

# The Justinian

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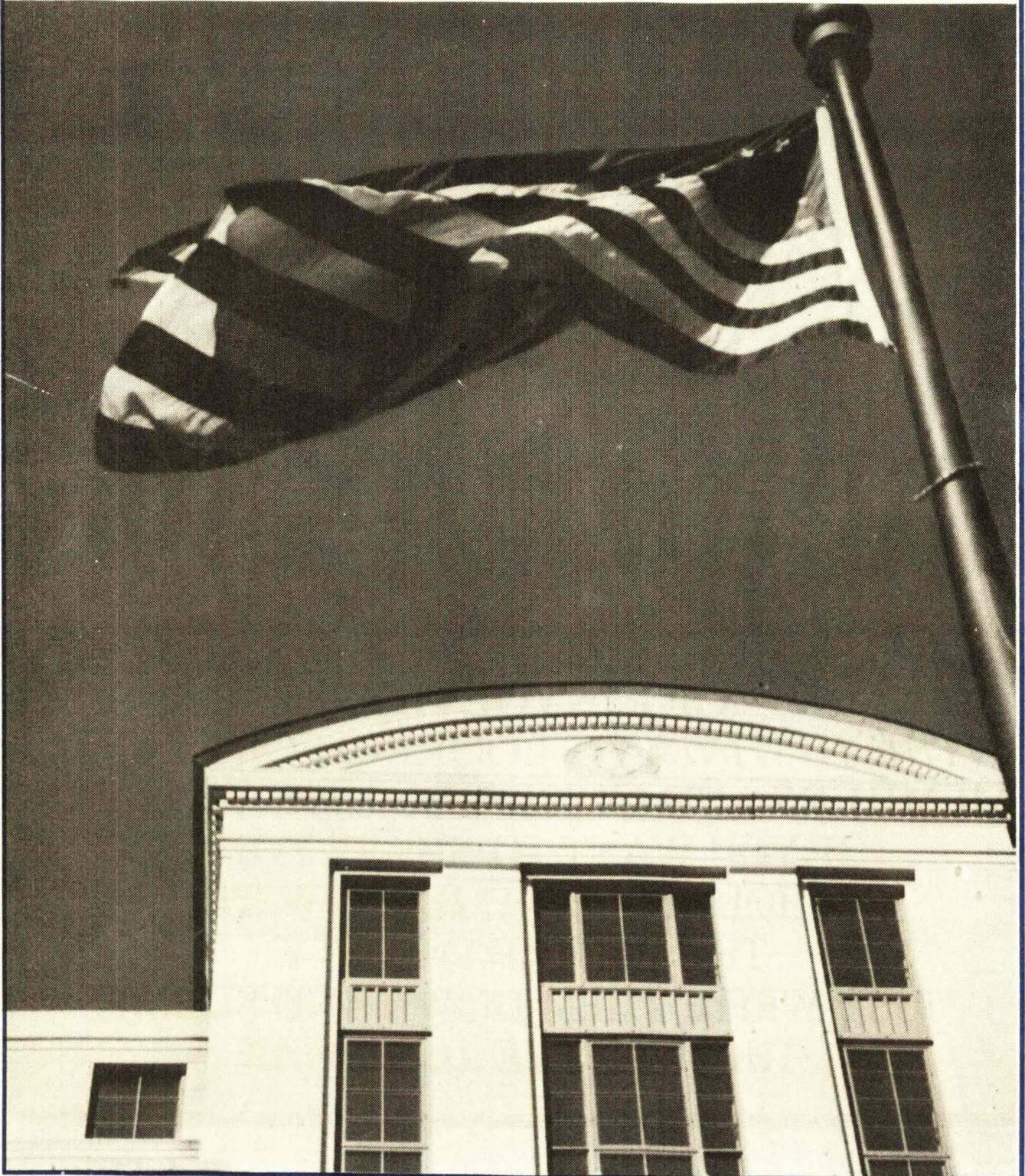
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# *The Justinian*

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

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# *The Justinian*

A Forum for the Brooklyn Law School Community

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## Editor's Corner

By Muriel Richards

On behalf of *The Justinian*, I would like to express our appreciation to all who took the time and effort to express their views of our October 1995 issue. We welcome your comments and suggestions on how to improve *The Justinian*. We wish, however, that more individuals would participate in the creation of each issue by submitting articles, book reviews, photographs, etc. So, if inbetween (or, more realistically, after!) studying for finals and preparing for the holidays you should get the urge to write an article or take a photograph, please do so and submit it to *The Justinian*. Or, if during the winter break you read an interesting book, we would welcome a book review for our next issue. Additionally, if you should disagree or agree with something you have read in *The Justinian*, please write down why you oppose or support what you have read. As stated previously, we will withhold any author/photographer's name upon request. If you have not previously submitted any item to *The Justinian*, now is the time to break out of the habit of non-direct participation. The Serbs, Muslims and Croats have signed a peace agreement

in Dayton, Ohio. The Beatles have recorded another album. And the Panama Canal is up for sale. You can assist in the continuation of these surprising developments by inundating *The Justinian* with your articles, suggestions, etc. Submission deadlines for each issue are posted on *The Justinian*'s bulletin board space in the cafeteria. Submissions may be brought to room 610 or placed in our 5th floor mailbox.

