

# The Justinian

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## The Justinian

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# Justinian

et al: The Justinian

VOL. XLI

Wednesday, March 11, 1981

No. 5

## Chinese Law Symposium Sponsored By Alumni

The Brooklyn Law Review Alumni Association presented a symposium on "Current Developments in Chinese Law," on Thursday February 19, in the Moot Court Room.

A group of about 50 people heard three speakers discuss Chinese criminal law, Chinese legal education, and the role of the lawyer in China.

Professor Gao Su Yi, a professor of law at Jilin University, Peoples' Republic of China pointed out that in the Chinese penal system, the process before trial is quite extensive.

The problems with the Chinese legal system may be somewhat attributed to the fact that about one million lawyers have to attend to approximately one fifth of the world's population. There are only about 540 students presently enrolled in law school, explained Randle Edwards, Profes-

sor of Law at Columbia University School of Law.

Donald Paragon, B.L.S. alumnus expressed grave reservations as to the ability of one million people to service one billion people.

Paragon explained the major role of the Chinese lawyer is to uphold the state, therefore a defense is built on a client's "legitimate requests in line with the interests of the state."

Paragon also pointed out that as a state official, not only is there no obligation to defend a guilty client, but Chinese lawyers refuse to defend guilty clients.

In sharp contrast to our own system, where the bad guy sometimes goes free, Paragon emphasized the differences in the Chinese system. "The theory is that nobody could ever get off on a technicality."

## Weinstein Elected To Board of Trustees

By Lisa Printz

Paul Windels, Esq., president of the Board of Trustees has announced the election of the Honorable Moses M. Weinstein, Justice of the Appellate Division, Second Department, to the Board.

Judge Weinstein, just reelected to his second term as president of the B.L.S. Alumni Association, is a graduate of the class of '34.

Judge Weinstein served in the Assembly of the State of New York from 1958 to 1969, was majority leader of that body in the latter half of his tenure and Speaker from July, 1968 through the end of that year.

During the 1968 Republican National Convention, the Judge was acting Governor of the State of New York, while Governor Rockefeller and Lt. Governor Wilson attended the convention.

In 1969, he was elected to the Supreme Court and in 1974 he was the Administrative Judge for Queens County. He served in the Appellate Term until December 1979 when he moved to the Appellate Division, where he currently presides.

In addition to his illustrious legal career, Judge Weinstein has distinguished himself in many educational and philanthropic endeavors.

He currently teaches a pre-law class at York College two mornings a week, in addition to having served as counsel to the United Service for New Americans, League for Retarded Children, Pride of Judea Children's Home and the Kew Garden Hills Athletic Association.

Judge Weinstein was also the director and treasurer of the Queens County Multiple Sclerosis Society and a director of the "Lighthouse for the Blind."

The Judge's election to the Board comes as a result of the vacancy created by the death of Judge Henry Martuscello. "It is customary to have an appellate division justice serve on the Board," explained Judge Weinstein, citing Judge Martuscello, Judge Ughetta, and Judge Carswell as examples.

Judge Weinstein has always brought energy and determination to the Alumni Association and he plans to bring this vitality to



Moses M. Weinstein

his new position. "We're trying to make our school as highly respected throughout the country as it deserves. I want to be able to reply to the man who proudly says he's from Yale, 'I graduated from Brooklyn Law School'."

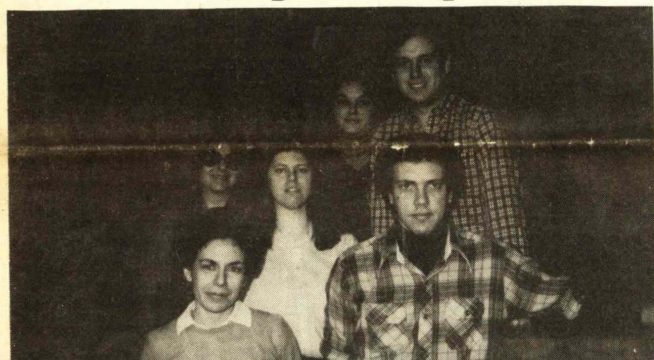
His devotion to Brooklyn Law School has not only affected his work and his colleagues. Although Judge Weinstein maintains there was no influence involved on his part, all three of his sons are also Brooklyn alumni.

His son Jeremy is currently State Senator for the State of New York. Jonathan is the Village attorney for the Village of Woodburg, New York and Peter, a former Assistant District Attorney for Queens County, is currently the president of the Democratic Club of Broward County, Florida.

Judge Weinstein believes deeply in the strength of the youth. As the lawyers of tomorrow, Judge Weinstein wants to foster a good relationship between the alumni and the students. "We can help...we're not going to be here forever, though."

Moses M. Weinstein may think he won't be here forever, but the contributions he has made and the dedication he will continue to bring to the Board of Trustees will only add to his lasting accomplishments.

## BLS Places Second In Advocacy Competition



1980-81 Trial Advocacy Team: 1st row, Dorothy Morrill, Paul DeFonzo; 2nd row, Stevie Knowles, Mary Jane Huseman; 3rd row, Laura Shapiro, Richard Romeo.

After two days of grueling competition, with the final two rounds being back-to-back with a 15 minute break, and no lunch, the team composed of Stevie Knowles, Richard Romeo and Dorothy Morrill, a winner in the semi-finals, was runner-up in the finals.

Brooklyn's other team, composed of Mary Jane Huseman, Laura Shapiro and Paul DeFonzo, also represented the school, but were eliminated earlier.

Both teams, under the supervision of the Trial Advocacy Society, were chosen through a competition open to a large field of second and third year students who had chosen to participate.

Professor Stacy Caplow, advisor of the Society, coached both teams. Team mem-

bers were enthusiastic in their praise of the quality of her teaching of advocacy techniques, as well as her unstinting time commitment during the last four weeks of practice.

