

The Justinian

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The Justinian

Founded in 1931 • A Forum for the Brooklyn Law School Community

December 1992 • Volume 62 • Number 3

SUCH A SHAME.... THE
HUNGER... ALL THE FOOD
THEY HAVE TO SNIP THERE...

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HOLIDAY YEARS AGO

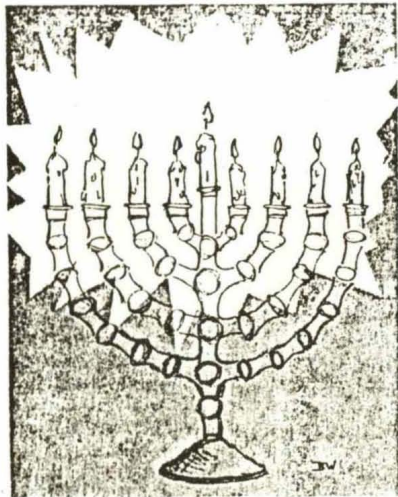
HAPPY CHANUKAH

Chanukah runs eight days, beginning this year, on Monday December 13.

A hit and run guerilla campaign was waged in the Judean mountains some twenty-one centuries ago. The national liberation army of Jews struck relentlessly at the imperialist forces around Jerusalem, the provincial capital. Finally, with the city cut off, the rebels slipped past its defenses and liberated the compound of the Holy Temple, a strategic high ground.

Though full independence was yet some years away, the troops sought to reestablish the national Jewish religious base. They re-sanctified the despoiled Temple and once again lit the golden Menorah (candelabra), one of the religious implements. A mere one-day supply of pure oil could be found in storage but the Menorah miraculously stayed lit for eight days till a fresh supply of oil arrived.

Since that time Jews commemorate the event specifically and their freedom struggle generally, with Chanukah, the Freedom Festival.



The Justinian invites readers to submit original artwork on the Xmas/New Year/Peace on Earth theme by Dec. 20 for to print in the Dec. 23 issue.

December 1971



December 1973

"The charges against you include two million counts of breaking and entering, operating a vehicle without a license, failure to obey FAA control tower instructions, employing non-citizen 'iceback' workers..."

Thursday, December 23, 1971

JUSTINIAN

These Holiday Greetings were submitted by our faculty:

May 1972 bring understanding to the Peoples of the World so that we can all live in Peace. Season's Greetings to our law school community."

—Allen Harris

My fervent prayers for peace in this troubled world — 1st priority.

A school where every student is conscientious, thoughtful, interested and a partner in learning — 2nd priority.

—Milton S. Gershenson

Peace on Earth to All.

—Albert DeMeo

Professor and Mrs. Habi and family wish you and yours what they wish for themselves: Peace and love in the holiday season, and throughout the new year.

Christmas was put there for you to study.

—Gary Schultz

Pax et Fraternitas.

—Jerome Leitner

L'Chayim V'L'Shalom.

—Brian Comerford

My very best wishes for the Holiday Season.

—Philip Yonge

We have all looked forward to The coming of the Christmas season; This year's extra special thought: The UCC's of course the reason.

Lots of presents, parties, fun, Proper filing for a fixture. Christmas in itself is nice But, oh, how nicer is the mixture.

C.I.F. and F.O.B. Will decorate the Christmas tree. If the presents don't work out, Ponder breach of warranty.

So don't forget your faithful Codes As merrily you're on your way. To those who love Sales (and who don't), Best wishes for the holiday.

—John A. Humbach

And to all our professors,

Bringing you our warmest seasons greetings to you and your family: Peace. May the new year bring you all your wishes including that long-awaited classful of Benjamin Cardozo's.

The Justinian

A Forum for the Brooklyn Law School Community

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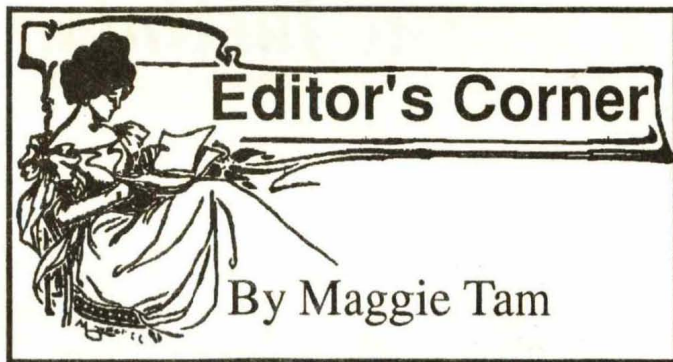
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The Real Spirit of Christmas

Customarily, Thanksgiving is a prelude to the festivities of December and all the holiday cheer. However, Brooklyn Law School students did not share in that sentiment. Traditionally, December does not convey the same joy and wonderment of the season for us. Instead, fear, anxiety and a mad rush for outlines, eventually followed by excessive caffeine and lack of sleep would be the norm. Does that sound more likely than chestnuts roasting on an open fire?

Despite the solemnity of the year-end exams (the sole indicator of sixteen weeks of grueling work), we must not allow frustration to dominate the moment. Let's not dwell on the fact that we have to study during the holidays or possibly have to spend New Year's Eve with a study group (Dick Clark's New Year's Rockin' Eve and Admiralty law). Hey, all is not lost. Even in our dreary little corner of academic hell, the dormant spirit of the holidays does occasionally emerge and rise above the obsessiveness of studying.

So, a small reminder to you, manically looking for peace and quiet among the construction noise: miracles and good deeds, no matter how small, do happen. Just look up from the case books and Emmanuels. Remember, you don't have to go to church or temple to capture the joy of the season, just look around. You might see...

a party or three in the third floor

lounge, including multi-cultural feasts and a fully decorated tree,

- tables piled high with generously donated food and clothing for the homeless and needy,

- in-the-closet revelers dressing in more festive clothing (albeit hidden in a study carrel),

- a good samaritan, delivering good tidings and a spare outline (thanks, Ellen!)

- Fulton mall, looking a bit brighter and less ominous,

- non-colored versions of *It's A Wonderful Life* and *Miracle on 34th Street*,

- free-flowing champagne, those nasty little party hats and other surprises suspiciously appearing in your hand before you finish outlining Civil Liberties (hint, Karen and Marisa!), and

- major holidays falling on a Friday (and we get a weekend to recover and recommence our diligent work!).

Basically, even though we may not be able to fully relax, the holidays should not be forgotten for the sake of finals. In the immortal words of Dr. Seuss:

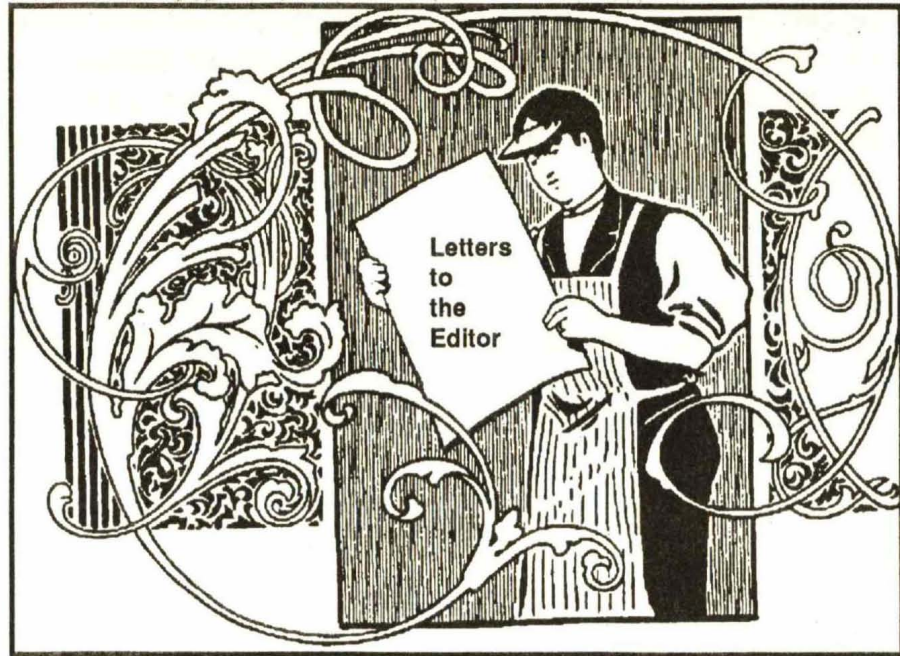
And what happened then ... ? Well ... in Whoville they say that the Grinch's heart grew three sizes that day! And the minute his heart didn't feel quite so tight, he whizzed with his load through the bright morning light and he brought back the toys! And the food for the feast and he ... he himself! The Grinch carved the roast beast.

Good night, John-Boy.

Letter to the Editor,

Last month my column “wine women and song” caught quite a bit of heat. While some of it was polite and substantive, some of it was ridiculous. While I appreciate Lisa Brauner’s comments, I must reply to her that my article’s title does not smack of poor taste, but rather is a catchy, common phrase which went well with the theme of the article. I never intended it to be sexist or offensive, and I’m sure that most people don’t take it that way either. However, other extreme comments comparing “wine women and song” to the expressions “nigger in the woodpile”, or “a Chinaman’s chance”, are not only wrong, but particularly offensive to me. While I am not painfully “PC”, I’m also repulsed by sexism, racism, homophobia, and disrespect for human dignity.

Furthermore, Steven Kramer’s comment that I should change the title of my column so as to protect myself from “the scorn of those philistines who cannot appreciate the high level of [my] taste” is also personally disturbing. Steven, I’ve never needed protection from “Philistines” such as yourself who obviously only remember one opera from music appreciation class (Mozart’s *Don Giovanni*), only remember Shakespeare’s most notorious character (Falstaff, from *Henry IV*, among other works), or who only know the name of one extremely common variety of grape (cabernet



sauvignon)— nice, but I prefer a good pomerol). I have also never made anyone in my class feel like a “Philistine”, even when they have scorned me. You are the first. If you can’t appreciate some good advice about where to eat and what to drink, then get lost.

For the myriad supporters who came out this month personally to thank me and support the article’s continuance, I thank you. Your gratitude has been overwhelming and it’s nice to know that people actually read beyond the title. “Wine Women and Song” will continue each and every month until I graduate, providing the BLS community with all of the tasty tidbits I can stomach monthly.

Joseph Bondy

Letter to the Editor,

It is undeniable that the title to Mr. Bondy’s restaurant review, “On the Trail of Wine,

Women and Song,” evokes sexist imagery. The title calls to mind scenes from old war movies depicting Victorious American G.I.’s carousing on Parisian avenues with a Bordeaux in one hand and a gleeful French woman in another. Even the title’s syntax suggests a sexist attitude towards women. Women are ordered second on the author’s list of priorities: right after wine, yet ahead of song. Despite these defects, Mr. Bondy should not be forced to alter his title.