In this issue, there is a thorough, informative essay submitted by Professor Daniel Kramer (of The College of Staten Island) concerning a Twenty-Eighth Amendment to the U.S. Constitution, guaranteeing a decent standard of living to all Americans. There is a special request form for your response to this article included. There is another thoughtful and well-reasoned article concerning hate speech, written by Daniel Ajello. We have reinstituted a feature that used to appear in *The Justinian* titled, "Years Ago". This feature depicts columns and photographs that appeared in *The Justinian* over the past sixty-four years. There is also a review of the play, "Dangerous Corner". We would like to continue this feature, with academic schedules and reader responses permitting! And, of course, Joseph A. Hayden's column, "On Political Correctness" appears in this issue.

On behalf of *The Justinian*, I would like to wish everyone at BLS a memorable and safe holiday season. Good luck on final exams!



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# Resolved: That A Twenty-Eighth Amendment Guaranteeing All A Decent Standard of Living Be Added To The United States Constitution

By Daniel C. Kramer

The writer received his LL.B from Harvard Law School. He is currently a professor of political science at The College of Staten Island, CUNY.

We are the richest country in the world, with a Gross National Product of about seven trillion. Yet, thirty to forty million of our fellow Americans are mired in poverty and the gap between rich and poor here is one of the largest in the industrialized world. Many in the working class have no health insurance and thus have to leave untreated the debilitating and sometimes dangerous diseases that afflict themselves and their children. The impoverished can get some care through medicaid; but a Congress that wants to lower taxes on the rich at the expense of the indigent is gutting this program.

The specter of so much misery among so much opulence is so absurd that a literary critic would declare it comical were it not for the real and genuine pain that it inflicts. Unfortunately, only a minority of Americans in this era of phony-Christians screaming that the poor must be left to starve to that they will not become "dependent" recognize that this specter is infinitely more obscene than the most erotic photographs available in the grubbiest Times Square sex shop. It is time for those few of us who appreciate the dimensions of this obscenity to start speaking up. One thing we can do is start calling for the passage of a Twenty-Eighth Amendment not demanding a balanced budget—a laudable goal but one that in the present political climate would be achieved at the expense of the least fortunate—but, rather, guaranteeing all Americans a decent standard of living.

Peter Edelman, a fine lawyer and former Dean of Georgetown University Law School, was denied a judicial nomination by his old "friend" Bill Clinton for saying this a few years ago. But I am not in the running for a federal judgeship and so do not hesitate to adopt the position which caused Edelman's downfall.

Let me set forth some arguments in favor of adding such a Constitutional guarantee. I am going to start with the contention of Henry Shue and

James Nickel, two leading rights theorists, to the effect that the right to a decent standard of living is a crucial one. These men begin by asking: what are our key human rights? Both answer that one of these is the right to "physical" ("personal") security. (No, Newt, liberals are not anti-law-and-order; but this is not the only value they espouse!) Thus, Shue (1980, p. 20) asserts that "people have a basic right to physical security—a right that is basic not to be subjected to murder, torture, mayhem, rape or assault". And Nickel (1987, pp.94-95) includes as among a human being's "fundamental interests" a "secure claim to life". This in turn comprises, among other things, a "claim to security" which "generates...duties not to murder, use violence except in self-defense, or harm unnecessarily". (*Ibid.*, p.95)

But neither Shue nor Nickel stops here. The former continues by emphasizing that political and other freedoms are not of much use to the individual who lacks food and shelter, i.e., a "right to subsistence". He explains that this is the right "to have available for consumption what is needed for a decent chance at a reasonably healthy and happy life..."; which is very close to what I mean by the right to a decent standard of living. Nickel (1987, p.95) is so convinced of the importance of the right to at least a moderate standard of living that he deems it incorporated in his fundamental "secure claims to life" interest. "The claim to life...also includes a claim to assistance, which implies positive duties to assist people when they need help in obtaining the necessities of life..." (*Ibid.*)

Especially since the end of the Second World War, many constitutions have declared that the inhabitants of the countries involved have the right to an adequate standard of living. (Duchacek, 1973, pp. 107-108) Of course, the basic charters of communist countries asserted this. But so does the Constitution of predominantly Roman Catholic Italy (Articles 36-38), of prosperous, capitalist Japan (Article 25) and of democratic India (Articles 39a and 43). The United Nations Universal Declaration of Human Rights of 1948 provides in its Article 25 that "Everyone has the right to a

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# Human Rights Watch

By Muriel Richards

Earlier this month, nine individuals in Nigeria were executed after being found indirectly responsible for the murders of four pro-government tribal leaders in that country. Prior to the executions, one of the convicted, Mr. Ken Saro-Wiwa, who was a minority rights activist, newspaper columnist and playwright, maintained that he and his colleagues were charged and convicted of these crimes solely because of their stance on minority rights in Nigeria. The nine denied any responsibility for the murders. A large percentage of Nigeria's economy depends on oil production. Some of the oil is produced in an area inhabited by the minority Ogoni people.

