11-1982


New York Law School

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Megaton Madness

By Michael Glogorger

On November 2, citizens across the world turned to their televisions to watch a nuclear test. The simulated test was part of a series of events to raise awareness about the dangers of nuclear weapons. The test was witnessed by over 80 million people, and it was described as a "megaton" explosion. The simulation was intended to illustrate the devastating effects of a nuclear weapon.

Bomb Scare At NYLS

A bomb threat at NYLS on November 15th caused a significant disruption. According to reports, a group of people entered the building and claimed to have a bomb. The police were quickly notified, and the building was evacuated. After a thorough search, no bomb was found. The incident was later determined to be a false alarm, and the individuals involved were charged with making false bomb threats.

The Sunshine State

Clouds Over

By DAVID MELO

On November 5, 1982, Eugene "Dean" Graham was shot and killed in Miami. The shooting took place during a high school soccer game, and it shocked the community. The incident highlighted the dangers of violence and the need for greater security measures in schools.

On Bilingual Education

By Louie Rivera

It has been estimated that there are approximately five million children who speak a language other than English at home, and this number has been increasing. Bilingual education is an approach designed to bridge the gap between English-speaking students and those with limited English proficiency. It involves the use of two languages in the classroom and is supported by many organizations as a way to provide educational opportunities to children who speak languages other than English.

The element of biculturality is introduced. Bilingual education, as defined by the federal government, involves the teaching of two languages as a means of instruction and the use of these languages as a means of communication. The United States Office of Education, which oversees bilingual education, defines it as an "educational approach to teaching and learning that emphasizes the home language and culture of the student and the development of their English proficiency.

The success of bilingual education is determined by the effectiveness of the program in meeting the needs of both English-speaking and non-English-speaking students. The ultimate goal is to provide all students with the opportunity to succeed in a diverse society.
Machismo: Its Benefit

by Nina Brava

The theory that economically disadvantaged Puerto Rican (PR) women may be more assertive than PR men contradicts the reality of the middle class woman, who, in general, is as unassertive as the middle class man! It resembles, however, the sociological theory of the black woman's pattern, of greater success as compared to the disadvantaged black male. Although there are many reasons which can explain his lack of any measure of success, unless she is assertive. She is expected to be able to manipulate her unique position in her family, a society, and her environment to her advantage. Consequently, it would seem that PR men might be more successful than PR women.

Entry into mainstream American culture is by no means easy, as can be deduced from the numerous experiences of middle class and lower class women. These experiences must consider the greatest difficulties. For the disadvantaged Latin male, who operates in the world of unpredictable success, the one to jump at is not the one to lower mobility. Although strong feelings of alienation may be experienced, it is more effective with the divergent aspects of different cultures. Successful PR male, however, may find himself generally control over his family's power of of his career.

The double standard has a bearing on the relationship of the female. Because they have been disciplined more regularly and chaste in general for opposing academic achievement, PR women have a tendency to suppress their desires and aspirations. This is also true in their relationships and their lack of success. Negative feelings about the female's role in the male youth withdrawing from academic standards of success, allowing of overwhelming academic and social frustration. For the pattern of this article assertive behavior will be defined as those behaviors necessary to achieve academic success. These behaviors are a result of internal processes including having a positive self-image and a desire for success. The different degrees of assertiveness may be observed, varying according to the degree of academic achievement. Therefore, assertive behavior is defined as the ability to face and overcome the hurdles to Academic success.

The PR female's assertive behavior on the part of the white doctor is defined as more assertive than a PR woman with a female Doctor of Arts.

Young PR women caught in cultural transition suffer conflict. This article will show how the potentially harmful machoism of the PR culture has been muted for the PR women.

The PR woman in New York City (NYC) enlects more academic success and are therefore more assertive than PR men in NYC. Related to academic success are effective factors such as self acceptance and self esteem. The degree to which these factors may influence the academic success of many young PR men. It is important for all PR to develop these effective factors as individuality in order to improve feelings of inferiority and hopelessness and lessen their lack of success. Negative feelings about the male youth withdrawing from academic standards of success, allowing of overwhelming academic and social frustration.