Mr. Bondy’s decision to use this title is open to various interpretations. The first is that he was merely careless in selecting a worn out cliché and did not recognize its sexist implications. Through his monthly contributions to “The Reasonable Man” and his restaurant reviews, Mr. Bondy has shown that he is too talented as a writer to rely on such literary triteness. If Mr. Bondy can be faulted for anything, it should be for his failure to create a more interesting and

original title.

This argument leads to the possibility that Mr. Bondy deliberately chose "Wine, Women and Song" in spite of its sexist connotations. Even if this were true, it still does not warrant the removal of his title. Mr. Bondy writes a monthly restaurant review in a school publication. Certainly, sophisticated law students understand that any opinions expressed are entirely the author's and not the opinions of *The Justinian* or even the administration. An academic institution is a beacon in a free society. It signals a safe harbor for professors and students to express themselves no matter how unpopular or controversial their ideas may be.

The demands that Mr. Bondy change his title echo similar outcries for censorship which occurred in the recent past; a few years ago, an author's fiction inspired death threats from from religious zealots. As Americans, we congratulate ourselves on having safeguards protecting an author's right to state his mind. Yet, this past summer a campaign was mounted to ban a rap group's lyrics that endorsed violence. Recently, a morning radio talk show host was fined for violating decency standards. Right here in New York, a campus group demanded the dismissal of a college professor whose lectures angered them.

Brooklyn Law School students should recognize the problems that would arise if readers were to set limits on an author's work. Readers could

justifiably demand the censure of any author whose writing did not comport with their sensibilities. In a diverse, multi-cultural society like ours, this course of action would invite confrontation.

While *The Justinian* will not be deprived of a noteworthy literary achievement if it forces Mr. Bondy to rewrite his title, it will establish a dangerous precedent. In the future, any article that is insensitive to religious, ethnic, social, economic, political or even gender differences of a student group would consequently have to be substantively edited.

Certainly, Mr. Bondy, like any author, should not be permitted to escape the consequences of what he writes. If an author raises the ire of his readers, he should be challenged and made to answer their charges. Then, the entire issue would be given life as proponents for each side speak out. Such free and open debate is the kind of atmosphere that *The Justinian* should encourage. Ultimately, the students will be the better for it. Only then will they be able to sift through the arguments, and weigh both sides until all that remains is truth tipping the scale.

Mr. Bondy is accused of using a sexist title for his column. To rectify the situation, his accusers demand that he change his title to something more sensitive to the women on campus who have competed hard to get here. Ironically, this seems to be a paternalistic attitude which belittles women. It implies that Mr. Bondy must take great care not to upset

women when he writes his article because they cannot endure his insensitivity. This seems to be a return to the old attitude that women must be protected from a harsh cruel world. Law School students will readily acknowledge that these ideas are extinct. This is proven by the men and women who compete for admission, for grades, for law review and ultimately for jobs.

By declaring his desire for wine, women and song, Mr. Bondy has committed the sin of recognizing sexual differences. He implies that part of his pleasures in life include wine, women and music. Male authors should not feel prohibited from stating their sexual preference for fear of giving offense to women. While discouraging sexist attitudes is a commendable goal, it is unrealistic to demand that writers confine themselves to gender neutral references.

If "Wine, Women and Song" represents a sexist attitude, then *The Justinian* itself could be accused of encouraging it. Each month the newspaper publishes editorials based solely on the gender differences of authors. *The Justinian* seems to imply that gender is a factor underlying how students feel about various legal issues. Additionally, last summer in an open letter to the students, the Brooklyn Law Review congratulated its new members. The congratulation specifically noted the achievement of the many women who were selected from last year's competition. This special acknowledgment seems to imply that the women who

were selected had a greater reason to rejoice than did the men, who probably worked just as hard to obtain such a sought after position.

If, after hearing arguments on both sides Mr. Bondy decides to amend his title, that decision should be his alone. Students should grant him the opportunity to reconsider his work, or to stand behind it. Either way, the demands that he alter his title are nothing less than demands for censorship.

Richard Romano
Class of 1994

Letter to the Editor,

This letter is to address what I believe to be an unsatisfactory method of class registration. For those unfamiliar with the procedure utilized by the administration to select students for Judge Weinstein's Mass Torts class, I will describe the process (as I understand it to be), and then identify its deficiencies.

The class is a unique opportunity for students to study mass torts issues of law with Judge Jack Weinstein, a highly respected Eastern District Judge with substantial experience in mass torts litigation. The class, which is taught in his chambers, is in association with Columbia Law School. Shortly before the fall semester began, the administration was told of openings in the class for Brooklyn Law School students. Normally, because of the special characteris-

tics of the class, the professor may handpick the students who will be enrolled, as is done in the school's clinic programs. However, due to time limitations, Judge Weinstein vested this power in Associate Dean Wexler.

Facing severe time constraints before the semester began, Dean Wexler only sent invitations to apply for the class to the students in the top 25% of the second and third year classes. Interested students were interviewed by Dean Wexler, and all of the students who expressed a strong interest in the class were enrolled. When asked why her search was limited, Dean Wexler stated she was protecting the interests of Brooklyn Law School and all its students.

I believe the method of allowing only a select percentage of the student body to register for a distinctive course is discriminatory, and I sincerely hope this practice is discouraged by the administration in the future. It is short-sighted to invite students based solely on their academic standing. This process excluded students who are not in the top 25% of their class, but have extensive experience or a heightened interest in issues raised in a mass torts class.

While I understand the time constraints placed upon Dean Wexler's shoulders, and although I am certain that students would not have been excluded from enrolling in the class had there been time to screen all applicants, I am nonetheless dissatisfied with this selection process. I believe that further steps

could have been taken to inform other students who were not mailed the invitations to apply for the class (e.g. post a notice in the lobby) or send invitations to all students, regardless of their rank. As all students pay the same tuition they should be granted the same opportunity to seek registration in a class. While academic standing may be one consideration in determining which students should be selected for a class it should be by no means the only component.

This opinion is not designed to discourage the administration from obtaining uncommon educational experiences for students, even if all the students who wish to enroll in such classes cannot be accommodated (such as classes taught by prominent instructors). If need be, and there is a limitation in the future, a note or letter explaining the selection process and reasons for the chosen selection method placed in a conspicuous location would be appreciated by this student.

Author's note: This is not an example of "sour grapes" by a student who was overlooked by the administration. Although I have no interest in mass torts, I am concerned that this example will set a dangerous precedent and that the aforementioned process will be utilized in selecting a future class for which I wish to apply, thus making it unavailable.

Adam Stillman
Class of 1994

Letter to the Editor,

In the aftermath of recent events in Crown Heights, I have heard comments and criticisms from some citing that there is too much focus, or misdirected focus, on the ethnic identities of the parties involved, both on the part of the media and on the part of the Jewish community in the way that they have expressed their outrage about injustices committed against their community.

This criticism is wrong and unfair. We are a city comprised of a multitude of ethnic and cultural groups. To deny any group the opportunity to express their grievances in a law abiding manner for wrongs inflicted against their community, is to deny the legitimacy of their ethnic individualism. It is foolish to

believe that such communal expression only results in a greater focus on ethnic divisiveness, and that instead, focus should be placed upon the human race in general. While as humans and citizens of New York we should strive to ensure that everyone may live here peacefully, we won't succeed by blurring our cultural and ethnic identities. In fact ignoring our individual identities is paradoxical to the very freedom we enjoy as Americans living as we are for who we are in a democratic society.

It is true, that ethnic tensions between two groups threaten the harmony of all individual communities living in this city. However, if an injustice has been committed against anyone or any group because of their ethnicity then that person or group

has a right to cry out against the assault on his or her ethnic identity. If I am wronged because I am a Jew, then I must speak out as a Jew because I am a Jew. To characterize the attack on me in any other way is to fly in the face of the truth. This form of ethnic expression should be available to all; it should not be afforded to certain minority groups and not others.

The ability to live in peaceful coexistence as Americans is why our country exists today. We must all strive to ensure that New York is a place for all cultures to live side by side as friendly neighbors. But that goal can only be achieved when we learn to acknowledge and respect each other for our differences.

Michael Cohen
Class of 1993

ATTENTION BROOKLYN LAW SCHOOL COMMUNITY

MARK FEBRUARY 8, 1993 ON YOUR CALENDARS
THIS IS THE DATE OF THIS YEAR'S
BLOOD DRIVE.

Anyone interested in helping out with this year's drive, please leave your name and number in Jennifer "The Vampire" Naiburg's mailbox in the Student Bar Association office.

DO YOURSELF JUSTICE

Study with Pieper...and pass.



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THE REASONABLE WOMAN by Teresa Matushaj

"Tis the season to be jolly, fa la la la la. I know many of you, especially first year students, are thinking "bah humbug" to Christmas festivities this year because of the ghastly finals schedule. But you can't let it get to you. You must remember that it is Christmas. Try to take a day out of your studying to enjoy the holiday season. It will make you feel a little guilty but then the guilt will make

the rest of your studying time more productive.

There are many things you can do during this holiday season to make you feel a little more "Christmassy." Take a walk in Manhattan and look at the Christmas tree in Rockefeller Center, or look at the creche (a.k.a. the nativity scene) in

what Christmas is all about. It might be fun for you to visit Santa and ask him for A's on all your exams, you never know and it can't hurt. Don't forget, all these things are free, no dents in already empty wallets.

If you don't feel like going out and about, go rent a great holiday movie or cartoon, such as *Rudolph* or *Miracle on 34th Street* or *It's a Wonderful Life* or *The Grinch Who Stole Christmas*. This will help put you in the spirit of Christmas and may bring back memories of Christmases past where you didn't have finals looming on the horizon. More importantly, it will take your mind off of the grinch-like finals schedule and make you feel the spirit and joy of the holidays.

If you are willing, there are many nice things that you can do for others during this holiday season. Donating food or old clothes to charitable organizations is a nice thing to do, and will help make someone less fortunate believe in Christmas and hope again. Goodness gracious, we all have something in our closet or cupboard that we don't particularly like or use but that someone with nothing would find positively wonderful.

Something even nicer to do is to donate some of your time; given how valuable it is, it will be that much greater a gift. Local hospitals need people to read to children hospitalized for the holidays. Just imagine being five years old again and spending the holidays in the hospital all alone. Not a pleasant thought is it. Makes all our griping about finals seem silly, doesn't it. Soup kitchens could also use some help cooking, serving, or cleaning up. You don't have to give up too much of your valuable studying time, just a few hours during the twelve days of Christmas would mean the world to any of these organizations.

Bemoaning the finals schedule will only dampen a season of joy, it won't change the fact that finals start right after New Year's Day. Just remember it is a season of joy and take a moment to celebrate. Celebrating Christmas does not end on January 1, we can continue to carry the spirit of Christmas throughout the year.