The competition was held in the Federal Courthouse of the Eastern District and was presided over by Federal judges sitting with State Supreme Court Judges.

The teams have specifically asked that all students who so generously acted as witnesses, as well as those who came to the competition in support of BLS, be tendered thanks in this article.

A team representing BLS will compete in the National competition in Houston, Texas, on March 25.

## Weinstein To Serve

The annual meeting and installation of officers and directors of the Brooklyn Law School Alumni Association took place on Wednesday, January 28, in the Jerome Prince Moot Court Room.

The meeting was highlighted by the reelection of Justice Moses M. Weinstein of the Appellate Division, Second Department for his second term as president of the Alumni Association.

Also elected vice presidents at the annual meeting were Ira Belfer, David L. Glickman, Louis R. Rosenthal, Jane M. Sullivan and Published by Brooklyn Works, 1981 men was elected treasurer and Clara G.

Schwabe secretary.

Judge Jacob D. Fuchsberg, of the New York Court of Appeals, installed the officers.

In addition, directors, who were elected to three year terms, were Arthur E. Blyn, Max E. Cooper, Joseph Crea, Murray Cutler, Muriel Hubsher, Edwin Kassoff, Samuel Kirschenbaum, Simon J. Liebowitz, Jonathan A. Weinstein, Nicholas Pette, Arnold N. Price and Gilbert Ramirez.

Justinian extends its congratulations and best wishes to Justice Weinstein and all those elected by the Alumni Association.

## Locker Vandalism Plagues BLS

In several seemingly related incidents over the semester break, lockers were forced open and various items stolen.

The thefts probably occurred at some point during the weekend of January 22, when very few students and staff were present in the school.

The lockers broken into had evidence of saw marks on them, but the maintenance staff surmises that lock clippers were used.

Although nothing of great value was taken from the lockers, the thief or thieves did take books with an approximate retail value of \$300. The books ranged from first to third year course materials, so no pattern was easily discernible.

In addition, Phi Delta Phi reported the theft of their checkbook and records from the basement womens' locker room. This

has caused the fraternity a tremendous amount of inconvenience.

At this time, Lewis Kerman, Dean of Student Services, reports that maintenance checks all the locker rooms at regular intervals during the weekend to insure the safety of the locker contents.

At least one locker was broken into at each of the locker locations, including the mail room, the second floor, and the basement mens' and womens' facilities.

Last semester a locker was also vandalized, but Dean Kerman believes this to be an unrelated incident.

Any information regarding the locker break-ins would be greatly appreciated, and will naturally be kept in the strictest confidence.



# Justinian

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## Letters To The Editor 'Legal Lepers'

We come trudging in after five, shuffling feet, haggard looks, and battered briefcases. Our motives range from dedication to masochism. Our occupations span the spectrum. You might have seen us at a party. Perhaps you have even talked to us. You know we exist. We are the legal lepers — night students.

We are the poor souls who haven't watched *Barney Miller* in years. Our briefs are scrawled from writing on the I.R.T. Our weekends are spent in monastic seclusion.

Our husbands, wives, and lovers view us as a dim memory. Our friends check the obituary columns to make sure we're still alive. We are the legal lepers — night students.

We leave long after the sun has departed the Brooklyn sky. We work nine to five, then five to nine. We are the huddled masses yearning to be free. We are the dance band on the Titanic. We have so much to offer. Understand us. We are the legal lepers — night students.

David D. Meltzer

## Proposed Schedule Change

The Student Bar Association House of Delegates has unanimously passed a resolution which proposes a change in the Brooklyn Law School semester scheduling.

The resolution proposes beginning classes earlier in August in order to end exams prior to the Christmas break. This would result in a two and a half week vacation over Christmas and New Year's, instead of the present reading period over that time.

In addition, spring semester exams would be completed by the last week in May to enable students to take their exams and also take a Bar review course without a conflict.

While this new schedule shortens the reading period in the fall semester, there will still be an eleven day reading period, plus two and a half weeks over which exams will be administered. The new schedule also lengthens the reading period in the spring semester for both first year and upper class students.

There has been some concern that the new schedule would decrease the length of time available for summer employment. In fact, the time is precisely the same since students are employed as of the end of May

rather than in June. State and city sponsored internships which many BLS students participate in would also not be affected by the new schedule.

Below is a sample schedule. Please go over it carefully, and decide if you would prefer BLS to change to this new schedule.

Please note that other area law schools are either on a schedule such as this one, or are attempting to adopt it. The SBA House of Delegates feels that such a change will facilitate a more relaxed atmosphere and will benefit all students concerned, thus enhancing our total educational experience.

What do you think? The SBA will hold a referendum on Monday, March 23, through Wednesday March 25 in order to determine how the student body feels about this proposed change. Referendum voting will take place from 1-2 pm and 4-6 pm on the above mentioned dates in the lobby. Your student I.D. card is required to participate. See you then.

Respectfully,

AUDREY SHEY, S.B.A. PRESIDENT  
BOBBY STEINBERG, CHAIRMAN,  
Schedule Change Committee

### Proposed 1981-82 BLS SCHEDULE

#### FALL SEMESTER

Orientation August 13 & 14. There is NO need for a full week due to the new Legal Methods Program!

Classes begin Monday, August 17

No class Monday, Sept. 7 — Labor Day

No class Tuesday, Sept. 29 — Rosh Hashonah

No class Thursday, Oct. 8 — Yom Kippur

14 weeks of class ends Friday, Nov. 20

Since we need to make up 3 days, a Monday, a Tuesday & a Thursday, make Wed, Nov. 25, a Thursday schedule, and LAST DAY OF CLASS!

Thanksgiving break & reading week — Nov. 26-Dec. 4 (1½ weeks plus Sat. & Sun. = 11 days)

Exams begin Dec. 7 - Dec. 23 (2½ weeks to administer exams)

2½ week Christmas and New Year's Vacation

#### SPRING SEMESTER

Classes begin Monday, Jan. 11, 1982

Day off 2/15, Monday, President's Day

Spring Break April 3 (Sat.) - April 11 (Sun.) April 12 - Classes resume

Classes end Monday April 26 (so as not to lose the Monday from Pres. Day)

This is a full 14 weeks of class.