Mr. Saro-Wiwa's minority rights group, the Movement for the Survival of Ogoni People, had repeatedly lobbied the Nigerian government and large oil companies in the region to ameliorate the detrimental environmental consequences inflicted by oil production in this area. Additionally, the group demanded that the Ogoni people be allocated a larger percentage of the oil production revenues because of the negative impact the industry has had on their lives.

Mr. Ken Saro-Wiwa stated that his arrest, as well as the arrest of others involved in the Ogoni rights movement, was based solely on retaliation for their group activities. They were executed following the trial after being denied an appeal. The lack of due process in their trial has caused an outcry in the international community. Archbishop Desmond M. Tutu participated in a protest march on November 16, 1995 in Johannesburg, South Africa. Both the United States and the European Union have imposed sanctions in an effort to make the Nigerian government more responsive to human rights concerns.

The current leader of Nigeria, General Sani Abacha, has maintained that the protests and sanctions concerning human rights violations are an attempt on the part of the United States and the European Community to discredit Nigeria.

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standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services...; while Article 11(1) of the 1966 International Covenant on Economic, Social and Cultural Rights uses language that is quite similar. Some constitutions and analogous documents go so far as to recognize a right to education (Japanese Constitution, Article 26) and to freely-chosen work. (1966 International Covenant, Article 6(1)). The fact that constitutional guarantees of adequate subsistence are now quite popular strengthens the Shue/Nickel position that the right to a tolerable standard of living is a fundamental one. And, if it is basic, the United States Constitution should recognize it.

There are other planks that can be used in a platform defending the need to insert such a clause into our Constitution. Many Americans are strong adherents of the Declaration of Independence's contention that God has granted us certain unalienable rights, that among these, in Thomas Jefferson's immortal words, are "life, liberty and the pursuit of happiness". One can reasonably aver that a decent standard of living is part and parcel of the happiness we have a right to pursue. But in this skeptical age it makes more sense to adduce a natural rights position that does not rely upon the existence of God. The legal philosopher Ronald Dworkin (1977) has provided us with such an approach. In his eyes, there is "...a natural right of all men and women to equality of concern and respect, a right they possess not by virtue of birth or characteristic or merit or excellence but simply as human beings with the capacity to make plans and give justice". (Ibid., p. 182) From this he deduces that men and women have "moral" rights, also called "rights in the strong sense" (Ibid., p. 190) against their government. Dworkin does not mention the right to a decent standard of living as among these "rights in the strong sense". His list includes freedom of speech, press and conscience and the rights of personal security and a fair trial. (Ibid., pp. 190-204) However, his basic theme that all have as their due an "equality of concern and respect" certainly supports the proposition that all are entitled to a decent standard of living. Can we say that the state accords an "equality of concern and respect" to the individual with no job and health insurance when many of her fellow citizens make \$100,000 a year, have access to the best medical care that science has made possible, and have a second home in the Hamptons? The question answers itself!

One can also make "utilitarian" arguments on behalf of the view that the right to a decent standard of living is fundamental. My readers will

probably remember from their Philosophy 101 course at college that utilitarianism, as applied to the political and legal sphere, is the doctrine that public policies are desirable only insofar as they produce "the greatest happiness of the greatest number". (Bentham 1969, p. 45) Surely the recognition of the right of all to a decent standard of living would give rise to the greatest happiness of the greatest number. Removing the misery of the poor, their worries about jobs, feeding and clothing their families, their fear that their children will not get a decent education, will subtract a lot of pain from the social order. Nor will the policies necessary to achieve these goals create a great deal of suffering. I assume that they would be implemented, at least initially, by raising taxes on the rich. It has long been recognized that, by and large, handing say, \$100 to a needy person will give him great joy while removing \$100 from Ms. Moneybags' purse via the tax route will hardly be noticed by her. Obviously there will come a point when redistributive levies will cause more sorrow to the wealthy than joy to the less fortunate, but a public official who is faithful to the principles of utilitarianism will brake his/her egalitarian impulses short of that point.