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REFERENCES

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tropeanos, City University of the City of New York.
AN ANALYSIS: REFUGEE ACT OF 1980 AND ITS IMPACT ON THE CUBAN REFUGEE IMMIGRATION WAVE OF 1980

by Migel Fitzipatrick

This article recounts the major changes contained in the Refugee Act of 1980, and how it altered the previous restriction, and the Act’s emphasis specifically relates to the Cuban refugee concept. It first refers to the situation regarding the Cuban refugees whose status had been granted a special temporary status in the United States after fleeing from Castro’s Cuba. The President’s discretion to determine whether refugees would be admitted to the United States after fleeing Hitler’s Germany in the early 1930’s was exercised according to the circumstances. The Act thus provides that a unified world wide approach is necessary.

The United States prior to 1921 did not have any special recognition of the refugees. Those events occurred in the wake of the 1921 Emergency Quota Act. The Act’s 11 decrees the act of 1965, which extended the historic United States policy of restricting immigration of any country’s needs of persons subject to persecution in their homelands. This includes, when appropriate, humanitarian assistance for the care and maintenance of cuban refugees in foreign countries. The country of special humanitarian concern to the United States, as a result of an agreement with the United States to resettle in the United States.

The term “refugee” as defined by the refugee Act of 1980, states: “an alien who is outside the country of such person’s nationality or last habitual residence, and who is unable or unwilling to return to, or remain in, such country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or (B) in such special circumstances as are directed by the President after appropriate consultation with the Congress, an alien who is outside the country of such person’s nationality or last habitual residence, and who is unable or unwilling to return to, or remain in, such country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.”

...The refugee does not include any person who ordered, consent, or participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion. The term “refugee” has been broadened under the Act to include persons who have been “refugees” as defined in the Convention relating to the Status of Refugees.

The refugee Act of 1980, and the Act’s emphasis specifically relates to the Cuban refugee concept. It first refers to the situation regarding the Cuban refugees whose status had been granted a special temporary status in the United States after fleeing from Castro’s Cuba. The President’s discretion to determine whether refugees would be admitted to the United States after fleeing Hitler’s Germany in the early 1930’s was exercised according to the circumstances. The Act thus provides that a unified world wide approach is necessary.

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The new immigration Act of 1980 makes it clear that if an alien is outside the country of his nationality, he is automatically a refugee. This is the only available category of the non-citizen. In 1980, the President, as a result of the World War II, and an agreement with the United States, as a result of an agreement with the United States, as a result of an agreement with the United States, is determined to be its special humanitarian concern to the United States, and is admissible to the United States as an immigrant, and therefore refugees therefore refugees must be readmitted to the United States. The standard is vague.

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Winter Break Is Better In The Bahamas

Now that winter is here, you’re right in the middle of finals and all you can think about is winter break – relaxation, fun every day and a chance to replace your pale complexion with a golden glow. The warm sun, the blue sky, the breeze blowing from your windowsill.

But thoughts of an inexpensive winter break in a location with sea, sand and constant sun are far away as you may think. Those friendly, sub-tropical islands of The Bahamas boast year-round sunshine – perfect for every sun-worshipper and sports enthusiast – and with special student prices, being in “paradise” for winter break can become a reality.

When thinking of The Bahamas, you may visualize one island way down from the U.S., but there are actually 700 islands which begin only 50 miles off the coast of Florida. With continuous reductions in airline fares and connections from every major city, a short plane ride could start you on your way to a beautiful beach town of excitement.

- Golf, tennis, fishing, sailing, snorkeling, diving, dancing, wind-surfing and gorgeous beaches – literally, anything under the sun can be found in The Bahamas – except cold, dreary weather.

Winter Break In The Bahamas will be the greatest party time ever held in the islands. Your vacation will begin with a warm welcome and continue with fabulous beach parties, fascinating calypso entertainment, shopping trips, sightseeing tours and super sports activities. For further information contact Intercollegiate Holidays’ Inc., 501 Madison Avenue, New York, NY 10022, 800-223-0694, or your local travel agent. (Prices may vary according to operator and program.)