Saint Patrick's Cathedral. There are also the great window displays in Tiffany's, Saks, Lord & Taylor and Barneys. Just walking down Fifth Avenue during this time can be a wonderful experience; everyone is hustling and bustling. The world is so alive with people who are going somewhere, doing something. It will make your stroll all the more wonderful because you are doing nothing but merely walking and looking at the world around you. It can be an enchanting experience to watch a child as they first see the Christmas Tree in Rockefeller Center or their first look at Santa Claus. There is wonder in seeing Christmas from a child's eye. That is something we should not forget to do, look at Christmas as if we were children again for that is

The Reasonable Man

by Joseph Bondy

It's easy to get in the giving spirit during the holiday season. New York City's many windows, lights, and shoppers all help us realize that a traditional time of "giving" is upon us.

We're all accustomed to giving our families, friends, loved ones and neighbors gifts for the holidays. Unfortunately, too few people are accustomed with helping those people who are less fortunate than themselves. The severe problems of AIDS, homelessness, crime, drug addiction, inadequate education and racial hatred are currently upon us, and we as law students are usually uniquely suited to combat all of these problems.

Unfortunately, the holiday season also happens to coincide with our exam schedule, which for some cruel reason continues to interrupt my New Year's eve and the Cod fishing season. Thus, most of us are extremely busy and barely have the time to do our laundry and clean the house, let alone fight the stickiest problems facing us today. What I propose, however, is that we all have something to give which will cost us no time or effort, which we will never use and that someone else may desperately need. It may be canned food, clothing or furniture. I, for example, am currently the owner of a sealed box of Bisquick, a can of Minestrone soup, a can of jellied cranberry sauce, a full bag of bread crumbs, and a huge laundry bag filled with old clothes which I no longer want. I pledge to give all of these items to an appropriate food and clothing drive—for instance the one sponsored by our SBA each year. If we all did just a little bit of house, refrigerator, and closet cleaning, we'd be able to contribute a few thousand cans of food, and a few sacks of clothing collectively.

A few thousand cans of food, and a few sacks of clothing go a long way, but think about how much you could help both our city, and your career by delving into a clinic or two, helping the unfortunate among us. Whether you focus on elder law, juvenile law, housing, or environmental law, your effort counts. The work you do in your clinic may make all the difference in a person's life. Having

spoken to many of my classmates involved in these clinics, we all agree that it is very gratifying to put our developing skills to use helping real people with real needs.

It's imperative for us to be concerned with people in need, and to act wherever possible upon these concerns. Too often, important people who really could help heal our prejudices fail in their roles. A blatant example which comes to my mind is the utter failure of the Catholic Church, and specifically Cardinal John O'Connor, to do anything whatsoever to combat the AIDS epidemic, or to treat homosexuals with the dignity and respect which they deserve as human beings [not to mention the antedelluvian

stance which the church still maintains towards abortion]. Equally compelling examples which pain my heart as a New Yorker, and as an American, are the inexcusable behavior of so called "leaders" of the black community—specifically Al Sharpton, Alton Maddox, and Louis Farrakhan [I like Jesse Jackson, but even he referred to N.Y. as "hymie town"]—which have served only to increase racial tensions among us, the violent and tragic beating of Rodney King by the police earlier this year, and the ensuing L.A. riots. Crown heights is the current shame of our city, and we know that tomorrow will bring others. But, a tree does grow in Brooklyn, and I know it's not just in my backyard.



I repeat: we can help. Another gratifying way to help our future is to work with children. In Brooklyn, there are a lot of children out there who would benefit enormously from a little bit of your time. Synagogue, Church, School, and Scout groups all welcome volunteers. If the old "no time" problem rears its head again, you can still help. I bet that we all have a book or two (or three) that we could give to a local library, reading center, RIF- or some-

where that a person in need could benefit from. It would only take a minute.

So now we can donate a few thousand books, and volunteer hours too. That's pretty good. All from one law school. I feel like Arlo Guthrie in Alice's Restaurant: If we all walk in and hum a few bars, maybe it'll become a movement. Happy Holidays, good luck on your exams, and good luck healing the world.

SBA Update

by Eric Schwartzman

It's finals time and everyone 1Ls, 2Ls, 3Ls, and 4Ls are all stressed out. The SBA has been no different. During the first two weeks of December SBA has been involved with the planning and running a number of parties and events. Unfortunately I have to report that the New York State Board of Law Examiners has decided (announced early December, 1992) not to re-reschedule the July 1993 bar exam such that the New York local portion of the exam will continue to conflict with the local portions of both the New Jersey and Connecticut local days. A few comments must be made with respect to the long ago FallFest party down by the seaport. Most importantly I want to address the Deans' Question & Answer Forum held on December 15, 1992 as well as issues concerns related to study period etiquette.

SBA BUDGET

I would like to report that the SBA Budget was passed by the SBA House of Delegates during late October. The Student Bar Association allocated out among the SBA groups approximately \$53,000.

In alphabetical order the allocations were as follows: Asian American Law Student Assoc. - \$2,070; Animal rights Group - \$475; ATLA - \$250*; Black Law Students Assoc. - \$2,920; Brooklyn Law Students for Public Interest - \$2,670; Christian Legal Soc. - \$850; Computer Soc. - \$375; Democratic Club - \$975; Entertainment, Arts and sports Law Soc. - \$850; Environmental Law Council - \$1,050; Federalist Soc. - \$640; Future Law Review - \$300*; Health Law Soc. - \$250; Hispanic Law

Students Assoc. - \$2,560; International Law Society - \$365; Intramural Basketball - \$2,250; Italian American Law Students Assoc. - \$900; Jewish Law Students Assoc. (formerly Jewish Heritage Society) - \$1,542; Justinian 0- \$5,100; Labor and Employment Law Soc. - \$677*; Lawyers for Business Development - \$150*; Lesbian and Gay Assoc. of Law Students - \$645; Nat'l Lawyers Guild - \$935; Phi Delta Phi - \$525; Real Property and Estates Assoc. - \$525; Republican Club - \$500; Second Circus - \$4,500. New groups are denoted by an ASTERISK.

JULY 1993 NYS BAR EXAM DATES

As I stated above the State Board of Law Examiners has decided to leave the rescheduled July 1993 bar exam date as is, in conflict with both New Jersey and Connecticut's local portions of their exams. The Board's decision to not even consider rescheduling the date was based upon their citation of the rules of the NYS Court of Appeals. It appears that their decision is final and cannot be appealed. We appreciate everybody's effort and actions taken in signing the petitions to the Board's chairman and Governor Cuomo. The SBA's around the state are trying to appeal directly to the NYS Court of Appeals but it doesn't look good.

FALLFEST 1992

Last issue I wanted to talk about how the Fallfest event was planned, how it ran, and some thoughts looking back on it. It's old news now but

just a few words. People who attended had for the most part a good time (at least \$5 worth) despite the overcrowding. Believe what you want but the bar had told us that it could handle just over 400 people. Next time we first will ask for the maximum fire code capacity. We admit the event had its share of problems. The biggest in my mind was our screwup of forgetting about the Jewish sabbath. We apologize for that. The only other comment about the event I want to make concerns ticket sales. All I can say is that everyone in the SBA was trying their hardest to bring this event off and I think despite the problems took place they did a reasonable job. After all this is the first party-type event the SBA has run off-campus in quite some time. For those of you that are full-time first years, maybe by the time you're third years the plaza will be cleared and the event can again be held free of charge in our own frontyard where it belongs. Anybody have ideas for Springfest 1993?

SBA DEANS' Q&A FORUM

On December 15th, the SBA sponsored a Q & A forum with Deans Trager and Wexler. Students in the preceding weeks before the event submitted questions into the SBA to be asked of the Deans. Because the forum was only allotted approximately one hour the number of questions that could be asked and sufficiently answered was about fifteen to twenty. The event's format was that SBA picked selected questions from the pool of questions submitted. SBA's aim was to ensure that a variety of questions were asked while addressing each major topic area to which students submitted questions.

Posters previous to the event were posted by students not associated with the event itself that suggested that the Deans would not answer student questions uncensored by the SBA. The questions submitted were not censored in any way but in cases where multiple questions were submitted

O'Keefe's

Nightly Specials

62 COURT STREET

62 COURT STREET

Monday - \$5.00 Pitchers of Beer
15¢ Wings

Tuesday - Killians Red \$1.00 Drafts
\$3.00 Cheese Pizzas

Wednesday - MEXICAN NIGHT
Tequilla Shots - \$1.50
Coronas - \$2.00
Tacos - \$2.00

Thursday - \$5.00 All the Beer U can Drink
Hot Dogs - \$1.00

Friday - \$1.50 Buds (Longneck)
\$3.50 Burger Basket (3 mini-burgers & Fries)

8 - 11pm

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with respect to a single topic a composite question was formulated and then asked of the Deans.

The questions that were selected to be asked were submitted to the Deans a day before the forum so that the Deans would be able to assemble the answers to the questions and not just say we will find out the info and get back to you.

Following is a restatement of the questions directed to the Deans at the forum and a short summary of the responses given. With respect to specific questions, representatives from various administrative offices who were present answered for the Deans or to supplement the answers provided. This is not meant to be a completely accurate transcription of the questions I asked or the actual responses given by the Deans but just a summary.

TUITION

Q1 Do you see a need for the tuition to be raised this coming summer, and if so please justify why the continuing students should be expected to pay it ?

A1 Basically what it came down to was that students should expect some sort of tuition increase. Dean Trager stated that tuition dollars do not go towards the new building at all but fully towards the ongoing operations of the law school.

CONSTRUCTION

Q2 What assurances can you give the student body that construction related disturbances will not interfere with the upcoming finals and what is being done to minimize, if not eliminate, such disturbances during the reading period ?

A2 Taking many of us by surprise an HRH construction representative informed the students gathered that additional chopping would take place during the last few days of the school semester but that no loud construction should take place during the reading period or final exam period. On this one we can only pray and hope.

LIBRARY / STUDY FACILITIES

Q3a Does the current library meet ABA standards?

A3a No, it does not but the ABA will allow temporary construction periods such that im-

provements will be made.

Q3b What are those standards in terms of books and seating?

A3b The ABA requires that a library have enough seating to accommodate 50% of the students enrolled in that law school largest division. For BLS that means we are required to have seating for approximately 475 students. Currently we have seating for about 250-275. But the ABA will not object because this is only temporary.

Q3c Why was additional space not rented to meet any shortfall?

A3c According to Dean Trager attempts were made to secure additional space in the 111 Livingston building directly behind BLS for additional study areas. Negotiations broke down per the Dean because of security concerns on the part of the 111 Livingston management people.

Q4 Will the classrooms and cafeteria be kept unlocked and open during the upcoming reading period so that the maximum number of study areas are accessible to individual students as well as study groups?

A4 Yes, and that as of December 16th signs should be up directing students which classrooms will be available for study groups and which will be available for individualized quiet study. For those of us that remember this over the last couple of semesters this only works when we all cooperate with each other.