Less known than utilitarianism is the technique of Harvard philosopher John Rawls. (1971) He asks what "social contract"—i.e., what principles assigning basic rights, wealth and honors—would be chosen by those living in a hypothetical "state of nature" to govern a society they are agreeing to mold. While participating in the drafting of this "social contract", no one would know her place in the realm that was being created or be aware of her natural assets such as intelligence and physical strength. (Ibid., pp. 11-12) In making her choice, each signatory would be guided simply by a "maximin" desire to insure that the worst that could happen to her in the new commonwealth would not be intolerable from her point of view. (Ibid., pp. 151-56) It is not farfetched to suggest that the risk-averse individuals postulated by Rawls would insist that each individual in the new polity be guaranteed at least a moderate standard of living; only in this way would a given person when helping to frame the new order be confident that his existence therein would not be traumatic. And in fact Rawls does conclude that his contractors would insert as one of the two crucial clauses in their social contract the proposition that economic inequality is justified only to the extent that it creates benefits for all, especially for the poorest, i.e., that "social and economic inequalities, for example inequalities of wealth and authority, are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members



of society". Ibid., pp.14-15)

Relevant to whether the right to a decent standard of living is a vital one and thus should be recognized by the American Constitution is the psychologist A.H. Maslow's empirical inquiry into human motivation. Many of you probably remember Maslow from your Psychology 100 lectures but let me recapitulate his main points anyway. His investigations led him to conclude that "Man is a wanting animal...As one desire is satisfied, another pops up to take its place". (Maslow 1970, p. 24) An individual's first "desire" (a word that he uses interchangeably with "need", "needs" or "set of needs") is to satisfy hunger or thirst. Once one's belly is full, what Maslow calls the "safety needs" emerge, including "security, stability...protection; freedom from fear, from anxiety and chaos; need for structure, order, law..." (Ibid., p.39) Once the person feels secure, he finds that he is confronted with "belongingness and love needs", i.e. to enter into loving relationships and to carve for himself "a place in his group or family..." (Ibid., p.45) That is, we want to be proud of ourselves and appreciated by our fellows. But even after we are looked up to by our colleagues and simultaneously can look ourselves in the mirror, our winter of discontent will not have ended. The reason for this is that most people yearn for "self-actualization". That is, they are eager to realize their potential, to put their talents into practice. (Ibid., p.46) "A musician must make music, an artist must paint, a poet must write, if he is to be ultimately at peace with himself." (Ibid.)

On the very reasonable assumption that a right is fundamental if its recognition is necessary to assuage one or more of the drives in Maslow's needs hierarchy, certain propositions about human rights can be derived from his psychology. One of the most obvious is that freedom of speech and press are crucial: one whose talents lie in e.g., composing novels will be discouraged from putting them to good use if she fears that their publication will mean twenty years in a frozen gulag. Another is the importance of protecting freedom of association, which freedom will enable one to satisfy his belongingness needs as well as to organize to protect his liberty of speech and press. For our purposes, what is most interesting is that Maslow's scheme demands the conclusion the right to an adequate standard of living is also central, since it must be granted if people's "psychological" (e.g., those to slake hunger and thirst) drives are to be satisfied. These needs, according to Maslow, are perhaps not our noblest ones. However, people will demand that they be alleviated before the ones higher up the ladder are dealt with; and thus they must not be ignored. (See Ibid. pp. 36-37)

To sum up what has preceded, the writings of modern human rights theorists, the views of post-World War II constitution writers, Ronald Dworkin's secularized natural law, John Rawls's late-twentieth-century version of the social contract theory, and A.H. Maslow's study of human motivation all can be used to defend the idea that the right of all Americans to a decent standard of living is basic and thus ought to be enshrined as the Twenty-Eighth Amendment to the Constitution. I admit that there are problems with such a guarantee. It could discourage some from working. However, it would be unlikely to do so if its centerpiece were to be government stimulation of jobs in the private sector and creation of jobs in the public arena rather than an increase in welfare benefits. Next, it is hard to see how a court could force a recalcitrant legislature to put the Twenty-Eighth into practice. For example, if Congress were to fail to expand government-subsidized health programs,—an enlargement almost certainly demanded by the new Amendment—it is inconceivable that the Supreme Court would issue an injunction ordering the legislature to mend its penny-pinching ways! Furthermore, not only would this Amendment be hard to implement, but it is rather vague as well. It clearly demands government-aided jobs programs, educational subsidies to insure the development of a qualified labor force and government-assisted health insurance for all. But, e.g., does it require free medical care for all or (as I would hope since I do not view it as a passport to soaring budget deficits) does it allow requiring those patients financially able to pay a deductible? Does it command free tuition at public universities or (as I would think more practical) merely low tuition?