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The Bahamas — The crystal waters of The Bahamas offer the sailor 100,000 miles of yachting pleasure. Sandy Cay, off Nassau, is only one of the hundreds of uninhabited islands and cays where the only footprint in the sand may be your own.

GW Institutes First Summer Law Program In London

WASHINGTON, D.C. — The 1985 George Washington University National Law Center first summer program in London will focus on private international law and comparative law. Two courses will be offered: Legal Aspects of International Business Transactions and European Economic Community Law. The program is open to all students.

Winter Break in the Bahamas

Jerry Garcia Band At The Felt Forum

The Felt Forum was invaded by “Deadheads” on Thursday night, November 14th as the Jerry Garcia Band came to New York for two shows at the arena. “Deadheads” for anyone not familiar with the term, are the fanatical followers of the Grateful Dead, whose lead guitarist Jerry Garcia is one of the true folk heroes of the rock and roll era. Mr. Garcia’s guitar playing can be at once hypnotic and inspirational, and he was certainly in fine musical form throughout his performance at the late show, which was the one attended.

Mr. Garcia decked out in his familiar black tosh-suit and ultra-dark sunglasses opened up the two hour plus show with the song “Mission In The Rain.” From his late 1970 album entitled “Reflections” this song about love was written by Mr. Garcia and Mr. Hunter. Mr. Garcia waved to the audience at the end of a well deserved encore and left the stage smiling. In fact, a lot of people had big grins on their faces as they filled out of Felt Forum at about 2:30 a.m. (a.m.), not thinking or caring about the worries of the next day. They had witnessed a fine performance from a guitar virtuoso who, at 40 years old, shows no sign of slowing down. Jerry Garcia rocks on. Not to do over the Thanksgiving break? Forget the books and head down to Montego Bay, Jamaica for the first Jamaican World Music Festival at the new Bob Marley Memorial Performing Center. Featuring performances include the Grateful Dead, The Clash, The B-52’s, Jimmy Cliff,ubba D ’Sousa, The English Beat, Toast & the Mayos and Rick James (among others to be announced).

The summe r program in London which is within walking distance of EALS will begin on Aug. 8 and is limited to 20 students. Classes will be conducted at the Institute of Advanced Legal Studies in London (IALS), Housing accommodations are available at Commonwealth Hall of the University of London.

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Good Luck on Finals!
Please Reshelve

This is the time of year when most students are studying for finals, as well as furiously trying to complete papers. Hence, library books make a mass exodus from the shelves, some never to return again. As a matter of common courtesy to your fellow students, please reshelve the books.

Let Them Eat Pizza

A law student's basic diet is pizza. It's cheap, it's fast and it's nutritious. No matter where you are in the City, uptown or downtown, there are a variety of pizza restaurants to satiate that strong desire for food.

Here are a few tips for locating the best pizza buy.

ALL'S WORLD'S GREATEST PIZZA (102nd Ave., between 81st and 82nd) serves the best pizza in town 24 hours a day. They also deliver in case you're too lazy to venture out.

VINNIE'S (Amsterdam, between 73rd and 74th) Another delight. The crust is great. The cheese and sauce are delicious. The service is warm and friendly and like being at Mamma's house.

ORIGINIAL RAY'S (all over town). The best places to eat Ray's are on 7th and 3rd, 8th and 9th and the original Ray's downtown on 14th. At $1 a slice it's a little more expensive than most, but your taste buds will appreciate it.

If you happen to be studying in the library and craving your favorite dinner, try GOLD STAR PIZZA, on West Broadway, within walking distance of NYLS.

Book Review

Outrage

By Henry Denker

In Outrage, author Henry Denker has written a courtroom drama as compelling that you cannot put it down once you start it. It's a classic dilemma of our time: should a defendant take the stand in his own behalf when justice becomes a mockery?