Reading Week - April 27 - May 5 = 8 days (this year, 7 days for 1st year & a weekend for upper class students)

Spring Exams - Thursday, May 6 - Tuesday, May 25

# Rumblings Underground

The subways have acquired a deserved reputation lately: people pushed in front of trains with subsequent micro-surgery, large numbers of gold chains disappearing, acts of violence, slashings, butcher-style acts too gruesome to contemplate comfortably; and we may look to the subways for parallels in the larger society above ground, since this scenario is unfortunately not limited to the underground train tunnels and stations.

The violence has reduced a subway ride to a Kafkaesque nightmare. The characters include those people the mental institutions no longer have the space or funds to service, criminals looking for the ideal dark hallway, working people more and more frequently armed, toughest gun-law notwithstanding, and occasionally a reasonable person. At night, that reasonable person will generally be doubting the prudence of his act in riding; but, it is fast and convenient.

Now the cavalry is on the scene in the form of angels in uniform: paramilitary, disconcerting in their own highly regimented, somber maneuvers; whose whistles blow in the gloom.

The consensus seems to be that they are a welcome addition to any train one might be riding on. Stories occasionally surface about some form of city recognition of the group, along with its attendant possible liability, but as yet, there is no decision. The mayor speaks much more lovingly of the public's volunteer protectors than he did two years ago.

One wonders why he does so. Vigilantes serve to expose the great need for increased police patrols. The difficulties of regulating a vigilante group so as to legitimize its use of force are insurmountable. They are all the same problems involved in the daily administration of the police power as constituted now. But the pressing need for law and order below, and the shrinking police presence, the result of some incomprehensible budgetting, allows the vigilante to become more palatable.

We urge that vital services must be rendered by the professionals entrusted with and trained in the responsibilities and complexities of their task. One would not expect the Pine Grove Volunteer Fire Department to put out a Third Avenue hi-rise fire, nor can we hope for the Angels, even with the best intent, to solve the crime wave below.

## Library: A Cut Below

Have you looked up a case recently, only to find it deleted by someone with a peculiar affinity for Exacto knives? Perhaps you were one of the unlucky few who returned to school from the semester break to find your locker forced open.

The idealist in us believes the locker vandalism could have been done by outsiders, but even the most optimistic of us admit that library sabotage is an inside job.

The vandalism that has plagued our bookshelves is unfortunately not a new malady. It is present at all times, in all law schools.

Perhaps it's caused by someone with a warped sense of humor. More likely, sadly, it's probably caused by those who can't take the pressure or will do anything to retain the competitive edge.

Aside from the dollars and cents reasons, and the criminal sanctions for defacing our books, clearly the more important resolution lies within ourselves.

## High School Students Early Appellate Advocates



Judges: l. to r. Barry Sher Davis, Richard Latin, Scott Greenberg.

The Moot Court Room was the scene of the final round of oral argument for seven legal hopefuls from John Dewey High School on February 19.

The high school students argued before a panel of three B.L.S. judges: Scott Greenberg, president of the Day Division Moot Court Honor Society, Barry Scher Davis, Chairperson Evening Division Moot Court Honor Society, and Richard Latin, Chairperson Evening Division First Year Competition.

Complete with a rooting section of fellow students, parents and teachers, the advocates argued the case of *Godfrey v. Georgia*.

The case involved the violation of the Eighth and Fourteenth Amendments to the Constitution with regard to capital punishment imposed for convicted murderers, and

the broad and vague construction of the Georgia death sentence statute.

The event was arranged through the efforts of Lloyd Bromberg at Dewey and B.L.S.'s own Professor Gilbride, who coordinated the program and the judging.

Professor Gilbride encouraged the students to continue to pursue the legal profession.

Rich Latin commented the budding attorneys "responded well to questions and were familiar with the legal issues involved."

The arguments were followed by a tour of the law school and then the high school students prepared to leave.

"It was quite an experience," remarked one student, "I'll be back someday for the real thing."



# Debut Of Entertainment Law Society A Success

By Warren Shaw

The Entertainment, Arts, and Sports Law Society, Brooklyn Law School's newest student organization, made an impressive debut on February 18, with its first guest-speaker program. Focusing on artist/management relations in the music industry, the program featured Miles J. Lourie, personal manager (for such artists as Barry Manilow) and attorney, and Vito Ferrante, General Business Manager, Atlantic Records. Each speaker made a presentation, then the floor was opened to questions.

The guests spoke with genuine enthusiasm. The music business was shown to be an exciting and highly competitive industry. Miles Lourie declared at the outset that, in his opinion, law school graduates should not try to specialize too quickly: "A graduate from law school is in roughly the same position of competence as is a medical school graduate, but unlike medicine, in law there is no formal period of internship and residency." A distinct separation was made between the functions of a manager and an attorney in the music industry. A manager's role is analogous to that of an advocate, while the attorney acts simply as a "nay-sayer," objectively pointing out potential problems in the complex web of legal relationships between artist, manager, and the record company. Mr. Lourie stressed repeatedly that attorneys working on behalf of an artist should receive an hourly wage, rather than a percentage of the contract. He indicated that an attorney on a percentage is less likely to give the contracts the time they deserve, since his fee is set in advance. Lamenting the lack of sophistication of many musicians, Mr. Lourie said "They go to lawyers who charge a percentage, and think they're getting something for nothing. . . They're begging to be raped."

Vito Ferrante concurred with Mr. Lourie's statements, and then proceeded to describe the areas an entertainment lawyer should be familiar with: contracts, especially personal service contracts; copyright law; partnership and corporate law; immigration procedure; the Bill of Rights and censorship; and the economics of the music industry.