However, if approved, the Twenty-Eighth would not be the only section of the Constitution that is a bit fuzzy at the edges and tricky to implement. The Equal Protection Clause of the Fourteenth is hardly crystal clear: even today, for example, it is uncertain whether it bars a state from giving preference in hiring to members of a traditionally-disadvantaged ethnic group. On the practicability side, legally-sanctioned racial segregation persisted until a century after Equal Protection found its way into the Constitution. But the very presence of that Clause in our national charter gave people the courage to struggle against state-sponsored racism. I would hope that a constitutional guarantee to all Americans of a decent standard of living would similarly serve as a beacon to those in this country who are willing to wage an uphill struggle to make the United States as exemplar of economic justice.



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## *The Justinian*

### A Forum for the Brooklyn Law School Community

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*The Justinian* is interested in your opinion concerning the proposed Twenty-Eighth Amendment to the United States Constitution. Please write down your thoughts on this form (feel free to attach additional sheets of paper) concerning the proposal as described in the article by Professor Kramer and submit them to *The Justinian* in room 610 or drop them off in our 5th floor mailbox. If you would like to see your response appear in our next issue, please indicate so below and submit it no later than Friday, January 26, 1996.

Name:

I would like my response published in *The Justinian*: ☐ Yes ☐ No

I am requesting that my name be withheld: ☐ Yes ☐ No



# On Political Correctness

By Joseph A. Hayden

I must be doing something wrong because my last article on politically correct speech didn't generate a single response to the *Justinian* complaining about how insulted anyone was. I know at least five people read it too! Maybe I am too PC for my own good. In any event, I hope to be much more controversial this issue. And, as always, we welcome suggestions for PC analysis.

So, here I am again with my ongoing quest to insult the timid and empower those in control. Actually, while this seems to be the initial goal of politically correct speech, it seems that less and less it has a partisan line to be drawn. Liberal radio personalities seem to despise political correctness as much as conservative ones, but it is the reasoning behind their frustration with our language and its growth that can be distinguishable. For example, who would ever consider the "feminazi" slogan created by Jaba, I mean, Limbaugh, to have caught on? I would never use it, but this lack of taste is a sign of some troubling times that he no doubt has had. I personally enjoy listening to Lynn Samuels, who also has a talk show on WABC. She is the most liberal of the talk show hosts on that station, but she doesn't like to adhere to politically correct speech either because it means an infringement on her opinions. That is a very valid reason for fighting against trendy phrases. Limburger, on the other hand, uses his need to spew hatred as his reason for pushing aside PC speech.

As much as I dread hearing ignorant rednecks go on about racially charged speech, gender-charged speech is starting to rank up there with my most disliked insults now. I read on the Internet recently comments from a man who really took me aback with his opinions. Embittered by a divorce, the father pondered why the word "father figure" is so often used; his point being that father's can be replaced by "figures", but "mothers" cannot be. Hence, fathers are inherently assumed to be less equivalent parents. I tend to disagree with his complaint, however. If a disproportionate number of so many men had not left their parental responsibility then those "figures" would not have been necessary to create and to complement their absence.

Another man on the Internet, in response, complained of how our language is very sexist —

but not in the ways it has traditionally been accused of being sexist. He pointed out the following words with their negative connotations: mad-man, front-man, con-man, bag-man, laymen, menstruation, mentality, manacle, man-handled, mangled, manager, mandatory. I think that is a stretch. Right of the bat the only anti-feminine word I can come up with is "evil" which is a derivative of the Biblical "Eve". I am sure there are countless more.

Pink is for girls and blue is for boys. I would love it if you could prove me wrong. How PC can it be to have a former Nazi collaborator sing "Thank Heaven for Little Girls" on an American television commercial? I do not care how many years ago Maurice Chevalier did it and that he is dead now. I saw the Josephine Baker Story! Princess Grace was very PC.

Gingrich's distancing himself from his lesbian sister — oh, lest I forget it is only his half-sister — is not very PC. Jacques Chirac is not very PC. Do one of his friends need a bomb tested perhaps? Ted Danson is not very PC. I don't think black face ever will be, even if he was making Whoopi. Not very punny, I know, but I had to get it in, even if it is an old one. Barbra Streisand is very PC. She's like buttah (sic), not margarine. The nurse at my doctor's office who would not let me read the receipt's disclosure before signing it until I specifically told her I would be doing so — she's not PC. She even grabbed that damn receipt from me. What kind of lawyer would I be if I did not read what I signed? I do not care if she has to get dozens of signatures every day. I wanted to know what I signed before I gave away my first born child.

CBS is terribly un-PC for, in fear of litigation, pulling the story on the tobacco executive who has come clean. Is it coincidence that CBS lacks backbone though because until recently it used to be run by a fellow named Tisch. Remember that name. This is the same Tisch who has donated to NYU and hospitals around Manhattan. How PC is it that Tisch, as a board member of one of the largest tobacco companies, puts people in the hospitals he funded for sicknesses that were caused by the use of tobacco which he helped promote?