COMPUTERS

Q5 The computers set aside within the library for word processing are out of date, usually broken, too few and, therefore totally inadequate for the amount of usage they get. In addition they are not upkept so that students can be assured that their work will not later be lost to a computer virus. While the students recognize that space is currently tight and that once the new building is built this problem may be rectified, the situation as it now stands is untenable. The students feel that four computers and two laser printers (when everything is working, which they usually are not) for 1,200

students is not enough. Can you please explain to the students what is being done to rectify this problem?

A5 Professor Sara Robbins answered this one by informing the students that the non-working computers are in the process of being repaired if not replaced. Prof. Robbins also announced that the law school is purchasing 6 new computers and 2 laser-type printers that will be installed in Room 303a over in One Boerum Place. The new computers should be installed by the beginning of next semester. What will be a challenge with respect to these computers will be the fact they will be unsupervised and that it will be up to the students that use these computers to take care and not to abuse them.

FIRST-YEAR CONCERNS

Q6 It's our understanding that this is one of the first years that some first year first semester students have a SIX class courseload. What are your policy reasons behind such a heavy load and what do you expect to gain through this type of experiment? Why is it that some of us are burdened in this way and some of us are not? And, additionally, how will this experimental burden be reflected in the class rankings?

A6 Scheduling six classes for first year students in the fall semester was done in an effort to mitigate student concerns that they were overburdened credit-wise in the Spring semester. Years ago all students took six classes each semester. This was at a time when courses such as torts, contracts and property were each given over two semesters. Where students believed that the credit laden Spring semester would be a burden empirical studies actually showed that students did better in the heavier credit Spring semester. At the conclusion of the semester additional studies will be undertaken to determine how students fared with the six course class load.

GRADUATING STUDENTS

Q7 Why do we graduate from a Hall that can only accommodate 4 guests per graduate? Is there any way to purchase additional tickets or change the Hall? Possibly funded by charging for the additional seats? What is the current procedure of

securing extra tickets?

A7 Dean Wexler informed the students that a system was used last year that enabled just about every student that needed additional tickets to obtain them. Students who envision needing additional tickets should inform Rochelle Pollock, BLS Director of Administration, of ticket needs sometime during the Spring semester.

LOAN FORGIVENESS

Q8 Does BLS offer a loan forgiveness program? and if not why doesn't BLS provide such a program for students graduating who plan to work for the public interest?

A8 BLS does offer a loan forgiveness program though it is not as large as most people would like. Those interested should contact Karen Comstock in the Placement Office.

GENERAL FACILITIES

Q9 BLS currently has enrolled a fair amount of students that must due to religious reasons keep Kosher. As the food service is not Kosher, what is being done to enable those students to procure nourishment within BLS? What are the chances that a Kosher vending machine can be brought into the building?

A9 Efforts are being made to investigate the possibility of bringing a Kosher machine into the school. The problems currently involve space, electrical requirements, and finding a vendor. We were assured that one will be in the new building.

Q10 The Commissary does not currently provide vending machine service for weekends, late nights and reading periods. Can Student Services insist that the sandwich / fresh fruit machine be stocked for weekends, etc?

A10 Dean Wexler stated that by Saturday, December 18th the sandwich / fruit machine will be stocked.

SCHOOL CALENDAR

Q11 What is the rationale for scheduling Fall Finals after the holidays? Besides ruining the holidays for most students it leads to a disproportionately smaller reading period in the Spring se-

mester, usually 2 days surrounding a weekend.

A11 Dean Trager stated that new ABA standards require that there be 70 academic days scheduled per semester and that many law schools may soon find that they will have to adjust their schedules in such a direction. While Dean Trager did state that the student referendum indicated that a majority of day students would vote for a calendar adjustment, most evening students would not vote for such a calendar change.

PLACEMENT AND CAREER SERVICES

Q12 This past fall approximately 75 firms interviewed on campus while approximately 435 firms interviewed at NYU Law School. How do you explain such a wide gap and what steps are being taken to close this gap?

A12 Dean Trager stated that many of the firms that recruit at NYU are from out of state and that most BLS students appear unwilling to go outside the New York area. Joan King from placement stated that the placement office is working hard and needs student help in attending various workshops set up for the benefit of the students and that placement is making inroads into other local area job areas for BLS students.

Q13 Why, when we pay as much tuition as other prominent N.Y. law schools such as NYU & Columbia, is our career placement office so understaffed in comparison?

A13 In the last year BLS has apparently enlarged the placement office staff and that our placement office is in fact comparable if not bigger than other local law school placement offices.

GRADING POLICIES

Q14 Could you please explain the additional study workshops provided under the school's affirmative action policies and are the participants in this program being afforded an unfair advantage strictly due to their backgrounds?

A14 The programs are such that students are given an opportunity to work in an environment where an adjustment can be made to the law school environment. No empirical studies were undertaken to determine the impact of the workshops on class rankings.

STUDENT AND FACULTY RECRUITMENT

Q15 Why is there such a disproportionate number of minorities in this school and what steps have been taken, if any, to increase the number of minority students admitted to the school?

A15 Efforts are being made to recruit qualified students but historically BLS has ranked second or third in the percentages of its minority students registered in local law school. BLS would not recruit students that it did not believe would successfully complete the school's JD program or successfully pass the NYS bar exam.

GENERAL

Q16 Taking into account the school's open door policy, how could a student who would like to meet with either yourself or Dean Wexler be able to set up such a meeting?

A16 Dean Wexler was surprised by this question and stated that students are continually appearing at her door and that she finds that rather than scheduling appointments with students it works better when students just show up and wait for an opening.

Q17 Dean Trager would your office be amenable to scheduling a forum much like this one midway into the upcoming Spring semester?

A17 Yes

The open portion of the forum found students asking additional questions regarding the computers, the food service, students graduating in January, as well as what students were offered spots in Judge Weinstein's year-long Mass Torts seminar class given in conjunction with Columbia University School of Law. The editor wants me to finish this column so I need to cut it short here. The forum was videotaped and anybody interested can come down into the SBA office to borrow the tape. HAPPY HOLIDAYS, GOOD LUCK ON FINALS AND ENJOY THE THREE DAY INTERMISSION BETWEEN FINALS AND THE SPRING SEMESTER.

Civilian Complaint Review Board Debate

by Pat Russo

On Wednesday, November 4, the Federalist Society for Law and Public Policy Studies held its second annual current issues Fall symposium in the fourth floor lounge at One Boerum Place. The topic of the evening was the recently approved plan to reorganize the Civilian Complaint Review Board ("CCRB"). Ultimately, the City Council and Mayor Dinkins arrived at a resolution, but not before a mass demonstration by 10,000 off-duty police of-

Hoover. Mr. Kramer then discussed the metamorphosis of the CCRB to its current state, and then presented his arguments against the exclusion of police appointed members, stating, in part, that physicians and attorneys are monitored by "their own." Norman Siegel then attempted to rebut Mr. Kramer's argument by stating that the special nature of the police work demands the presence of a civilian component. The final speaker to give

introductory comments was Benjamin Ward. The former Police Commissioner regaled the audience with numerous accounts of the changes in the police department, as well as the CCRB, to respond to charges of corruption and to become more accountable.

The program then continued with open discussion taking place between the panelists based on question each had for the others. At the conclusion of this segment, the audience was then able to ask questions. Perhaps the most memorable comment was that of Professor Ward.

When asked for his opinion of "where this would all end," he responded that this composition change in the CCRB is just one more step in the ACLU's desire to assume control of reviewing charges of police brutality.

Pat Russo is President of the Federalist Society for Law and Public Policy Studies.



ficers. Among those in attendance who debated the merits of the proposal were Benjamin Ward, former NYC Police Commissioner and current faculty member; William F. Kuntz II, former member of the CCRB as well as also being on the faculty; Peter L. Kramer, partner of Lysaght, Lysaght & Kramer and current chief counsel to the police unions; and Norman Siegel, Executive Director of the New York Civil Liberties Union.

Professor Kuntz spoke first and presented a detailed overview of the role of the CCRB in New York from the days of the Mayoralty of John Lindsay, as well as describing its genesis - brought about by "that great civil libertarian" J. Edgar



Lesbians & Gay Men, The Military, and Brooklyn Law School by Ed Wintle

The new Brooklyn Law School Bulletin for 1992-1993 sets forth the school's non-discrimination policy as follows:

It has always been the policy of Brooklyn Law School not to discriminate on the basis of sex, age, handicap, race, color, religion, national or ethnic origin, sexual orientation, marital status, or parental status in its admission or employment policies or in access to any of its educational, financial aid or other school administered programs....The law school does not permit employers who engage in illegal discriminatory hiring practices to use the services of its Placement Office.

Contrary to the policy's assertion, this has not "always" been Brooklyn Law School's non-discrimination policy, and it is not the policy that is being implemented here in the law school today.

As a prospective law student in 1989, I was glad to learn that the school's non-discrimination policy included a "sexual orientation" provision, which had been added to the policy (along with provisions for marital and parental status) pursuant to a faculty vote in 1986. What I didn't know was that BLS was one of the last NYC law schools which continued to invite the military to interview on campus despite the Department of Defense directive which excludes gay men and lesbians from employment. Although the faculty had voted

by a substantial majority to bar the military from interviewing on campus (and by a bare majority not to exempt from this policy the processing of military applications by the Placement Office), the Board of Trustees overruled the vote and the military retained access to the law school.

During my first year at BLS (1990-1991), a group of us from the student chapter of The National Lawyers' Guild headed an effort to reverse the policy of the Board of Trustees. Joined by many other concerned students, we collected (sometimes after much heated debate) hundreds of student, faculty and staff signatures on a petition demanding that the military be barred from campus. Prompted by the petition and perhaps other "Guild-ish" tactics (several students "interviewed" with the military on campus solely for the purpose of challenging its policy), the faculty put the issue to a vote and this time voted by an overwhelming majority to exclude the military from campus as a discriminatory employer. The Board of Trustees did not overrule this second vote and the policy was changed. No longer would a group of students who were purportedly protected by BLS's non-discrimination policy be excluded from a "school-administered program." Or so we thought.