This is the story of a struggling New York attorney, Ben Gordon, who is hired with defending a client who has no defense. The client, Dennis Riordan, is a God-fearing, gentle and honest man, who commits an act of terrible violence. When his daughter is raped and murdered the killer is caught and a full confession is made. Riordan can identify his daughter's murderer who is found on the man who killed her. But he is not allowed to testify. The indictment is dismissed and the murderer is freed because of technicalities in the law. How Riordan is disposed by all that happened, Riordan's wife dies.

Denise Riordan then takes justice into her own hands. She kills her daughter's murderer, turns herself in to the police and voluntarily confesses. It is then up to Ben Gordon to prepare a defense for a client who is determined to use his trial to prove to the world that justice is blind.

The author, a member of the New York bar, has written a novel filled with twists and surprises. The characters are real and unforgettable. There is an emotional second act, and finally, a hilarious third act. The characters are transformed from simplistic and one-dimensional to less than "guilty" but surprisingly human.

Genuises is currently playing off-Broadway at the Douglas Fairbanks Theatre (432 West 42nd Street), but there is no doubt that it is Broadway quality and highly recommended. Tickets at $10 are quite affordable, even for a law student on a limited budget. Performances are Tuesdays through Fri. at 8 p.m., Sat. at 2 and 10 p.m., and Sun. at 3 and 7 p.m.

What To See Off-Broadway

When the curtain comes down on the movie Parallels of Death has been in progress for three years on a remote Philippine island. As a typhoon ravages the island, the characters are confined to a large "barrack. The cast includes a notorious islander, a judge, a Britisher, played by Christine Ebersole, a sarcastic screen writer, John Pyle, played by Peter Evans, a burly make-up man who specializes in wounds, Bert Keyes, played by Kurt Kudrun; a psychotic art director, Eugene Winter, played by David Rasche; a shifty houseboy/bodyguard, played by Thomas Ikeda; and an equivocal movie director, Mel MellerMcLair, played by Jay C. Sanderson.

This play is superbly written, directed and performed. It promises from a wisty first act, to an emotional second act, and finally, to a hilarious third act. The characters are transformed from simplistic and one-dimensional to less than "guilty" but surprisingly human.

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By Michael G. Martinanelli

Have you ever known a person who has never been in a car, made a telephone call, or watched television? Impossible? Unheard of? Not this day and age? No, not in countries where bicycles and foot messengers are as common as aspirin and radios are in the United States. The Peoples Republic of China, for example, which has been in existence for a few thousand years, still remains a predominantly agricultural society in great need of new technology, new industry and new jobs. What could be a possible reason for this discrepancy between a nation that has been around thousands of years before Christ, and one that was founded less than two centuries before man walked on the floor? Dr. Y.C. Wen, former director of Telegraph and the Department of Communications for China was asked by an American telephone engineer, Dr. Wu how you explain the fact that, whereas for centuries China had led the world in civilization and in the manufacture of goods, beginning about two hundred years ago what had until recently been the barbarous tribes of Western Europe suddenly took the lead in the development of physical science and its applications, in building up production, in standard of living, and in power? Dr. Wen began his reply by saying: Well, among other things China had no patent system like yours. As a result when a man made a discovery or invention he tried to keep it secret. The information was passed on from father to son, and they tried to keep it a family matter. This former director of China’s communications has made it clear that the only relevant fact which has affected the different growth of the two nations is the fact that only one has patent laws that help induce people to disclose their new inventions to the general public. Eventually, others can improve on older, disclosed inventions and the industry of the entire nation advances. But, does this naturally occur without the artificial incentive of a patent system? Basic human nature says it can’t. There are inventions, for example, that disappeared forever because there was no incentive to make them public.

Chief Justice Warren advised the following in announcing the suitability of the particular punishment: we should be guided by “the evolving standards of decency that mark the progress of a maturing society.” There is little decency, in the type of law at issue here.

Of course, it could have been worse for Morris. Earlier this year the United States Supreme Court upheld a sentence of forty years in prison and a $500,000 fine imposed on a Virginia man convicted of distributing illegal cocaine.

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Fatigue makes cowards of us all.