Mr. Ferrante indicated that a great deal of fairly specialized knowledge is needed to adequately evaluate a contract in this field, and suggested that anyone wishing to independently represent musicians should first gain expertise and connections by working for a record company, or a law firm specializing in the music business.

Both speakers pointed out that the major record companies invest between one and three million dollars of risk capital in a potential star. As a result of the large initial risks and even larger potential profits, these companies tend towards aesthetic conservatism, market glutting, and shortsightedness. As Mr. Lourie said "If you want to ever become a record company president, my one advice to you would be to do exactly the reverse of whatever anyone else does in the business."

In response to questions from the audience, however, it became apparent that the record companies have become more enlightened and less paternalistic over the last fifteen years. This development is at least partly due to the increasing average age and experience of performers today, as compared to those of fifteen to twenty years ago.

The speakers dispelled the myth of the wealth and glamor of the business: "The life of a performer is one I wouldn't recommend to anyone I cared about. . . people who perform do so, I would say, out of a deep insecurity," said Mr. Lourie. Backstage, one sees that the glittering costumes are seamy stuff, held together by tape and safety pins. For a lawyer who works for the record companies, this is as lucrative a career as any, but if one wants to work for the artists "you'll have a hard time paying the rent."

In sum, the speakers encouraged students to try to enter the field. Despite recent economic setbacks, the music industry, they said, is an exciting, sociologically fascinating business.

The Entertainment, Arts, and Sports Law Society welcomes new members. Its next program, which will deal with the concept of free agency in the sports industry, is scheduled for late March.

## Faculty Focus

### Professor Sam Hoffman

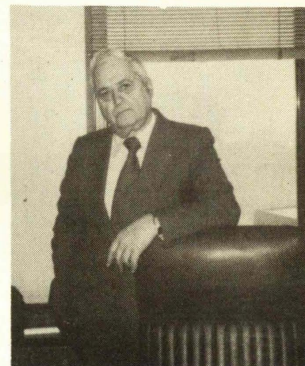
By Larry Kelly

Professor Samuel Hoffman began teaching at Brooklyn Law in 1948. He resigned in 1966 to form a private practice as a trouble-shooter for lawyers with problem cases. He returned in 1974, and has thereafter taught Corporations, Wills and Conflicts.

In the late 1950's, Prof. Hoffman joined the staff of the Joint Legislative Committee for the study of the Revision of the New York Corporation Law. Over many years he researched, and, in the end, became a major draftsman of the present Business Corporation Law in New York. Prof. Hoffman was also the chief draftsman of the Estates Powers and Trusts Law of New York.

Upon his return to teaching in 1974, Prof. Hoffman viewed additional elective courses as a spur to a better image and improved employment prospects for BLS grads. Today he fears that an excessive amount of outside work is hampering the BLS student in forming the proper foundation for legal expertise. He sees the required period of reading cases as the most important thing a law school can do to prepare a student for practice.

Overall, Prof. Hoffman sees the average student of today as an improvement over those he first taught in 1948. He cautions, however, that a higher level of general intelligence does not ensure a higher level of success in practice. The strength of BLS, in Prof. Hoffman's opinion, is a faculty unbeatable in teaching. The tradition of "home grown" talent has been, in Prof.



Hoffman's eyes wisely so, integrated with the best teachers other law schools, firms and agencies have produced.

This enviable mix of talent is available over three vitally important years, and Prof. Hoffman applauds the student who joins the teacher in a hard working learning classroom.

Prof. Hoffman will be teaching at Hastings College of Law in San Francisco for the 1981-1982 school year. Upon his return he will face the present first year class in their march toward graduation. It will be of great benefit to listen, participate, and learn under such a fine teacher. And if you have a problem, the professor assured me that his door always has been and will forever remain open and unlocked.

## Free Agency

"Free Agency: Crisis in Professional Sports" will be the second program of the spring semester to be held by Brooklyn Law School's Arts and Sports Law Society.

At press time, scheduled speakers include Mr. Richard Zahnd, General Counsel of Madison Square Garden Corp. Mr. Zahnd will primarily focus on free agency in the National Basketball Association.

The program will be held on Wednesday March 25, at 4:00 p.m. in the third floor lounge. Admission is free and refreshments will be served. All are welcome!

## Irish Bar

The Irish Bar Association of Greater New York is looking for new members. Applicants need only have a taste for the finer things in life. We will be marching in the parade on March 17th, and all members of the BLS community are invited to contact Larry Kelly or Mike O'Connor for information.

way of repaying them."

As far as the recruitment program is concerned, Fox feels there is a tremendous amount of fraud which he'd "like to see exposed."

In response to Fox's remarks, White offered what he believes to be "the essential message."

"A lawyer should serve the interests of peace, not of war."

## National Lawyers Guild Counter Recruitment

On February 24, the National Lawyers Guild of Brooklyn Law School staged a counter recruitment action in response to an on campus recruitment program by the United States Army the same day.

According to Diarmuid White, a first year evening student and representative of the N.L.G., there were several purposes for the action.

Speaking from the cafeteria, White indicated several piles of literature exposing fraud in the Army's recruitment program.

"In recruiting, they (the Army) divorce the idea of the military and make it look like a lawyer practicing law, when they are still in business to kill people."

In addition to the fraud involved, "we want to call to the attention of graduates the oppressive nature of the Army; that's why we set this up."

White feels that "military justice is oppressive and racist and advances the causes of militarism."

Jonathan Fox, a third year student and a candidate for a U.S. Army legal position, views serving as "an obligation that I owe."

The son of concentration camp escapees, Fox feels the Army was good to his family.

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## BAR EXAMS AREN'T LIKE LAW SCHOOL EXAMS

Knowing how to analyze complicated essays, confusedly combining several fields of law, and writing coherent, logical and consistent answers thereto, can make the crucial difference in passing the Bar Exam. Why not get the feel of 16 very difficult Bar Exam questions before the July, 1981 Bar Exam? Thousands of students, for the past 40 years, have been convinced that the approach-analysis and style techniques and methods they learned at THE KASS PROBLEM ANALYSIS CLINICS were essential to their success on the Bar Exam.