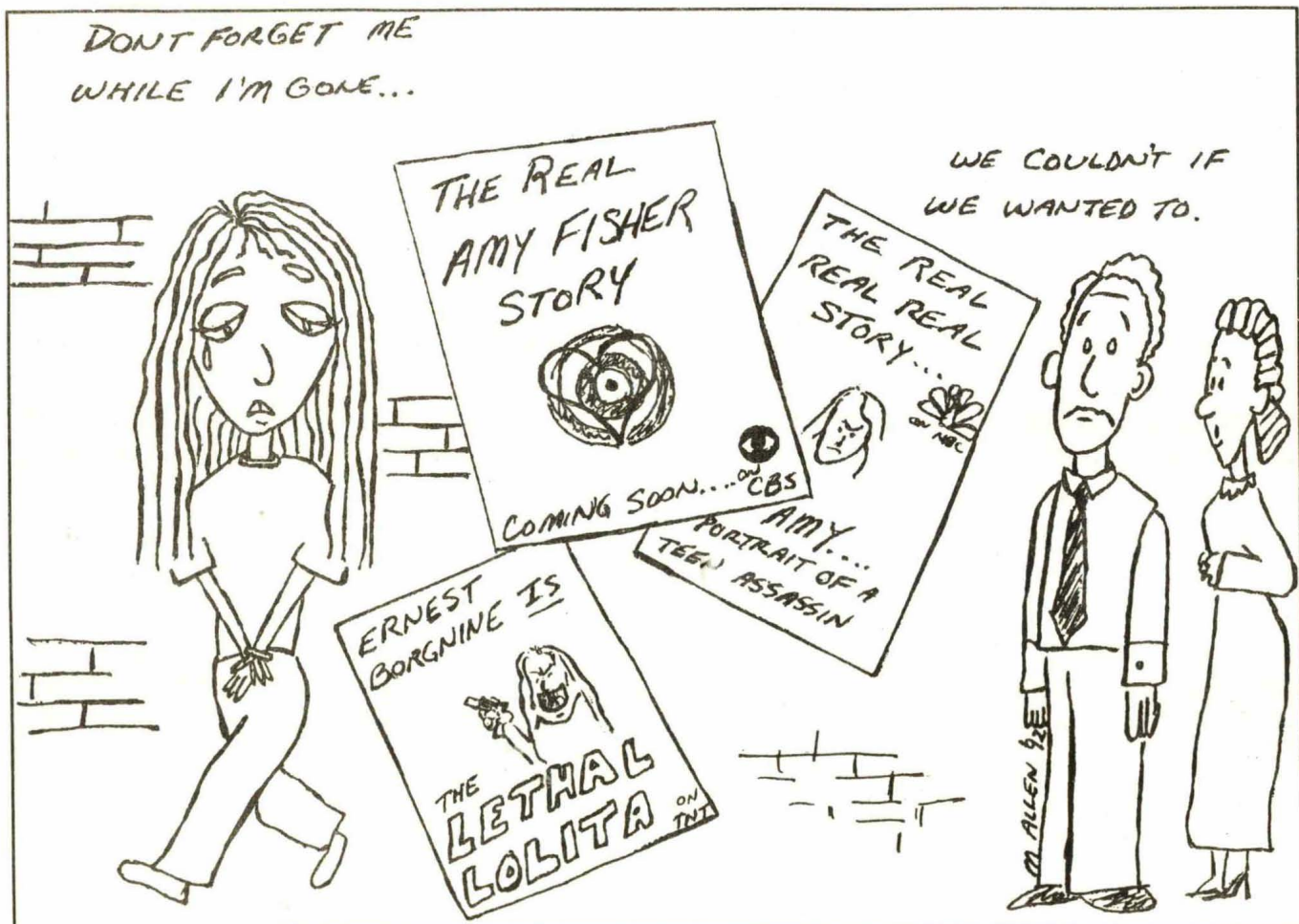
Today, the Placement Office continues to forward student resumes to the military. Under any reasonable reading of the school's non-discrimination policy, this "school-administered program" discriminates against lesbian and gay students. The argument that those students who are interested in military employment should not be denied such assistance is specious at best. In addition to the fact that the military is surely the most accessible employer in the country, the law school would never facilitate the application process of an employer that refused to hire African-American or Jews.

Why is the exclusion for gay men and lesbians any different?

Although the military has not been held to "engage in illegal discriminatory hiring practices" (see BLS policy above), under the United States Constitution or federal civil rights legislation, the Placement Office, as an employment agency, is in violation of local law by facilitating discrimination based on sexual orientation. Students at the University of Connecticut Law School recently filed a suit claiming that the military's access to their placement office violates Connecticut law. The court issued an unprecedented injunction barring the military from campus until the case is resolved. If "The Powers That Be" here at Brooklyn Law School continue to violate the ethical and moral standards of the law school community, perhaps a similar precedent should be sought in New York.

Hopefully, the issue will quickly become moot under the Clinton administration, and the Department of Defense directive prohibiting gay men and lesbians from serving their country will be history. If the policy is not reversed within a reasonable amount of time after Clinton's inauguration, I hope that the students of Brooklyn Law School will once again challenge the school's unfair practices and refuse to accept any compromises. I also hope that my classmates, as alumni, will be unable in good conscience to support an institution that discriminates.

What would be ideal, however, (and I'm sure most students would agree) would be for the law school to immediately cease collecting resumes for the military and instead take a public stance as an institution against the military's treatment of gay men and lesbians.



ETHICAL DILEMMA

by Mayen F. Lagdameo

A new partnership called Dewey, Fleezum and Howe was just formed. One day, Client comes in to Partner Dewey's office with a big real estate case. Dewey agrees to take on the case and requests payment of a retainer. Client signs the necessary paperwork and gives Dewey a crisp, new \$1,000 bill (assume this is legal tender). After Client leaves, Dewey sits back mulling over the case, and handling the \$1,000 bill like it was the most incredible godsend it was. Suddenly, he realizes that there are two \$1,000 bills, not just one. He is troubled. Ethical dilemma: Should I tell my Partners?

I can certainly imagine the groans that this "joke" deserves. Another client victimized, another lawyer ridiculed. Doesn't it seem like our chosen profession-to-be is always the butt of bad jokes? Well, think about it...maybe there is a justification for the general substandard ethical and moral character attributed to "lawyers."

Two situations at the law school recently brought these thoughts to my mind. First was the note posted on the bulletin board concerning the first year legal memo. An investigation was being held to look into an alleged situation where several first years sought help in editing or writing their memos despite the express statement made at the beginning of the assignment forbidding such action. Because we have all been through the stress, tension, and exhaustion of our first semester in law school, we can all sympathize with the idea of first year anxiety. Understandably, the pressures of striving for exemplary grades and a position in one of the honor societies can be overwhelming. Nevertheless, we should not lose sight of the fact that our decisions should always include a moral judgment. In this competitive world of higher education, should a desire to outdo one's colleagues really make one oblivious to the wrongfulness of one's actions and decisions? Should the pursuit of excellence override honesty and integrity? What

happened to the conscience? What happened to the distinction between right and wrong?

Unfortunately, these misconceptions of right and wrong are not limited to the academic arena. Just recently, someone took a set of not so inexpensive photographic equipment from a place we had thought was secure. Call it naive but I, personally, held the standards of law students to a higher level. Maybe it is because of this idea that our future profession will place many, if not all, of us in delicate positions which will require utmost integrity. Therefore, I did not think it unreasonable to believe my colleagues were honest and trustworthy. Welcome to the real world!!

More than the loss of the equipment, it is the fact that someone wrongfully took something that is upsetting to me. Remnants of Property Law come to mind when I think about such larceny. "It's Mine!!!!...I saw it first." But that's not how society works. People have rights to their own belongings. It would be nice to think that maybe someone mistakenly took the equipment away. But day after day, the cabinet remains empty. That camera and everything else that is gone will never be returned. I wonder if there is any guilt on the part of the taker. What happened to your conscience?

The subtle but, nonetheless, critical part that ethics plays in everyday life should not be ignored. If people have no qualms about doing things like stealing in law school, what's to stop them from the greater opportunities and "benefits" they will encounter in the real world? Hearing bad lawyer-jokes should make us stop and think about the possible reasons these images of lawyers are perpetuated. The world is full of temptations, and lawyers and law students are only human. But nobody ever said that being human means having to succumb to temptation...just think about it.

WHAT'S WRONG WITH THIS POSITION

By Hayley Greenberg

Often, as an animal rights activist, you will be asked to defend positions with which you are not adequately prepared to handle. The "big business" antagonists (i.e. vivisectors, furriers, meat industry) have better resources to educate their proponents while many activists, with fewer means, are less prepared to answer certain recurrent questions. Hence, a guide for the concerned:

1) Animals that are raised for consumption and/or research should be killed.

This inaccurate position primarily takes on two aspects: religious and environmental. The animal rights opposer wants the activist to feel akin to God and that the animals are products of his creation. Because those in power chose to create the animal, then one can do with them as one wishes. However, merely because one decides to breed an animal specifically for the purpose of consumption and/or research, one does not acquire the right to do with it as one wishes. Once the being comes into life, it gains certain rights, either existing legal rights or that which should exist but do not. Therefore, a parent cannot treat a child with impunity. A parent cannot decide to kill, eat, or vivisect a child. Thus, on a religious scale, the animal rights opposer fails.

On the environmental aspect, the animal rights opposer is attempting to separate environmental and animal rights interests. The fundamental difference is that environmentalists are concerned with species as a whole and not with the individual animals. The animal rights opposer says that the death of "Ralph the mouse" is irrelevant because there are many mice. However, the torture and death of even one individual animal, regardless of how many are left in the species, is wrong. Thus, the animal rights opposer will only concede fault with killing an animal if a species approaches extinction. If you believe that torture and mutilation is wrong, regardless of how many are left of a

species, you are an animal rights activist, even if you profess to be solely an environmentalist.

2) Since animals eat other animals, therefore we can, too.

This propaganda by the meat industry is incorrect for several reasons. When comparing animals and humans, it is vital to realize that animals do not see what they are doing as wrong. Animals do not see themselves as doing anything wrong when they kill to survive. But humans cannot maintain that there is nothing wrong with killing another being. But some will always rationalize their actions to defend their position, much as the Germans said there was nothing wrong with killing Jews, and plantation owners said there was nothing wrong with killing blacks. Blindly following another's lead when one has the ability to question is wrong. Humans cannot claim superiority in the food chain and then hide behind the premise that "if they did it, so can I." Animals are not bound by morality, a purely human trait. Animals cannot find meat substitutes. Nor can they change their digestive systems. However, human beings are capable of manufacturing nutritious vegetarian food for survival; animals cannot.

3) Since you wear leather, you should not complain about fur.

The obvious solution is not to wear leather. However, for those of you in transition, remember that leather is a by-product of other people's murderous meat eating habits. Fur, on the other hand, represents the direct result of killing animals for vanity. Keep in mind that it is virtually impossible to eliminate all animal by-products from your lifestyle because they are everywhere: film, paint, plastic, (etc.) However, this does not mean that you should not try. Remember that the fur wearer is merely regurgitating the propaganda from the fur

industry.

4) Animals should be sacrificed to save human lives because humans can not be used for experimentation.

This is the common vivisector's "homoealist" argument. Much like the racist, the vivisector sanctifies the destruction of one group to save another. The assumption is self survival at all costs. There is nothing wrong with this view on an individual level. Individual self preservation is fine and proper. The man who recently received the baboon heart did what he had to do to survive. However, the doctor's and society at large are guilty. The problem is that a group of people decided to help save one man at the cost of another animal. Like racists, individuals are getting together and deciding that they are better than other groups. Like racists, they justify redeeming one

life for another life.

