision to abort or not rest with the mother? We have always heard the pregnant woman's side of the story... When was the last time the story was told from the father's side? What this article will hopefully achieve is an awakening in giving deference to an expectant father's wishes. In order to achieve some equality there must be a shift in power protecting a father's rights. Since it takes two people to create life, should it not take two people to abort it? This is the question that needs to be answered. What I have proposed is not the answer, it is just a beginning, toward justice for all.
Climbing the Slippery Slope to Equality

by Noam DePhante

Equality is purported to be the guiding principle behind much of modern liberal legislation. However, equality is a rather complex concept with different meanings in different contexts. The Founding Fathers’ notion is hardly consistent with modern liberal notions, even though the latter imagines itself to be faithful to the former.

There are many different ways one can use the term equality: natural equality, political equality, conventional equality (i.e., social and economic). One of the greatest blunders of our age is the belief in natural equality. This belief is the result of some half-baked psychological theory which believes that given equal environmental conditions all individuals will develop equal abilities. The Founding Fathers did not consider natural equality relevant to their own sophisticated concept of equality. John Locke, the chief ideologist of Early America, himself said that when he wrote “that all men are created equal,” he cannot be supposed to understand all sorts of equality. The modern notion of natural equality has become so entrenched from liberal propaganda that we become deeply insulted by the mere suggestion that some inequalities may be race or gender based. As a result, many otherwise credible scientific studies which do suggest this are branded as racist or sexist.

(A) As this point, let me briefly digress to make something clear: The mere admission of race or gender based inequalities does not necessarily lead one to accept theories of racial or sexual superiority. Nor does it necessarily justify discriminatory laws and practices. These points will be developed in a later article.

One may now wonder, what did the Founding Fathers mean by equality? What was the meaning of language such as “all men are created equal”? The Founding Fathers subscribed to a social contract theory. This theory posits a “state of nature” in which all men lived free and equal in the absence of laws enforced by a sovereign. They were considered equal in this natural state because their natural inequalities did not count for anything. “The weakest had strength enough to kill the strongest in his sleep.” (Hobbes, Leviathan); or “every man had an equal right to dispose of his person and of his possessions, . . . without being subject to the will or authority of other men.” (Locke, Second Treatise on Gov’t).

As a result of this equality existing in the state of nature, when men assembled together to form a society and to structure it, they all had an equal say about the matter. This equal say, however, translates into nothing more than political equality; i.e., an equal right of access to the political system and the right to be equal in the eyes of the law. This equality imposes no other duty on the government than to make laws which on their face treat everyone fairly and equally, and which give everyone an equal right to representation. No duty is imposed of the sort where the government passes laws to “remedy” social and economic inequalities. But that is exactly the sort of duty imposed by the bulk of New Deal, Civil Rights, and affirmative action legislation. The duty to correct social and economic inequalities is more consistent with the communitarian vision of equality, rather than that of our Founding Fathers.

Given the close nexus of social and economic inequalities to political inequalities, one may argue that it is necessary to cure the former in order to truly accomplish political equality. After all, the poor and uneducated do not wield an equal influence in the political system. But if one undertakes the task of correcting social and economic inequalities, one must realize the following:

Firstly, the Founding Fathers themselves would never undertake such a task. They were perfectly content with a social structure which gave the rich and educated better access to government. After all, they themselves were the advantaged class. The utmost they went was to make the political process equally available to the undisciplined and the poor (e.g., Jefferson, Jackson). They never proposed measures designed to offer equal opportunities in the private sphere.

Secondly, one must realize that liberal legislation and decision-making which strives to promote equality is futile for several reasons: (1) Inequalities of all sorts have so many and such deep roots in our social structure, that nothing short of a revolution can completely abolish them; (2) The remedial legal measures adopted unwittingly perpetuate and exacerbate the inequalities they aim to solve. (Perhaps they do this intentionally as well. In any case, this point will be further discussed in a future article); (3) A moral duty to promote equality—which the “feel good” liberal is quick to give priority to—often involves the sacrifice of weighty objectives (e.g., professional integrity, economic efficiency).

Given the lack of direction from our Founding Fathers to promote true equality, the question then becomes: Does government have a moral duty to promote equality? If so, how far can it go? Does true political equality require a radical reorganization of society which the democratic process cannot accomplish? These, and similar issues are discussed in the next article.

7 YEAR OLDS ARE NOW NO LONGER DISCRIMINATED AGAINST.
Modesty Prevents Us From Telling You How Good BAR/BRI Is. Therefore, We've Let BAR/BRI Students Do The Talking.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.

We've been approached by many students to write about their BAR/BRI experiences. We've asked several students to write about their experiences with the BAR/BRI. We've asked several students to write about their experiences with the BAR/BRI.

Bar/Bri offers on-student e-mail and phone support. I have always been available in answer questions. The best preparation for the bar exam. It was felt that the BAR/BRI prepared the student well for the exam, and that they would recommend the BAR/BRI to others.
New York Bar Review Course
Summer 1989 Enrollments

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4,000+</td>
<td>2,000</td>
<td>200</td>
</tr>
</tbody>
</table>

BAR/BRI
BAR REVIEW

Again this summer, BAR/BRI prepared more law school graduates than did all other bar review courses combined.

BAR/BRI
BAR REVIEW
New York’s Largest and Most Successful Bar Review Course