Six Sundays, starting June 7th, 1981, from 1 to 4 pm at the New York Sheraton Hotel, 56th Street and 7th Avenue, NYC.

Tuition Fee: \$100.

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## Quote and unquote

by Phredryk Jei Wroughtch

Recently, while I sat amusing myself by perusing over scores of ancient manuscripts which I happen to find in the tombs of the Law School Library, I stumbled upon a number of unusually pertinent excerpts from the works of some of the great members of societies both past and present. In light of the fact that many of these passages had particular relevancy to the law and to lawyers in general, it occurred to me that they would not be entirely out of context if they appeared in *The Justinian*. I, therefore, began pruning the massive volumes until there were remaining only those quotes which I believed to be uniquely poignant and meaningful, notwithstanding the fact they may have been penned during other days and in various parts of our vast globe.

The opinions expressed therein are not necessarily the opinions of *The Justinian*, its staff members or Brooklyn Law School. They are, however, most assuredly the opinions of those persons who will herein be given credit for their creation. Note the astute insight, the philosophical simplicity and the genuine honesty with which all of the authors have made their comments. Thus, the following is a result of the brilliant creativity on the part of these authors and my expert scissorical skill.

Law is merely the expression of the will of the strongest for the time being, and therefore laws have no fixity; but shift from generation to generation.

Brooks Adams (1848-1927) American historian.

Written laws are like spiders' webs, and will like them only entangle and hold the poor and weak, while the rich and powerful will easily break through them.

Anacharsis (c. 600 B.C.) Scythian philosopher.

Every law is an infraction of liberty.

Jeremy Bentham (1748-1832) English philosopher.

We, like the eagles, were born to be free. Yet we are obliged, in order to live at all, to make a cage of laws for ourselves and to stand on the perch.

Henry St. John Bolingbroke (1678-1751) Statesman, political and philosophical writer.

It is hard to say whether the doctors of law or divinity have made the greater advances in the lucrative business of mystery.

Edmund Burke (1729-1797) English political writer.

When you have no basis for an argument, abuse the plaintiff.

Marcus Tullius Cicero (106-43 B.C.) Roman orator, statesman.

I don't believe in God because I don't believe in Mother Goose.

Clarence S. Darrow (1857-1938) American criminal lawyer.

Probably all laws are useless; for good men do not want laws at all, and bad men are made no better by them.

Demomax (c. 150 A.D.)

Sophocles (496-406 B.C.) Greek tragic poet.

James A. Garfield (1831-1881) 20th President of United States.

The laws of God, the laws of man,

He may keep that will and can;

Not I: let God and man decree

Laws for themselves and not for me.

A.E. Housman (1859-1936) English poet, essayist, scholar.

Avoid law suits beyond all things; they influence your conscience, impair your health, and dissipate your property.

Jean de la Bruyere (1645-1696) French moralist, author.

Every so often, we pass laws repealing human nature.

Russel Crouse (b. 1893) American writer and

Howard Lindsay (b. 1889) American playwright, actor.

As soon as laws are necessary for men, they are no longer fit for freedom.

Pythagoras (1592-1644) Greek philosopher, mathematician.

Marriage laws, the police, armies and navies are the mark of human incompetence.

Dora Russell (b. 1894) English writer.

Every law which originated in ignorance and malice, and gratifies the passions from which it sprang, we call the wisdom of our ancestors.

Sydney Smith (1771-1845) English writer, clergyman.

Laws can never be enforced unless fear supports them.

A law is not a law without coercion behind it.

What is it that renders it possible for people to make laws? The same thing makes it possible to establish laws as enforce obedience to them—organized violence.

Leo Nicholaevich Tolstoy (1828-1910) Russian writer.

There is plenty of law at the end of a nightstick.

Grover A. Whalen (b. 1886-1963) American businessman, politician.

When men are pure, laws are useless, when men are corrupt, laws are likewise useless. When laws are useless, so are men.

Fredric Jay Roth (b. 1942) Brooklyn Law School student, etc.