# Why We Must Tolerate Hate Speech

By Daniel Ajello

*"We all know the difference, but it is hard to write a law around it: Hate speech is all those nasty, vicious things they say about us. But free speech is all those nasty, vicious things we say about them."* THE DALLAS MORNING NEWS, May 28, 1995, Sunday, Jim Wright.

*"Free speech is not to be regulated like diseased cattle and impure butter, The audience...that hissed yesterday may applaud today, even for the same performance."* William O. Douglas, *Kingsley Books Inc. v. Brown*, 354 U.S. 436, 447 (1957)

Acts of racism have angered and frustrated many people who find it hard to understand the hatred underlying the actions. One symptom of racism is hate speech.

While trying to silence hate speech, governments and private institutions have directed resources at regulating speech, and in doing so, have become entangled in free speech debate. These debates have clouded the true issue. A better approach is to bypass free speech issues completely. Education and a tolerance of hate speech in conjunction with constructive discussion is the only way to truly deal with both the issue of hate speech and its cause, racism.

Examples of the speech codes of universities and the conflicts they have created seem almost silly. The University of Michigan Office of Affirmative Action Guideline gave the following as an example of blatant racial harassment: "A male student makes remarks in class like 'Women just aren't as good in this field as men' thus creating a hostile learning atmosphere for female students."

By sanctioning a statement like the one above the writers and interpreters of the code are assuming the female students in the room to be without recourse of their own, and in need of the University's protection. This seems to be, in itself, more damaging than the statement. What the University is putting forth is the view that certain

groups of individuals cannot react or respond on their own. By telling these groups that they are to be protected, even for innocuous innuendos or passing statements, they are categorizing the statement maker as the one who has the upper hand and the listeners as weak and defenseless.

Is it better if the student had not said anything? One may concede that the statement was not a correct one to make. However, if the student had decided not to say what he believed, what chance is there of changing his opinion, or in the least making him aware that the statement may offend some people? It seems a better alternative would be to promote an outlet for any true opinion a student had, either in class or in a private discussion, to help that student become better informed and perhaps, if it is wished, develop a new position, or in the least, a better understanding of another's position.

Wouldn't the better example be to tolerate a student's expression and create a constructive discussion of whatever issue has been raised?

The following examples convey the hypersensitivity which pervades some campuses and fosters a silencing of expression:

At the University of Washington, a professor called in campus police to bar a student from class who had questioned her assertion that lesbians make the best parents.

At the University of California at Santa Cruz, an administrator has sought to ban such phrases as "a chink in his armor", "a nip in the air", and "call a spade a spade".

At Harvard a "dean denounced dining-hall employees for having a back-to-the-'50s party" because segregation still prevailed in that decade.

If the ideas behind such codes are accepted and carried into the mainstream of society it would have effects similar to those in the Universities. Those with the most stirring ideas and opinions would be silenced. The most individualistic free thinkers, and arguably the most courageous of a nation's citizenry would be silenced.

These pressures go beyond the protecting



of students from harassment. They attempt to create an atmosphere of conformity within the University system which inhibits the rights of all the students. By seeking to censor the student's social and classroom discussions, free speech is cast aside while trying to protect students who may be able to take care of themselves. A graduating student at Brown University felt compelled to advise incoming students that "[t]here are some things that are simply not discussed here". Intellectual development which could be used to combat hate speech and racism is never completed.

An open exchange of ideas, including those which may be racist, is the best weapon if one wishes to battle racism and its symptoms, including hate speech. The root cause of racism is ignorance and inexperience. By silencing the ignorant and keeping the inexperienced from discussing their impressions the only way an individual can overcome his misconceptions or racist beliefs is by chance.

This is especially true at a University, where young adults have traditionally been called upon to rigorously examine their most basic assumptions, open themselves up to new ideas, and survive and develop in the intellectual forum. To deprive them of these experiences, even to protect them from "offensive" views, is to ultimately deny them of their opportunity to become more intellectually and socially aware. It is through these very experiences that students attain intellectual and moral maturity and become self-reliant.

A more open forum will undoubtedly generate both offensive and encouraging beliefs. Free speech advocates welcome the confrontation of these beliefs in the "marketplace of ideas". Here it is hoped, and believed, that the truthful idea will prevail. Others argue that gross economic inequality and the discounting of "outsider views" prevent certain ideas from getting a fair hearing, and that, in any event, humans are essentially irrational. However, if the "marketplace of ideas" functions at all in society it should function best in the Universities which are said to be devoted to rational discourse and which provide students and faculty alike with plentiful forums to disseminate their views.

It may be argued that we should not abandon codes or documents designed to create lines of acceptable speech just because these lines are so hard to draw. Certainly many qualified people have tried. Even if such a line could be drawn and

enforced, it would closet away racists and their ideas. This would keep society at large from being able to deal with developing racist ideas. Racist speech has been called a "social thermometer" that allows us to "register the presence of disease within the body politic." By using this thermometer as a tool each community, can design the most effective measures to deal with them. By driving the ideas underground we merely present the position that they do not exist, or that they only exist when they violate the law or code that has been created.