Furthermore, in the majority of cases, medical experiments on animals are needlessly repetitive, inconclusive, and incorrect, while causing pain, suffering, and eventually death to billions of animals a year. However, a full discussion of the merits of this argument is beyond the scope of this article. For an in depth look at this topic, consult *Painful Experiments on Animals* by Dr. Dallas Pratt, the Physicians Committee for Responsible Medicine, or Justice For Animals at (718) 225-4103.

5) Why waste time saving animals when people are starving and dying.

Animal activists have compassion for animal suffering and death and are helping a good cause without any compensation. And when is the last time you saw a fur wearer donate her coat to a homeless person.

Healthy Recipes for Healthy Lifestyles that taste Great!

Holiday Vegetable Tostadas

2 medium zucchini, peeled
1/8 tsp. oregano
vegetable oil
1/8 cup olive oil
4 large tostadas
1 cup red kidney beans
1/2 cup salsa (mild, hot or medium: to your liking)

With a pastry brush, lightly brush both sides of the tostadas with oil. Put them on baking sheet and BROIL them for a few minutes, until they get a light golden brown. WATCH THEM AND DON'T LET THEM BURN. Now cool them completely! (This can be done fast by putting them in the freezer for 10 minutes or so while you do the next step).

Take the zucchini and cut as follows. First, quarter them lengthwise, now cut into thin slices. Place the olive oil in a pan with the zucchini and oregano. Cook over medium-high heat until zucchini get smooshy and slightly crispy on the outside. (This will take approx. 7 minutes.) Now add into the pan, the beans and salsa. Mix thoroughly.

Put the tostadas on the baking sheets (put the brown side face down) and dividing the zucchini mixture into 4 piles, place a pile on each tostada. Cook at 450 F. for about 5 minutes. Serve immediately. Serves 2.

The Club Scene

ANIMAL RIGHTS GROUP

On Nov. 24th the BLS A.R.G. held an event titled "Film on the Fur Industry". The film highlighted the horrors involved in the making of a fur coat, as well as answering commonly asked questions. Such as why even ranch raised animals are abused, and others. There were tons of vegetarian food (also kosher), i.e. falafel sandwiches, snacks, beverages, (etc.). And of course lots of literature, magazines, buttons, and other animal rights related literature.

For our upcoming events look for films, speakers, debates, parties, and more. We need more volunteers so if you have some time to save the animals, or just want to join, contact us at (718) 224-2531, or drop a note in the SBA, in our filebox.

Remember, boycott Alaska, as they are planning to massacre wolves, and don't buy products unless they're marked cruelty-free.

Have a Happy VEG-ETARIAN Holiday Season. For free recipes call the above number or write to: Justice For Animals, P.O. Box 4044, Flushing, NY 11360

ATLA

The Association of Trial Lawyers of America ("ATLA")

is a new organization on the Brooklyn Law School campus with only two meetings under our belts as of yet. The organization is a student affiliate of the national organization by the same name. With over 65,000 member attorneys, ATLA is the largest association in North America devoted to trial advocacy.

As a new organization, ATLA has had a slow start but is rapidly gaining momentum. We intend to sponsor a variety of speaking engagements geared toward the trial process, which hopefully will assist students in their moot court and trial advocacy preparation. Additionally, we are planning a charitable event scheduled for late in the spring semester.

Student members of ATLA receive many benefits from the national organization including free admission to ATLA sponsored symposiums and forums, two free monthly publications, and assistance in finding employment after graduation though job fairs, resume distribution, job listing services, and on-campus lectures.

ATLA provides students the opportunity to learn how to develop and perfect their trial skills. Students planning careers as litigators will find membership in ATLA indispensable. For membership information, leave a note in the ATLA mailbox in the SBA office.

JLSA

Chanukah came early to BLS, thanks to the semester end and finals! On December 8, The Jewish Law Students Association sponsored the annual Chanukah party which was attended by more than seventy students. Partygoers were sephardic/Israeli food, the likes of Pita, Chumus and Babaganoosh. But the definite hit which indicated how anxious the crowd was for the Chanukah holiday was the latkes. 100 latkes were consumed during the first twenty minutes of the party! A Good job, gang! Sufganiyot, or jelly doughnuts, which is the popular Israeli Chanukah fare were also enjoyed.

Comedian Scott Blakeman had the crowd splitting their sides. Dan Fogel, a medical student from Down State delivered a brief and meaningful Chanukah message. We had some great door prizes too. Special thanks to Aaron and Sara Roller who ensured the integrity of the drawing.

This semester was a great success for our group. We held a Welcome Back Deli Night, sponsored a Presidential Debate, a response to the unjust Crown Heights Verdict, a talk on Israeli Constitutional Law, and sent a delegation to a reception given by the Israeli Consulate General.

Look forward next se-

mester to a Welcome Back Pizza Night II, a Purim Party, a Passover Lecture with Professor Twerski, the long promised Interfaith Dating and Marriage Symposium, and the Israeli Independence Day Celebration. The continuing education classes will begin next semester. Please contact Michael Cohen for more info. at (718) 338-5224 or leave a note in the JLSA Box.

Good luck on finals and see you all next semester.

NOTE: If you are interested in studying law at Tel Aviv University this summer for *credit*, please contact Michael Cohen at the above number for information.

PHI DELTA PHI

Phi Delta Phi held its second symposium on Attorney Ethics in the Student Lounge on Tuesday, November 24 at 5:00pm. The speaker was Mr. Mark DeWan, Esq., an attorney and counsel for the New York State Grievance Committee for the Second and Eleventh Judicial Districts. Mr. DeWan has been with the Grievance Committee for seven years and has seen many changes in the laws regarding attorney discipline. Mr. DeWan previously worked for Legal Aid and was inspired to join the Grievance Committee because he was disturbed at the lack of ethical conduct he saw in his fellow attorneys.

It is now mandatory for attorneys to report those suspected of misconduct if that knowledge did not come through privilege. Turning in a colleague may be a difficult thing to do but ignoring misconduct is sanctionable.

Mr DeWan discussed the workings of the Committee, its structure, and its purpose. He informed us that approximately 1800 complaints entered his office last year. The second and eleventh judicial districts, which cover Brooklyn, Queens and Staten Island have jurisdiction over approximately 7500 attorneys.

Since the topic was conduct that could lead to disbarment, Mr. DeWan described the many holes an attorney can fall into that culminate in disbarment. Felony convictions and commingling


or converting client funds are grounds for automatic disbarment - although there is always a hearing before such a drastic step is taken. Neglecting your clients or a case can also lead to severe disciplinary action. The fields that lately seem to dominate in disbarment/suspension cases are : Real Estate, Matrimony and Personal Injury law.

Disbarment lasts a minimum of seven years in New York, after which you can apply for reinstatement. Mr DeWan recently argued a case before the New York Court of Appeals which was considering the reinstatement of an attorney who was disbarred for murdering his wife and children with a baseball bat and had been found not guilty by reason of insanity. Reinstatement in New York is based to great extent on the disbarred attorney's conduct during the suspension period and is in no way guaranteed. But remember this - in New Jersey, disbarment is FOREVER.

Mr DeWan's advice to law students is BE HONEST on your admission papers. Any lie that is later detected (and all are eventually) can mean disbarment, or in the case of the law school graduate who forged the three credits he needed to have a college degree - revocation. Another important point for attorneys to remember is that ignoring the Grievance Committee can in itself lead to suspension. It is therefore prudent to answer the Grievance Committee's calls and letters promptly and give your side of the story.

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The Senator

My ten years with Ted Kennedy

By Richard E. Burke with William & Marilyn Hoffer

Illustrated. 328 pages. New York:

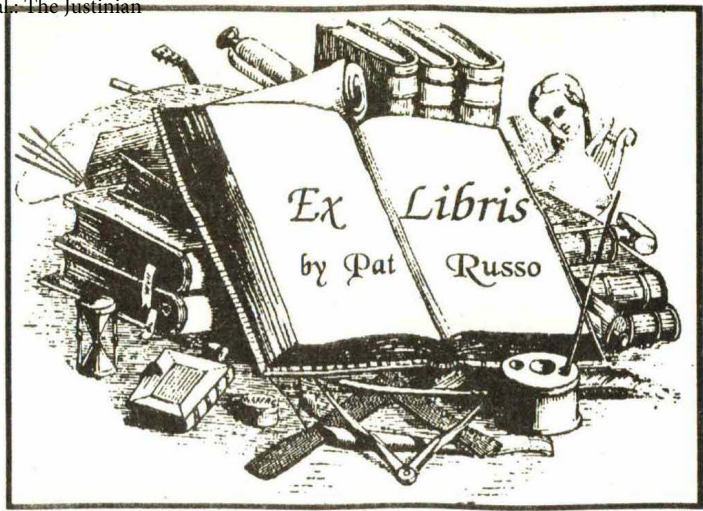
St. Martins Press

\$23.95 (Hard cover)

In more than one way, the honeymoon is over for Senator Edward M. Kennedy (D). Right on the heels of the conviction of his new father-in-law in Louisiana for participation in the savings and loan debacle, the recently wed senior Senator from the commonwealth of Massachusetts has been given an over 300 page return to reality by his former administrative assistant and self described right hand man, Richard E. Burke.

As the title suggests, the book recounts the decade that the author spent in the employment of one of the most recognizable and influential men in the Beltway—one who is known to his friends and employees simply as “The Senator.” His association with Senator Kennedy begins when, as a freshman at Georgetown University, he meets the Senator and his family at Holy Trinity Roman Catholic Church in Washinton D.C. one Sunday in October of 1971 where the author was scheduled to sing in the Georgetown University Glee Club. Spurred by this recollection and the memory of one of Kennedy’s rousing speeches to a mob of anti-war student protestors at Yale, Burke decided to go to the Russell Building, where Kennedy’s offices were located to sign up as a volunteer. So begins the political career and—according to the author—the corruption of this Connecticut straight-lacer.

What follows is a detailed (one is barraged with the smallest of details, ususally with corresponding dates and times) account of the author’s advancement from mail sorter to part-time driver to executive assistant with some other titles. In between these seemingly big jumps from the start as low man on the totem pole, one cannot help but notice the corresponding transformation of the author from naive underclassman to Beltway insider. As he tells it, Burke’s big break was the occasion when he filled in for Kennedy’s regular driver to get the Senator to National airport in time



for his regular Friday flight to the Bay State (Ted Kennedy and driving usually makes for an attention grabbing story).