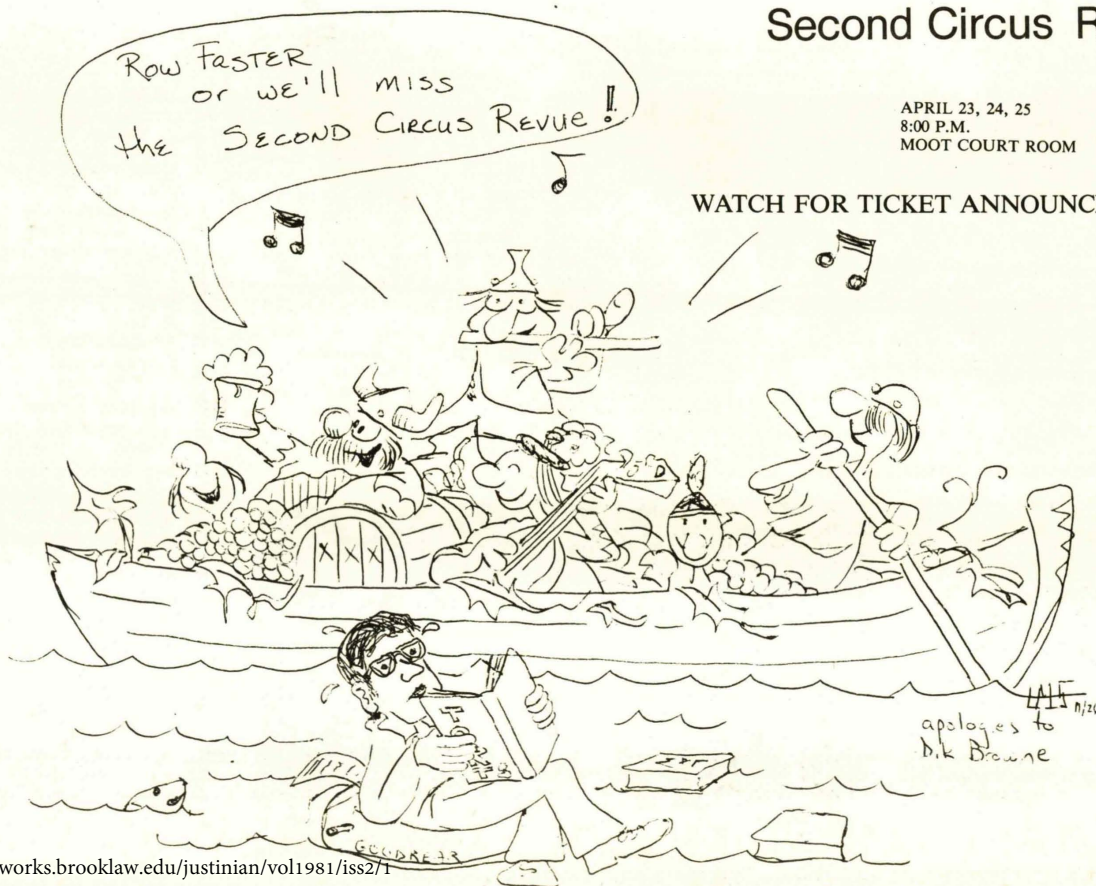
It is a maxim among lawyers, that whatever hath been done before may legally be done again: and therefore they take special care to record all the decisions formerly made against common justice and the general reason of mankind. These, under the name of precedents, they produce as authorities, to justify the most iniquitous opinions; and the judges never fail of directing accordingly.

Jonathan Swift (1667-1754) English satirist.

## Second Circus Revue

APRIL 23, 24, 25  
8:00 P.M.  
MOOT COURT ROOM

WATCH FOR TICKET ANNOUNCEMENTS





# ON TARGET AGAIN!

BRC students had no cause for concern on four of the six essay questions on the July 1980 New York Bar Exam, because Joe Marino, Sr., a virtual legend in New York bar review (with over 35 years of experience) thoroughly analyzed the issues that appeared on those questions during the bar review lectures.

BRC's amazing ability to "predict" many bar exam issues is only one of the critical differences that give our students a competitive edge on the exam. Ask a BRC representative for others.

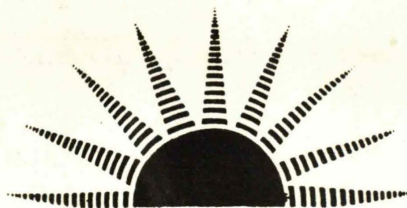
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Dan Corey  
Bernadette Schact  
Dave Redmond  
Mary Jane Huseman  
Marvin Siegfried  
Jack Shemtob  
Laura Shapiro



**Marino-Josephson/BRC**



# Jessup Competition

The Justinian, Vol. 11, No. 1, Iss. 2, 1981

# Study Abroad

The Eastern regional rounds of the Jessup competition will be held at New York Law School at the following times:

## Date and Time

Friday, March 13, 1 P.M.

Friday, March 13, 3:45 P.M.

Saturday, March 14, 10 A.M.

Saturday, March 14, 3:30 P.M.

## Competitors

Brooklyn Law v. Yale

Brooklyn Law v. Seton Hall

Cornell v. Brooklyn

Fordham v. Brooklyn

For those of you who don't know, the team members are Phyllia Boltax, Anthony Cheh, Robert Leo and Janice Rehman.

As reported in the last issue of *Justinian*, the Office of Career Planning and Placement has been trying to implement the Career Phone. The employment opportunity service went into effect several weeks ago. The Career Phone number is (212) 625-0124.

## Essay Contest

The American Society of Law and Medicine has announced the 1981 John P. Rattigan, M.D. Student Essay Competition. The essay contest is designed to examine and analyze the many medicolegal issues and problems confronting health care professionals and consumers. The deadline for submissions is June 1. For more information, see the third floor bulletin board or the *Justinian*.

The Cumberland School of Law in Birmingham, Alabama has announced a program in Comparative Law to be given in Heidelberg Germany, from July 20 to August 12, 1981. The program will consist of fifteen hours of class per week for three weeks. Three semester credits will be granted. For more information contact, Sylvia K. Hollowell, Registrar, Cumberland Summer Program in Heidelberg, Cumberland Law School of Samford University, Placement Office, Birmingham, Alabama 35229.

*All announcements of events, happenings, etc. are welcomed for the calendar. Just leave your event particulars in the Justinian envelope in room 304.*

## We've come a long way.



Our nursing and health services have covered a lot of ground since we started 100 years ago. We began by caring for the wounded on the battlefield. Later, we called on the ill at home. Then, as we trained and recruited more nurses, we began to develop programs to teach people how to help themselves and their families.

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But we're not saying this to pat ourselves on the back. We just want you to know that if you need help, we're ready.

**Red Cross: Ready for a new century.**





# Lapotaire's Sparrow Sings

By Scott P. Taylor

Jean Cocteau, the famous author and filmmaker once said, "Piaf had genius, she was inimitable. There will never be another Piaf." Cocteau was partly right; Edith Piaf was inimitable. But in *Piaf*, the current hit at the Plymouth Theatre, Jane Lapotaire gives a performance so striking that the image of the "little sparrow" appears on stage.

Portraying Piaf's life from the age of 20 to the age of 47, from her street begging days to her death, Lapotaire gives one of the most dynamic and vital performances Broadway has seen in some time. On stage for nearly every minute of the play, Lapotaire's performance as Piaf is so believable that the viewer is spellbound by the immense talent exhibited.