Important too is that enduring racist speech helps exercise society's understanding of the racist and how such ideas grew. It should strengthen the tolerance and restraint of those who seek equality. Hypersensitivity and a search for scapegoats seems to develop when laws or codes are in place to try and show a degree of success in fighting racism.

It has been argued that institutional tolerance of racist speech serves as an endorsement of racist speech. Tolerance, however, should not be equated with acceptance. It merely recognizes the right of each individual to free expression and the multitude of benefits that society realizes from "individuals' exercise of this right.

In the end, it is the stirring and possibly inciteful speech itself which will be needed to end racism. It may be that possibly inciteful speech carries with it not only a chance for violence, but a chance for the creation and exchange of new ideas. A prompt, focused response, involving discussion and an examination of the speaker's and listener's ideas is the only way to educate those who are true, and potential racists. This holds true not only for the students in University, but for all citizens.



# A Thief Among Us

By Sandra Pallante

On the evening of Monday, November 13, I lost my wallet in a BLS lecture room. The next morning, a BLS staff member informed me that my wallet was found in an elevator absent the one hundred dollars it contained the evening before.

I was extremely dismayed at the fact that a fellow BLS student could steal. This student did not even have the courage or decency to submit the wallet to Lost and Found after looting the contents. Perhaps I am too idealistic, but I cannot imagine sacrificing my principles for money. The fact that

it was only one hundred dollars makes the act even more deplorable.

We are studying to be lawyers. One day we will be asked to take an oath holding us to a higher degree of ethical standards. What a sorry state of affairs we must be in if we cannot even trust those among us. I sincerely hope that you (the culpable individual) do not represent the moral standing of the majority of BLS students. I know if I had found your wallet, I would gladly have returned it with the contents intact.

SIC!

**THE JUSTINIAN IS COLLECTING  
TOYS THIS HOLIDAY SEASON TO  
BE DONATED TO THE RONALD  
MCDONALD HOUSE. ANY NEW,  
UNWRAPPED TOY MAY BE LEFT  
IN THE DESIGNATED BOX IN THE  
STUDENT LOUNGE PRIOR  
TO FRIDAY, DECEMBER 8, 1995.  
THANK YOU!**



# The Orenthal Aftermath

By Joseph A. Hayden

There was so much speculation by some, including the more inflammatory elements of the press, who believed that a conviction of Orenthal Simpson would cause the African-American community to react negatively, even riot. But what will happen now that he was acquitted? I expect, very unfortunately, that the far right and the turn-coat liberals (otherwise known as Reagan-Democrats) will be swayed to the right by this verdict over the course of the next year, just in time for the presidential election. In the short run there will be some consideration to doing what England already has done — namely, getting rid of the jury system altogether — but that will all just be rhetoric and good sound bites. I can see the Michigan militia and all their sister state counterparts planning a wave of violence in Los Angeles in retaliation, if it has not already begun. In other words, the long-term repercussions of the acquittal could be a loss of the White House in 1996 to Republicans. While I do not consider President Clinton to be a liberal, he may just be able to hang on.

In any event, what becomes of Orenthal? Does he get constructively exiled? I hope so. I hope with his lifestyle, carefree as it was before the murders and as it will be once he resumes his Hollywood persona, he will not even consider full custody of his children. I pity the people who choose to associate with him. I do not think any reputable firm would ever participate in a legitimate piece of work with him.

I disagree with many, including legal experts, who say that Orenthal is automatically entitled to have custody of his children. Custodial rights of grandparents are more and more common as parents have become less and less responsible. For example, when parents slip into drug addictions and leave their kids with the grandparents, that often can change the child's entire youth and the parents will forfeit their rights to full custody. Although the Brown family will probably have a heavy burden in showing it is in the best interest of their grandchildren to remain with them, I think they can do it. Maybe they can turn around some of that money that Orenthal helped them out with and put it to use against him. That would be just. Indeed, the maternal grandparents in this situation

are well-advised to fight for their rights, particularly since the children are flourishing in their current home, despite everything that has happened. Besides, Orenthal sure was not planning on seeing his children when he packed that disguise and put some cash and a passport in his car before running away.

My sentiments go out to the Browns and the Goldmans and all other families of murders that have taken place, particularly where the accused, through legal channels to the extent that is only available to the filthy rich, were able to escape conviction, particularly when no one was ever brought to justice for the murder of their loved ones.

Every non-law school associate I have asked me why I wanted to remain studying in such a profession after they noticed I was disappointed in Orenthal's acquittal. A distaste for the criminal justice system should not equate an abandonment of the entirety of law, particularly if someone like me who believes in the Napoleonic Code's presumption of guilt — but that's another story.