Vincent Lombardi

Clouds over the SunshU (Continued from Page 1)
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VIDEO ZAPPA

Much to the dismay of Frank Zappa fans throughout the metropolitan area, there was no less Halloween tour this year. As a result of disputes with the Stage Hands Union, Zappa chose to hold his shows in New York City at the Ritz with the world premiere of "The Dub Room Special," a full-length video featuring Zappa's concert footage and much, much more.

Two shows, at 9 and 12 midnight, also included a costume party and contest for best costume and a chance to win round trip tickets for a trip to Disneyland. The Saturday night show was sold out.

Zappa, whose concerts at the Palladium over the legislative and judicial branches of the Executive, payable to the American Bar Association, Dept. 527, 1155 E. 60th Street, Chicago, Illinois 60637, ATTN: 1983 Summer Legal Employment Guide.

1983 SUMMER LEGAL EMPLOYMENT GUIDE


The Guide includes detailed descriptions of the practice of law in each state and district court, including the state bar and judicial branch of the United States Court system, international organizations, and state bar associations, the Guide is also an excellent reference guide for all law students and alumni who are preparing for the bar exams.

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EQUITAS
Editorial

Yes, Virginia, there is an EQUITAS, and this is the last time we are going to address this issue. The SBA has no authority to mandate that this or any other student publication disband.

EQUITAS was begun by and for the students thirteen years ago. Last year under the direction of Mitch Feld, the editors assumed continuing authority to run the paper; they were not successful. After many meetings between EQUITAS and the SBA, that body voted to withdraw its recognition of EQUITAS and bestow it upon the Advocate (the SBA). They all expected EQUITAS to cooperate with this suppression of their First Amendment right. Again, they were unsuccessful.

We will not go to the demands of the SBA which is controlled by a few students who are captives of special interest groups. EQUITAS is comprised of NYLS students. We do not need the SBA's sanction. Our existence is justified solely on the basis of our membership—the students. Anyone who wants to can participate in this newspaper.
Dear Editor:

I read the article by Duncan Kennedy in your October 28 issue, "Rebellion in the Eighties," and I'd like to share my thoughts on the article.

The strain that runs throughout the entire article is one of powerlessness: Kennedy's position is that law students are powerless, that various other groups are powerless, and that the only way for this to be corrected is to have the people without power, in this case law students, get the power dispenser to grant them power, whether by means of affirmative action programs, guaranteed jobs, a change in school programs, etc. And if the "power dispenser" grants all of the things that Kennedy lists, who does the power remain with? The answer is obvious.

All of the groups referred to in the article, including law students, have the power within themselves to create the kind of world in which they choose to live. The proof of this is that they have created the reality in which they live today. And when that no longer serves them they can create another, more in keeping with what they truly want.

Around the world, around the country, around the city, people are discovering that they can make a difference and that they are not alone. They are creating, they are showing others that they also have the means to create. This movement is developing through a grass roots movement, through networking, which is not confronting the traditional hierarchic structure, but simply bypassing them. The wineline dynamic, so heavily prevalent in Kennedy's article does not serve those interested in transformation.

Kennedy also writes in his view of people in this article. People all over the world share many commonalities; they choose a world free of war, a world where nourishment, peace, free expression, a pure environment exists for everyone. This is something that Kennedy does not wish to pass down their legitimacy. The politics of the winners maintains that the politics of the winners are the only politics in the world, and governments which are being created now are ones not just reflective of the people, but are of the people.

The traditional "nation-vation" or "capitalism vs. socialism" dynamic doesn't work anymore. John Kennedy said over twenty years ago, the torch has been passed to a new generation. Not a new generation in terms of linear age, but in terms of thinking and attitudes. And when each person reaches that reevaluation of values, of their attitudes and beliefs, keeping those which serve them and changing those which no longer serve them, many of the ideas which Mr. Kennedy hopes to see in the law school climate will in fact manifest in our entire world.

Thank You,
Peter Cinino
1622 58 Street
Brooklyn, N.Y. 11214
N.Y.L.S.'82

Lawyers On Strike

575 lawyers employed by the Legal Aid Society have gone on strike since Friday, October 22. They are all members of the Association of Legal Aid Attorneys, District 65/U.A.W. (United Auto Workers) and together the union. The Legal Aid - Society, 40 East 42nd Street, New York City.