Burke’s driving and other abilitites are quickly recognized by the Senator and help lead to his meteoric rise in the office that ultimately ends in his being administrative assistant, campaign coordinator, majordomo and nurse. From this vantage point, one is told of the most intimate details of Kennedy’s life in the 1970’s. Devastating stories of Ted Kennedy’s drunkenness, drug use and multi-partner sexual exploits while Joan would sleep off the booze in the next room, are juxtaposed with the accounts of Kennedy’s tireless devotion to his family as the only living son of Joe Kennedy as well as to his namesake following the amputation of part of his leg. The most poignant stories center on the 1980 Presidential Campaign and Kennedy’s ability to deliver with forceful words the liberal cause as its standard bearer.

There are those who will dismiss this book as trash unworthy of any attention, or the accounts of the author as the means by which to seek revenge against the person whom he may blame for Burke’s own nervous breakdown. Others may simply label this book as garbage because they might personally agree with Kennedy’s politics. Yet others may say that this boils down to the issue from the most recent Presidential campaign of questioning how much the politician’s life or lifestyle, if any, is to be attached to his public career. Undeniably, this book - along with Leo Damore’s *Senatorial Privilege* of a few years ago and Nigel Hamilton’s recent book

JFK-Reckless Use, reveals a part of America's first family and its first Senator that is seemingly out of control and is reigned in only at the last possible moment, resulting in personal anguish and a loss of political clout; this is best exemplified in Senator Kennedy's performance (or lack thereof) in the Clarence Thomas confirmation hearings and the

now infamous *mea culpa* speech of October 1991. Even if only minimally true, the picture is graphic, will consume the reader to press on and will seem like an old Fitzgerald novel. The sad part is this book is a *non-fictional* work which may be ultimately reviewed in the Fall of 1994-when Senator Edward Moore Kennedy is up for re-election.

THE PHENOMENON OF ISRAELI CONSTITUTIONAL LAW — Making Constitutional Law Without a Constitution

by: Michael Cohen

The Jewish Law Students Association proudly sponsored on December 2, a talk on Israeli Constitutional law given by Professor Burton Caine. Professor Caine is a Professor of Law at Temple University, Philadelphia, and the Director of the Temple University Law/Tel Aviv University Law Summer Abroad Program. Following are excerpts from his fascinating talk.

Comparative constitutional law is a tricky subject. Comparing the United States and Israel in this context is even trickier. How does one begin to evaluate and compare the constitutional philosophies of a country that is over 200 years old and secure in her borders with a country like Israel who is only 44 years old and is surrounded by neighbors bent on her destruction?!

To make matters more complicated, consider the fact that the United States was essentially created to be a haven of refuge for people of all nations and religions; a strict separation of Church and State is in place to ensure this concept. Israel, on the other hand, is a Jewish state entwined with her history, tradition, and religion.

Other structural differences should be noted as well. The United States Supreme Court reviews cases as the highest court of appellate review. The Israeli Supreme Court, on the other hand, hears most cases involving constitutional law directly as a High Court of Justice. This judicial structure was inherited from the British system which remained in place upon the establishment of the Jewish state. In addition, the twelve justices that make up the High Court rarely sit en banc; usually they sit in panels of three and, less frequently, as nine.

Following the tumultuous birth of Israel in

1948, no formal constitution was ever adopted. There are a multitude of reasons for this which are beyond the scope of this article. The result has been that the High Court of Justice has been challenged with questions common to a democratic society without the aid and guidance of a written constitution. Instead, the essence of Israeli constitutional law was born out of the resounding opinion of Justice Shimon Agranat in the seminal case of "*Kol Haam*", or "*Voice of the People*" *Ltd v. Minister of the Interior*, H.C.J. 53/73.

The case arose soon after the birth of the State of Israel. Security concerns for the state and her citizens were high. An Arab Communist newspaper began publishing articles that were inimical to the existence of the newborn state. The Minister of the Interior moved within his governmental authority to close down the inflammatory newspaper.

The case was brought before the Israeli Supreme Court sitting in its capacity as the High Court of Justice. In a lengthy opinion, Justice Agranat ruled that the paper must remain open despite its offensive nature because the paper was entitled to exercise its free speech. Where did Justice Agranat base this right if no written constitution provided for it? Justice Agranat felt that the right emanated from the very existence and nature of the State of Israel as a democratic society! Therefore, Justice Agranat wrote, unless the speech presented a "near certainty of danger", then in spite of the Minister of the Interior's acting technically within his powers, the right of free speech superseded, even if the speech was critical of the government.

continued on page 31

AN ENTERTAINMENT GUIDE

by David Frey

Note: In response to "Anonymous Drooling Idiot's" letter in the last issue, the name of this article was changed from "Your Entertainment Guide" to "An Entertainment Guide."

Movies

Home Alone 2: Lost In New York

This movie gets an award for most appropriate title of the year. They actually should have called it *Home Alone - Again, only this time in New York*. If you liked the first one, you're in luck - it's the same movie. This time, Kevin and his family are going to spend Christmas in Florida. Kevin ends up in New York by accident. The best cartoon of the year commences.

Warning: You might not want to see this movie with a Staten Island audience. Otherwise you might have to hear such comments as, "In real life, that guy would've died" (apparently, this survivor from the low end of the gene pool thought he was seeing a documentary). Luckily, his wife was able to respond with a quick-witted, "Absolutely."¹ Comedy rating: B.

Malcolm X

Go see this movie. It's going to win many awards. It should also garner Oscars for Spike Lee for Best Director and Denzel Washington for Best Actor.

No matter the color of your skin or what religion you practice, this movie will make you feel uncomfortable at some point and, more importantly, might teach you something. This movie traces the life of Malcolm X from his days as a zoot-suiter Malcolm Little, to his life of crime, to his finding of religion, to his final days. I went in to this movie admittedly biased because of his reputation. I came out with a tremendous respect for the man and for how he changed not only his life, but the lives of so many around him. If you think that Malcolm X was a man who hated all white people, you are correct.

If you think that Malcolm X was a man who gave hope to a despondent and repressed people, you are correct. If you think that Malcolm X was a man who came to accept that all white people are not evil, you are correct. Spike Lee has shown us the life of an important man, and the many changes he went through.

Many people might be put off because they think that it cannot offer anything if you are not black.² They are wrong. I saw this movie with a surprisingly diverse crowd (for Staten Island) and the only person at the theatre who seemed to dislike it was a black Muslim woman in the first row. In retrospect, it seems that given Malcolm X's life experiences, his not hating white people toward the end of his life is more surprising than his earlier "blue-eyed white devil" speeches. People tend to accept hatred by one group toward another group (Jewish/Arab, Christian/Jewish, Irish/English, Greek/Turkish, Serbian/Croatian) as long as they are not the group that the hate is directed towards. Although he has been parodied, Rodney King's question, "Why can't we all just get along?" was perhaps the most eloquent and on-point question I have heard in my adult life. People often hate what they fear, and fear what they do not know. The first step is understanding. If you are not black, this movie is a good first step. Whether or not you are black, this is an excellent movie about an important 20th century American leader.

Do not be put off by the length of this film - although you may check your watch at some point, you will not be bored. Do not, however, drink anything before or during the movie. I was glad to see that Hollywood is still able (with a lot of arm twisting by Spike Lee) to put out a movie that assumes the audience is intelligent.

Overall rating: A++.

Aladdin

The newest Disney movie is also one of its

best. Robin Williams stars as the voice of the Genie, and makes this movie a must-see. It is obvious from the beginning that although he was given a script, Mr. Williams didn't stick too closely to it. Luckily, the people at Disney decided to go along with him and animate whatever he said. The result is outstanding. People were laughing so hard, and the jokes came so fast, that I'm going to see it again, just to catch some jokes I missed.

From beginning to end, this movie was excellent. There wasn't a weak part in it. Don't be fooled by the fact that this is a Disney movie - it's definitely for adults also. This movie might possibly get Academy Award nominations as best picture and best actor for Robin Williams. A++.

Bram Stoker's Dracula

To begin with, the phrase "I want to suck your blood," is not heard once in the latest version of this vampire tale. Second, this movie teaches us all some very valuable lessons for everyday life:

- 1) If you go to a castle in Transylvania, and are greeted by a 400 year old man with his hair shaped like a gigantic butt, don't expect his invitation to stay.
 - 2) If you go to a castle in Transylvania, and are told by a 400 year old man not to leave your room, don't.
 - 3) If you are guest to said 400 year old man, don't have sex with his evil, naked, lusty, busty maidens-of-hell.³
 - 4) Bugs can be a nutritional part of a dietary plan.
 - 5) If you are dreaming that on a nightly basis that you are being raped by a werewolf among the maze-like hedges in your backyard, and these dreams are accompanied by a nasty case of anemia, you might want to seek help **before** you grow an extra set of eye teeth.
 - 6) Don't ask why someone wants to borrow a set of post-mortem knives.
 - 7) Don't ask questions you don't want the answers to - especially while eating.
 - 8) Don't get married to the former wife of a demon from hell.
 - 9) Green fog is not a good sign.⁴
- Unfortunately, I am not able to rate this

movie on the Traci™ scale - she wouldn't go see it because she thought it was a scary movie. She was wrong. Although there was a fair amount of gore involved, this movie wasn't truly scary. There were actually more funny than frightful scenes in this movie.

Anthony Hopkins, in a role just a hair's breadth away from his role as Dr. Hannibal Lecter in *Silence of the Lambs*, steals the show. In fact, there was a lot of humor (whether it was intended, I do not know) because of the casting. To make this a truly fun viewing experience, you should see *Silence of the Lambs*, *The Princess Bride*, *The Lost Boys*, *Bill and Ted's Excellent Adventure* and *Better Off Dead*.⁵ Then at the appropriate times, remember these lines from those movies:

"I ate his liver with farvel beans and a nice chianti."

"He's not dead - he's just mostly dead."

"You're the living dead! I'm telling mom!"

"Shut up, Ted!"

I'm giving this movie a C+. It was entertaining, and it was funny, but it was just an average movie. If *Aladdin* and *Malcolm X* weren't also playing, I might recommend it. My friend Nick said he would give this movie a B. But I suspect that this was because (a) he hadn't seen a movie in quite awhile, and (b) the extraordinary number of bare-breasted nymphs contained in this movie. My friend Ivy gave it a B-/C+, and I think that she was a little more objective in that she was not impressed by the large number of defrocked women. I think you should either rent it, or see it at a half-price matinee.

Movie Notes

* My friends Nick and Ivy saw *A River Runs Through It*, and both enjoyed it. Ivy said it wasn't a "women's" movie. Nick said it was, but this was offset by the manly sport of fly-fishing.

* Upcoming movies that you should check out in the next few weeks, while studying for finals: *Toys* (Robin Williams, Barry Levinson)(Comedy), *Chaplin* (Robert Downey, Jr., Penelope Ann Miller, Dan Aykroyd, Richard Attenborough)(Drama/Biography), *A Few Good Men* (Tom Cruise, Jack Nicholson, Demi Moore, Kiefer Sutherland, Kevin

Pollack, Kevin Bacon, Rob Reiner)(Drama), *Leap of Faith* (Steve Martin, Debra Winger)(Comedy), *Hoffa* (Jack Nicolson, Danny DeVito)(Drama/Biography), *The Muppet Christmas Carol* (Michael Caine, Kermit the Frog, Miss Piggy, Gonzo, Fozzie Bear, Rizzo, Sam the Eagle)(Comedy/Children).