The picture we get of Piaf, however, is not pretty. Playwright Pam Gems gives us a "no holds barred" interpretation of the French singer's life that is, at times, embarrassingly vulgar. Of far worse consequence is the sketchy overview of Piaf's career and life that is presented. Gems stresses certain aspects and times of Piaf's life, while barely touching other seemingly more important periods. For example, Piaf's relationship with the heavyweight boxer Marcel Cerdin (Robert Christian) is given perfunctory treatment in the play although it was a relationship that Piaf never recovered from, and actually carried with her until her death in 1963.

Another problem with the script is the treatment given Piaf's songs. Although there is no complaint with Lapotaire's singing, she does not sound like the great vocalist she portrays. Lapotaire does not attempt to mimic Piaf's style and, therefore, her voice stands on its own. (Surprisingly, Lapotaire claims that she could not sing prior to this play.) The problem is that the approximately ten numbers performed in the show are sung in both French and in English, and the songs lose some impact in the translation.

While it is true that Piaf did sing some songs in English, this was done as an accommodation to her American fans. (Her dramatic and classic recordings were all



done in her native French.) In the play, when Lapotaire sings in French, the feelings and the pain come through clearly and it is unnecessary, indeed redundant, to hear the translations.

Shortcomings aside, *Piaf* is a most worthwhile play. The supporting cast is fine, except for Jean Smart's somewhat ridiculous attempt at Marlene Dietrich. Particularly good is Zoe Wanamaker as Piaf's longtime friend, Toine, whose performance is filled with humor and zest. She shines every moment she is on stage.

But the evening belongs to Lapotaire, and she is just marvelous.

*Piaf* is worthwhile just to see Lapotaire, a true master at her craft. Without the aid of makeup she ages before our eyes, going from a young woman from the gutter to a middle aged, somewhat crippled, pained woman.

Never can the word "lady" be used when describing Piaf, but that is more a reflection on the society she grew up in than on what was inside the person. Lapotaire is so convincing that we can not help but feel sorry for Edith Piaf, a tremendous singer who suffered a tragic life. Go see Jane Lapotaire, with no regrets.

ON THE RECORD

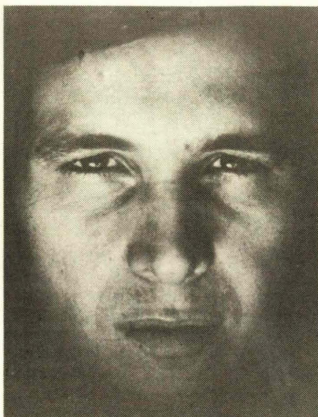
By Scott Shelkin

## Don McLean, *Chain Lightning*, (Millennium)

Don McLean is best known for his 1972 monster hit, "American Pie," a rousing piece of rock and roll memorabilia. On *Chain Lightning*, his latest effort, McLean has compiled a neat anthology of well chosen oldies and clever originals which smack of craftsmanship and taste.

Consider for example the slowed down country tinged version of the Roy Orbison hit, *Crying*. To top Orbison's melodramatic original reading would seem unthinkable. Yet McLean's plaintive heartfelt version certainly matches it. Wrenching every conceivable nuance out of Orbison's twisting lyric, McLean compels the listener to feel the hopelessness and despair of one way love. The selection is a masterful choice of song, and a fine exercise in vocal technique.

McLean's feat is later repeated on the Hank Williams chestnut *Your Cheating Heart*, and the Skyliners' *Since I Don't Have You*. Once again, McLean resurrects long forgotten hits, and through carefully chosen arrangements, brings them back to life. Published by Brooklyn Works, 1981



Among the new compositions, the title song is a standout. In addition to being a forceful analysis of the male libido, *Chain Lightning* offers some tasty backup work. The production of Larry Butler and the background vocals of the Jordanares deserve special mention.

Few albums are perfect, and a purist

# ENTERTAINMENT BULLETIN... ENTER ENTERTAINMENT BULLETIN

ELIZABETH TAYLOR makes her Broadway debut in LILLIAN HELMAN'S *The Little Foxes*, which bows May 7, co-stars