The collective bargaining agreement now in effect allows LAS attorneys to move grievances with the society when necessary, but when several attorneys filed such grievances when mounting cases affected their ability to respond to clients, they were fined or disciplined. Las attorneys, troubled by their caseloads, fear retaliation if they undertake to use the caseload grievance system.

For some the Constitution is dead. It is a sham, a nullity, a dead letter, a dead word. It is a dead thing and a dead faith, it is a dead tradition. It is a dead form and a dead name.

The Supreme Court...
Patent Laws  
(Continued from Page 10)

patents are and how they work to benefit society. In simple terms, a patent is a license given by the government to an inventor allowing him a temporary, exclusive right to his discovery. It gives him the right to legally exclude others from making, using or selling his invention without his permission.

To get this license, the inventor must make a public disclosure of his invention. Under our law, the invention must be new, useful and non-obvious. If these conditions are met, the inventor is given a patent. Then, at the expiration of the protection afforded by the patent, others may make, use and sell the invention patented, society, on the other hand, reaps the overall benefit because it is given new and useful information which it did not possess before. Because society's bank of knowledge grows with each and every invention disclosed in it, society reaps greater dividends in the future. A patent system, through this exchange of disclosure of new discoveries, helps protect an individual's own invention and society's ability to produce new and useful items.

An American Creation
of the New York Partnership Group on January 14, 1982)

Only when the human spirit is allowed to invent and create, only when individuals are given a personal stake in deciding their destiny, in being masters of their own, only then can society remain alive, prosperous, progressive and free. As President Reagan has said, society would be positively inflamed to invent and discover if we can encourage people to invent and disclose their discoveries freely. Our forefathers decided to create a system which requires disclosure of the basic facts of the invention. The basis for our patent laws was provided for by Article I, Section 8 of the Constitution. 'The Congress shall have the power to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.'

In 1790, the year after the adoption of the Constitution, Congress passed its first patent law. This was the first time any country had based its entire legal and business law on its Federal's statutes. So, while we were in the early stages of technological notions, as compared to others, we forged ahead and codified a system that provides incentives to create, disclose new and useful inventions and puts the public good first.

In the 169 years since its adoption, the United States has transformed from a predominantly handicraft and agricultural society to a highly complex civilization. People like Bell, Edison, Goodyear, and Marshall were just a few of those who were induced by our patent laws to create and disclose such useful products as the telephone, the electric lamp, rubber tires and the radio. More recently, others have shared products that are used and enjoyed every day, including cameras, television, computers and thousands of other advancements of the 20th can depend upon sophisticated advances in science and technology to health and inventors the exclusive right to their respective writings and discoveries.'

Criticism v. Praise

of a Patent System

The patent system has been examined, studied and discussed. It license the United States, large companies, politicians and economists alike. Critics of a patent system are prone to label it monopolistic, and are concerned that it stifles the competition, crowding it in a country's progress and economy. A patent is in reality much less of a monopoly than any other form of private property that you may own. You have the use of your car, for example, and no potential of duplication is without your permission. You may leave it sitting in your garage for as long as you like, or you may take it out and use it as you see fit. You may continue to own and enjoy your car as long as you live, and you may even sell it once your eyes have you live, and you may even sell it once your eyes have