* Upcoming movies with potential, but that you should read the reviews before you see (or go to during a half-price matinee just in case, if you haven't read a review yet): *The Crying Game* (Forest Whitaker)(Drama), *The Distinguished Gentleman* (Eddie Murphy, Charles S. Dutton)(Comedy), *Forever Young* (Mel Gibson, Jamie Lee Curtis)(Mel Gibson), *Lorenzo's Oil* (Nick Nolte, Susan Sarandon)(Drama), *Peter's Friends* (Kenneth Branagh, Emma Thompson, Rita Rudner)("Big Chill"), *Scent of a Woman* (Al Pacino, Chris O'Donnell)(Terrible preview trailer), *This Boy's Life* (Robert DeNiro, Ellen Barkin)(Drama), *Trespass* (Bill Paxton,⁶ Ice-T, Ice Cube, Robert Zemeckis)(Action-Adventure).

Video

The Frisco Kid - stars Gene Wilder and Harrison Ford. One of the best comedies of all time. Comedy rating: A+.

White Men Can't Jump - This movie has it all - comedy, action and *Jeopardy*. It also has more swearing in it than *Scarface* or *Debbie Does Dallas*, and has the best "mother" insults you'll hear in your life. Comedy rating: A.

Sister Act - starring Whoopie Goldberg and Harvey Keitel, this movie answers the old-age question, "Do nuns have rhythm?" Great Motown music. Comedy rating: B

Mississippi Masala - a movie, starring Denzel Washington, about racism and prejudice between minority groups. Overall rating: B (would've been better, but had a weak ending - almost as if they ran out of film).

Forbidden Planet - a 1950s sci-fi movie starring Leslie Nielsen, and based on Shakespeare's *The Tempest*. For its time, the special effects were great. Overall rating: C+. Cheesey movie rating: A.

101 Dalmations - Hokey Disney movie released sometime in the 50s or 60s. Also happens

et al. The movie has been the biggest opening box office draw for Disney, before *Little Mermaid*. Story rating: C+. Irresistably cute rating: B+. Spot rating: A.

Shakes the Clown - clowns across the country boycotted this movie. They didn't have to - it would've died on its own. If Ross Perot rated this movie, he would just shake his head and say, "Now, that's sad - just plain sad." Comedy rating: F. Overall rating: F. First letter of my last name: F.

Miscellaneous Events

Student Services' Line for Yearbook Photos

Normally one would not rate standing in line to have a yearbook photo as entertaining. And I'm not going to. But, I had space to kill, and I feel that if I had to stand in line for an hour and a half, someone's going to hear about it. First of all, anyone who needs more than 5 minutes to have their picture taken is either uncooperative or is bordering on comatose. Here's a hint - look at the birdy and smile. You've been doing it since 1st grade. The only person with an excuse was the guy who was photographed with his baby. This guy gets an A++ for best idea at Brooklyn Law School this year.⁷

Second of all, anyone who's been to a doctor's office can figure out that you don't give 10 people the same appointment time with one person. Maybe next year Student Services can have people sign up for appointments at ten-minute intervals. Then it can be like a miniature civil procedure exercise - you miss your appointment and, without a good excuse, your face doesn't appear in the yearbook. Instead, a picture of one of the past, dead Chief Justices of the Supreme Court will appear with your name. (Imagine the conversations: Gee, Darlene, what was the matter with your makeup that day? You looked like Melville W. Fuller.)

1 To determine the intelligence of a Staten Island of Long Island woman, use the following equation:

$$I.Q. = 130 \times (\text{height of hair in inches}) \times (1 + \text{amount of hair spray used in ounces})$$

2 I use this term on purpose. I have friends who are not African-American, but are black and

find the term "African"-American presumptuous (somewhat like presuming that all Jewish people are Orthodox).

3 In fact, I would posit that having sex with anyone or anything with sharp, pointy fangs can turn out to be a strikingly bad idea.

4 Especially after a Tex-Mex meal.

5 Actually, *Better Off Dead* has nothing to do with vampire movies, or the casting for *Bram*

Stoker's Dracula, but it is a really funny movie.

6 One of my favorite actors - he played the older brother, Chet, in *Wierd Science* and the guy who yells "We're all gonna die" every ten minutes in *Aliens*.

7 A close second in this category is whoever stocked up the cafeteria with Arizona Iced Tea. By the way, lose the raspberry flavor and order the 24 ounce size lemon flavor instead.

JOSEPH BONDY PONTIFICATES ON WINE, WOMEN, AND SONG

This month I have the distinct pleasure of reviewing two excellent, reasonably priced local restaurants. They are **Acadia Parish** just west of Clinton Street on the south side of Atlantic Avenue, and **Cafe Buon Gusto** on the North side of Montague Street, between Clinton and Henry Streets.

When I returned home from Europe this summer, there was a new restaurant in the neighborhood. Since SBA rep ("rear admiral") Adam Stillman, and my close confidant (Don Ho) Jason Greenstein recommended it, I knew it had to be good. It was **Acadia Parish**, which specializes in cajun cooking. Since my introduction to AP late this summer to now, I have greatly enjoyed their spicy, unique menu. The specialties include seafood or chicken and andouille (a spicy sausage, sliced) gumbo, seafood or chicken jambalaya (the Louisiana analog to Spanish "paella"), daily blackened or grilled fish and chicken specials, and the excellent array of desserts—mostly pies and puddings. The prices are very reasonable, with dinner entrees starting at \$6.95 and maxing out at about \$14.00. The attentive service and warm ambiance of **Acadia Parish** further adds to one's dining pleasure.

The best part about AP is that you can bring your own wine, and thus you are not stuck with a limited selection of mediocre wines in poor vintages. Feeling, as I must, the burning desire to recommend several excellent wines which cost under \$25.00 in wine stores (often less than you would pay for a bad bottle of wine when out eating), I will. The "list of five", from first to fifth is as follows: 1982 Chateau Cantemerle (\$24.95); 1985 Brane-Cantenac (\$24.95); Santiago Chilean (Steve Kramer's favorite) Cabernet Sauvignon 1989 (\$4.99); Georges Duboeuf 1991 Morgon (\$8.79); 1985 Clerc Milon (about \$18.00). All of these wines are red, which I prefer. They are all available at these prices at **Sherry-Lehmann**, New York City's best wine store, located on Madison avenue

and 61st street in Manhattan. They are also available elsewhere, but anyone who cares at all about wine should make the trip to **Sherry-Lehmann** to check out their amazing collection of fine wines.

So, check out **Acadia Parish** for excellent cajun cooking. Bring your own wine, and enjoy!

Another new restaurant also opened this summer in Brooklyn. This time it was jet-setting commercial airline pilot Steven Markhoff who first recommended it to me. Since then, I have enjoyed **Cafe Buon Gusto** countless times. Part of the enjoyment stems from the fact that I have been eating in **Buon Gusto's** sister restaurants in Manhattan for years. The food is Italian, and it is pretty good. The prices are reasonable, with various pasta shapes prepared in various sauces of your choice for \$5.95. Among these are linguini, spaghetti, penne, rigatoni, pastas in pesto, pomodoro, vodka, marinara, etc. sauces. The chicken entrees are generally good, as are the pasta daily specials. Particularly noteworthy is the special homemade tortellini stuffed with veal in a porcini mushroom cream sauce. The veal tortellini are excellent, and the porcini mushrooms, accented with garlic, further complement the fresh pasta.

I have to admit that although I have occasionally drunk up to 7 consecutive cappuccinos at **Cafe Buon Gusto**, they are not that great. The steamed milk froth is thin and weak, and the cup is small (For those interested in cappuccino, try the **Verandah Deli**, on Clinton St. and Verandah Place. Although you can't sit, you get the largest, strongest, frothiest cappuccino in the city—a bargain at \$1.50). The desserts are also of no great significance—try Haagen Daz or Baskin Robbins across the street. Overall, **Cafe Buon Gusto** is well worth the money. The food is consistent, the ambiance good, and the prices affordable. **Buon Gusto** is certainly better than some famous restaurants I know (especially Gage and Tollner). And if you're lucky, you might even see me there!

The principal of certain rights being born out of the very nature of a democratic society served as the foundation for future constitutional rulings.¹ In addition, the lack of the confines of a formal constitution has allowed the High Court to draw and learn from the constitutional rulings of several countries - a process referred to by the High Court as "universal jurisprudence"! Undoubtedly though, the Israeli Supreme Court has looked first to United States Supreme Court decisions (and even the Declaration of Independence) for guidance. The Israeli Supreme Court, nevertheless, on more than one occasion has chosen to overlook a United States decision

which it perceived as too restrictive and has rendered instead a liberal ruling. In fact, on a visit to Israel, Justice William J. Brennan commented that in the history of Free Speech, Israel would be the shining example. He made this comment in view of the extent that the Israeli Supreme Court had gone to protect the exercise of Free Speech despite the very real security dangers that Israel faces in comparison to the restrictive rulings of the U.S. Supreme Court during World War I, when the Court reacted severely to a perceived threat of danger.

A more extensive analysis of comparative Israeli and United States constitutional law

is the subject of one of the courses taught in the Temple University Law/Tel Aviv University Law Summer Abroad program. For more information on how you can earn credit towards your J.D. during a month law program on the campus of Tel Aviv University, please call Professor Burton Caine at (215) 787-8934 or Michael Cohen at (718) 338-5224. You may also request information by leaving a note in the JLSA mailbox in the SBA office.
¹ It was expressed in a later case by Justice Landau as "basic rights which are unwritten but emanate directly from the nature of our state as a democratic and free-loving state." H.C.J. 62/243, *Israel Film Schools Ltd. v. Gari*.

Holiday Songs

The Christmas Song

Chestnuts roasting on an open fire
Jack Frost nipping at your nose
Yuletide carols being sung by a choir
And folks dressed up like Eskimos

Everybody knows ...

A turkey and some mistletoe
Help to make the season right
Tiny tots with their eyes all aglow
Will find it hard to sleep tonight.

They know that Santa's on his way
He's loaded lots of toys

and goodies on his sleigh
And every mother's child is going to spy
To see if reindeer really know how to fly.

And so, I'm offering this simple phrase
To kids from One to Ninety-two

The Dreidel Song

I have a little dreidel
I made it out of clay
And when it's dry and ready
Oh dreidel I shall play

[Chorus]

Oh dreidel, dreidel, dreidel
I made it out of clay
And when its dry and ready
Oh dreidel I shall play

HAPPY HOLIDAYS '92