ANTHONY ZERBE and DENNIS CHRISTOPHER. . . LAUREN BACALL and HARRY GUARDINO star in *Woman of the Year*. The musical, with a KANDER-EBB score, opens March 29 at the Palace. . . *Broadway Follies*, headlining SHIELDS AND YARNELL, arrives at the Nederlander theatre March 15. . . BEA ARTHUR and JACK WETSON star in WOODY ALLEN'S new play, *Floating Electric Lightbulb*, which begins a limited run on April 27 at the Vivian Beaumont theatre. . . NEIL SIMON'S latest, *The Curse of Kulyenchikov*, debuts at the Eugene O'Neill March 31. . . Songstress LENA HORNE brings her one woman show to Broadway April 12 for a limited engagement. . . *Rose*, already a hit in London, arrives with GLENDA JACKSON and JESSICA TANDY March 26 at the Cort theatre. . . 111th edition of RINGLING BROS. AND BARNUM & BAILEY circus returns to Madison Square Garden April 1 for nine weeks. Show stars GUNTHER GABEL-WILLIAMS. . . JOHN DENVER and GEORGE BURNS co-star in an ABC television special March 30. Show airs immediately before the Academy Award telecast. . . The envelope please: Major nominations for this year's Oscar include: Best Picture (*Coal Miner's Daughter*, *The Elephant Man*, *Ordinary People*, *Raging Bull* and *Tess*), Best Actor (ROBERT DE NIRO (*Raging Bull*), ROBERT DUVAL (*The Great Santini*), JOHN HURT (*The Elephant Man*), JACK LEMMON (*Tribute*), and PETER O'TOOLE (*The Stunt Man*), Best Actress (ELLEN BURSTYN (*Resurrection*), GOLDIE HAWN (*Private Benjamin*), MARY TYLER MOORE (*Ordinary People*), GENA ROWLANDS (*Gloria*) and SISSY SPACEK (*Coal Miner's Daughter*), Best Supporting Actor JUDD HIRSCH (*Ordinary People*), TIMOTHY HUTTON (*Ordinary People*), MICHAEL O'KEEFE (*The Great Santini*), JOE PESCI (*Raging Bull*) and JASON ROBARDS (*Melvin and Howard*) and Best Supporting Actress (EILEEN BRENNAN (*Private Benjamin*), EVA LE GALLIENNE (*Resurrection*), CATHY MORIARTY (*Raging Bull*), DIANA SCARWID (*Inside Moves*) and MARY STEENBURGEN (*Melvin and Howard*)). Special Oscars will go to HENRY FONDA, who has never won one, and *The Empire Strikes Back*, for special achievement in visual effects. . . At the movies: ROBIN WILLIAMS stars in *The World According to Garp*. Production starts April 10 in New York. . . United Artists has signed BETTE MIDLER for her third film, which is titled *Hot Steak*. . . *Beatlemania* has been filmed and will be released for a limited run August 7-16. . . FAYE DUNAWAY will portray JOAN CRAWFORD in the film version of *Mommie Dearest*. . . BARBRA STREISAND and GENE HACKMAN star in *All Night Long*. HACKMAN sings, STREISAND doesn't. . . FRANK SINATRA has been granted a Nevada gaming license after having his license suspended seventeen years ago. Old blue eyes has become entertainment and public relations consultant at Caesar's Palace. . . DOLLY PARTON gets a whopping \$350,000 per week at the Riviera in Las Vegas. . . DIANA ROSS headlines a gala at the Metropolitan Opera House March 15 for the benefit of her co-stars, the JOFFREY BALLET. NANCY REGAN is the evenings honorary chairperson. . . Comedian JERRY LEWIS contributed \$10,000 to NYC for "Save Water" buttons. Another \$10,000 due soon. . . PAT BOONE hosts the National Easter Seal Telethon which will air March 28 & 29. . . NBC will make NORMAN MAILER'S *The Executioner's Song* into a mini-series. . . CBS to make a telefilm of JACQUELINE SUSAN'S *Valley of the Dolls*. . . DEBORAH HARRY of BLONDIE to cut a solo album. . . QUEEN scheduled to release a greatest hits package. . . SHA NA NA at the Beacon theater March 12-15. . . Practicing Law Institute presents "Counseling Clients in the Entertainment Industry" April 22-24 at the Biltmore Hotel. . . JULIE BUDD at Les Mouches March 11-14. . . Westbury Music Fair kicks off its new season with PAUL ANKA (March 20-29) and SAMMY DAVIS JR. (April 10-12). . . At Brooklyn college Center for the Performing Arts: OAKLAND BALLET (March 14 & 15), ATLANTA BALLET (March 28 & 29), ANDRE WATTS (April 4) and ITZHAK PERLMAN (May 2). . . LOUDON WAINWRIGHT III and ELAYNE BOOSLER at the Bottom Line March 13 & 14. TRACY NELSON plays March 15. . . REO SPEEDWAGON at Nassau Coliseum April 12. . . Discount tickets for Broadway and Off-Broadway shows are available in the JUSTINIAN office. Currently available shows include *Ain't Misbehavin'*, *The Best Little Whorehouse in Texas*, *Children of a Lesser God*, *Dancin'*, *The Elephant Man*, *To Grandmother's House We Go*, *Morning's At Seven*, *They're Playing Our Song*, *Shakespeare's Cabaret* and *Scrambled Feet*.

-BJF

might have minor objections here. *Lotta Lovin'* could have been a little raunchier. *It's Just the Sun* sounds a mite too much like Stephen Bishop's *On and On*. *It's A Beautiful Life*, a spoken word piece, never really develops into anything interesting.

But this is nitpicking. To be able to resurrect classic pop songs and have them stand favorably with new material is a major undertaking and a major achievement. Only a talent of considerable taste and ability could skillfully pull it off. Don McLean has every right to be proud of what he has accomplished here.

Overall Rating: A—

## The Doors, *Greatest Hits*, (Elektra)

The great music of the Doors has undergone a minor revival in the past several years. Apparently due to popular response, Elektra records has rightfully reissued a package of some of the Doors' finest material.

Pioneers among the hard rock bands of the late sixties, the Doors' music remains vibrant today. Jim Morrison's vocals are sensual on *Touch Me*, haunting on *People Are Strange*, and sinister on *Love Me Two Times*. In addition, it's always good to hear well crafted bubblegum like *Hello I Love You*.

The major problem with this album is the inclusion of eight minute versions of *Light My Fire* and *Riders On the Storm*. Most radio stations carefully edited the instrumental excesses of the originals, and Elektra might have considered doing the same

here. Editing these two songs would have also allowed the inclusion of such wrongfully excluded hits as *Love Her Madly* and *Wishful Sinful*.

With a little more care in editing and selection, this album might have served as a fitting and deserved retrospective. As it stands, it is a faithful if incomplete repackaging.

Overall Rating: B

## Styx, *Paradise Theatre*, (A&M Records)

In a recent Gallup poll, Styx beat out such luminaries as the Rolling Stones as the most popular rock group in America today. While Styx' latest album *Paradise Theatre*, offers tight guitar work, excellent vocal harmony and a fine original conception, it also showcases the tedious quality of much modern rock music.

The basic concept behind *Paradise Theatre* was to build an album around Chicago's palatial Paradise Theatre, forced to shut down in the late fifties due to a lack of funding. Unfortunately, Styx never got around to detailing the story of the playhouse. Instead, the listener is subjected to a series of repetitious tunes with such hackneyed themes as "money is evil" (*Half Penny*, *Two Penny*), and "life is dull" (*Too Much Time on my Hands*).

Of the individual songs, *Rockin' the Paradise* and *The Best of Times* are the best of a rather undistinguished lot. As for me, given the choice between Styx and Stones, Mick Jagger's boys generally win out.

Overall Rating: C



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