A) Benefit On Individual

Chinese Citizens

Even if China is a developing nation in 1982, a patent law would be an advantage, because of China's future economy and growth as it was to the United States since 1790. The mechanisms of the patent system have benefited society by providing new and useful products to the average consumer for use in everyday life. An American, for example, wakes up to tune in his radio alarm. He then shaves with his electric razor before feeding his shaver through a wall socket. On his way to work in a motor or electric vehicle, he uses his calculator and then writes his company's check using a carbonless check. Once he gets to work, he uses his telephone. The Chinese citizen must depend solely on the proper functioning of his own body to be able to compete with the short episode described above. Since it is clear that China needs advances in science and technology so that its citizens can keep up with the rest of the world in personal growth and well-being, a patent law seems very attractive. The attraction, however, is industries, new jobs and new wealth is a lot stronger for a developing nation than for one in 1790 when there were no other systems to gauge or compare one's own new system to. If patent laws are not available, inventions can only be disclosed with a concurrent danger of imitation by others. Clearly, an inventor who feels that he deserves some reward for his invention will be reluctant to disclose his invention in the face of such danger. Related to an inventor's reluctance to disclose an invention in the absence of patent protection is the reluctance of inventors to find inventors. If there is no governmental protection through patent laws, inventors will be reluctant to invest in expensive research and development when there is a good chance that their inventions will be freely imitated by competitors. However, where in

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A.E., VISA, M.C.

B) Why A Patent System Could Benefit China

(Continued on Page 12)
Act of 1964." It barred discrimination in any federally-assisted program on the grounds of race, color or national origin. The act is of monumental importance because it extended access to educational programs for national origin minority groups. The need, however, for mandating bilingual education falls into four categories:

1. "The traditional approach emphasizes English as a second language. Transition is neat, it is strictly Remedial in scope. Rather than a full-time program, it is limited to specific times of the day. The result is substantial. The true effort is expended in teaching English and eliminating the home language. Removal occurs, theoretically as soon as proficiency is attained."

Within the context of bilingual education, the remedial focus, need not be intentional. It is sufficient that the action has a discriminatory effect. Though an equal protection claim under the Fourteenth Amendment was not at issue, the Court did not address it. This is because the remedial nature of bilingual education is to raise the right of equal opportunity to education to a constitutional level. No basis remains statutory.

Lau did not mandate bilingual education (495 U.S. 525 (1990)) as the remedy to be employed upon a finding of a Title VI violation. When a violation has been established, the issue of appropriate remedial measures must be addressed.

In 1982, the Office of Civil Rights implemented guidelines on bilingual education to ensure that any remedy for violations found in violation of Title VI (15) The guidelines likewise were found in violation of Title VI. The which would constitute appropriate affirmative steps in opening up an educational program to limited English-speaking students. When Lau violations have been determined, bilingual education programs in districts are required to develop compliance plans pursuant to the guidelines. A bilingual/ bilingual education program is not mandatory.

Relating to Title VI, and most important, Lau v. Nichols, Congress decided to give legislative expression to the right of linguistic minorities to an educational opportunity. The Equal Educational Opportunity Act of 1974 codified its holding and made it unlawful to deem educational opportunities on an individual basis. Congress noted that the remedial approach was not viable to the extent that it was limited to specific times of the day. The time allotments are sometimes shorter.

For Lau and its progeny, the Equal Opportunity Act of 1974 established the guidelines to be employed upon a finding of a Title VI violation. The guidelines state that bilingual education is the preferred method of remedying the educational deprivation of limited English-speaking students. The guidelines also state that other methods of remedying the educational deprivation of limited English-speaking students may be used, provided that they are consistent with the general principle of nondiscrimination and the requirements of the Act.

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The effects on both per capita are not familiar with the end developing nation's ability to produce their own products. The farmer's reluctance to influence on government's policy was not only harmed by the effect on manufacturing rights into non-patent countries. Greater consumer access to the products encourages industrial development. An inventor, an entrepreneur of increased licensing and investment, made possible by the confluence of these conditions, the patent monopoly will allow recovery of the investment. The patent monopoly by the technology necessary for industrialization into developing countries. Sell and Mondokali, two experts in the field of foreign patent systems in Africa, say that developing nations are strongly dependent on imported technology for improving their industries. After finding that a country's ability to transfer technology has a positive effect upon development, they concluded that a strong patent system, covering the effects on both per capita, would lead to economic growth and create jobs.

This increased licensing and investment, made possible by the conditions for continued specialization, would be beneficial for continued business of the firm. The economic impact of a single invention, for example, can be considerable. If, for instance, China acquires knowledge of how to make and use a revolutionary agricultural product, then a license agreement, the resultant increase in production and the increased job market for handling those increased crops can give an economic boost which far outweighs the costs of the patent license. Conversely, foreign companies are reluctant to disclose their technology in non-patent countries due to a high risk that unsatisfactory imitation will create a poor image of their products. These observations are supported by the events of 1980-1981 in developing African nations, which do not have patent systems. Financial industry observations are supported by the events of 1985-1981 in developing African nations, which do not possess patent systems. There, the effect of increased licensing and imitation of Kenya, Uganda and Tanzania has been inflation with ineffective imitation agriculturalists. Although the farmers believed they were sharing a high effective and fairly good as an imitation which was a lesser strength than expected. By the time the invention had been discovered, it was too late to prevent a considerable drop in coffee production, which contributed to a decrease in the coffee market. The government's position makes it very understandable why other companies are reluctant to introduce their products into non-patent countries where there is a substantial likelihood that they will suffer from the damage that this product's reputation will suffer.

In summary, the adoption of a modern patent system in China is likely to support the security of its industries for the protection of its foreign relations, while simultaneously providing incentives to Chinese citizens and Chinese enterprises to develop new technologies most appropriate for China's society. A patent system in China will improve international competition among different economic systems and thereby promote the acceptance of new developments and avoid duplication of efforts. Industry, agriculture and the Chinese people are likely to benefit from such changes. All could share a life of increased safety, comfort and standard of living. At the same time, China would become a member of the international patent community and be better able to promote its own technology abroad under the protection of foreign patent systems.

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LIBRARY NEWS On November 10th, and 11th, the library held its annual Open Book Sale. This year was no exception. The library was well-stocked with a variety of books, from classics to modern fiction. Many of these books were donated by various individuals or organizations. The sale took place in the library's main reading room, where customers were able to browse through the collection. The library's staff members were on hand to assist customers and answer any questions they may have had. The sale was a great success, and many books were sold. The proceeds from the sale were used to expand the library's collection. It was a great way to support the library and help it continue to serve the community.

EQUITAS

(Continued from Page 10)
Refugee Act had established that the alien does not fall within the Refugee Act of 1980. Cuban/Haitian entrants are not covered by the definition of what constitutes special humanitarian circumstances. The refugees to the United States is as true before refugee status is granted.

The procedures for processing an asylum claim are available to claimants who are generally low income. The Refugee Act of 1980 also provided for the first time statutory provisions for the asylum procedure which had previously been developed through administrative regulations. The refugee status is granted to those who have expressed a well-founded fear of persecution on account of race, religion, nationaliety, membership in a particular group, or political opinion.

The application is examined by an immigration officer or judge before adjudication of asylum. An ad

The District Director makes a written decision on any application submitted to him in the exercise of his discretion. There is no appeal from his decision, an application may be removed before an Immigration Judge in exclusion or deportation proceedings.

The various topics which have been discussed in this body of text include special immigrants, conditional entrants, Cuban/Haitian entrants, parolees, asylum seeking asylum, and obviously refugee status. The respective statuses have varied in the degree of protection and the protection afforded under each provision. However, all have served their purpose; that is to provide a haven for those in peril by war, famine, and by the ruthless suppressions of human rights. The United States has traditionally been known as the homelands and persecuted. We are a nation of immigrants and our own immigration laws, regardless of what history may turn its back on its own traditions with something of its soul." This should continue to be the step the United States maintains.

However, such a policy may have further consequences. In the past several years the United States has granted entrance to thousands of refugees for resettlement in the United States. The Cubans and Haitians, who were formerly an integral part of the refugee stream, have been replaced by the resettlement of persons from other countries. The Refugee Act of 1980 provides that the burden of proof to establish has authorized $600 Million to refugee activities, $360 million of which is for emergency supplemental legislation.
The current policy objective of the White House and President Reagan is to increase the number of refugees who are to receive the benefits of human rights and to ensure that the United States is a model for the world in terms of humanitarian concern and responsibility.

In conclusion, the Refugee Act of 1980 directed the administration to increase the number of refugees who are to receive the benefits of human rights and to ensure that the United States is a model for the world in terms of humanitarian concern and responsibility.
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