I am proud that at least now Marcia Clark, although not engaged to Christopher Darden, has gained respect and notoriety in her own right, as well as the entire prosecutorial team. Even the jurors were kind of enough to notice how hard Marcia Clark had worked on this case. Clark is already doing speeches on domestic violence and the problems particular to professional women since her personal life, including her own custody battle, became front page news more than once. So, despite this unfortunate loss in the courtroom, Clark can feel proud that there are those of us out there — maybe even a majority of us — who will wink to her as we do to each other with the "You and I know he did it" look. It may not give the victims' families any comfort, but we do not have to pretend for Orenthal's sake.



NT

# The Justinian

Brooklyn Law School St. Lawrence University

COMMENCEMENT  
ISSUE

BROOKLYN, N. Y., THURSDAY, JUNE 8, 1933

BY SUBS

## Fees Reduced At Law School

Board of Trustees Take Heed of  
Prevalent Industrial  
Conditions

Dean William Payson Richardson has recently announced that, beginning with the new Summer Session, there will be a ten per cent reduction in tuition at the Law School, making the amount payable \$45 a quarter. This revision will continue until further notice.

Universities and colleges throughout the country have been steadily increasing their rates, predicating the rises on the increased cost of education. The Board of Trustees of Brooklyn Law School, however, remarked the Dean in his announcement, prefer at the present time to take heed of financial and industrial conditions prevalent and meet the exigency by alleviating the burden of the students. Dean Richardson pointed to this as another of the many instances in which the Administration has displayed its willingness to cooperate with the student and to help him cope with his individual problems.

## Bogart Is Named Justinian Editor For Coming Year

Feature of New Policy Is  
Emphasis of School and  
Alumni News

### NEWS BOARD IS SELECTED

Eugene S. Levy Chosen Associate,  
and Kermit D. Ballin,  
Managing Editor

Maurice S. Bogart was selected as editor of The Justinian for the coming year and Eugene S. Levy and Kermit D. Ballin were chosen associate editor and managing editor, respectively, at a recent meeting of the Faculty Publications Committee.

The executive board, acting in its new capacity for this, the last issue of The Justinian until September, is supplemented by a board of editors consisting of Joseph L. Delaney, news editor; Irving Brody, Legal Periodicals editor; and Harold Geller, Legal Decisions editor.

In keeping with the new policy of The Justinian, more space will be de-

## Bennett Addresses Graduates At Thirty-First Commencement Degrees Conferred Upon

Dean Commends Industry of  
Graduating Students; Urges  
Continued Effort

### SCHOOL STILL INTERESTED

Expresses Faculty's Appreciation  
for Their Cooperation and As-  
sociations in Law Studies

"This hour brings to you a fulfillment of your fondest dreams and aspirations which have sustained you through many years of study and preparation for the scholarly honors which have been conferred upon you," declared Dean William Payson Richardson in his address at the commencement exercises, held in the R. K. O. Albee Theatre this morning. "By your industry and perseverance you have well earned these honors,"



Leon Grant Godley  
Doctor of Laws I  
in Albee Theatre

### BRANDT VALEDICTOR

Prominent Members of  
Bar March in Colorful  
Impressive Procession

The honorary degree of Laws was conferred upon Godley, Transit Commissioner, a distinguished alumnus of the school and a member of the Faculty of Brooklyn Law School, St. Lawrence University, this morning at the third annual commencement held in the R. K. O. Albee Theatre.

John J. Bennett, Jr.  
Hon. John J. Bennett, Jr.  
General of the State of



# Women's Bar Association Of The State Of New York Annual Convention

## Keynote Address May 20, 1995

By Joan G. Wexler, Dean Brooklyn Law School

Good evening. I am delighted to be here with you at the Annual Convention and particularly to share this evening with Doris Hoffman and Rachel Kretser. I have known Doris since we both became active in the New York Women's Bar Association, and I congratulate her on the superb job she has done this year. It is also a great pleasure to help you welcome Rachel as the new President, because as a Brooklyn Law School alum, I consider her one of mine.

Because I am a law school dean, I would like to talk with you tonight about thoughts on women and legal education. To some degree, the treatment women receive in law schools affects their prospects for fair treatment in the profession. It is in law school that lawyers of both sexes learn to deal professionally with one another. If law schools are free of bias, then women will expect that their treatment in the legal profession will be no different than that of men; likewise, men will not expect preferential treatment for themselves. And it is these expectations that will help to shape reality as law graduates enter the profession.

Whether our nation's law schools are free of gender bias is from my perspective, an open and unanswered question. As many of you are aware, there has been some controversy on the law school circuit in recent months surrounding the issue of gender bias in legal education. The findings from several recent studies reveal that women view their law school experience in a more negative light than do their male counterparts, and that they do not perform as well as men academically.

The primary study that has stirred this controversy was co-authored by Professor Lani

Guinier. Professor Guinier and four other authors reviewed the records of women students at the University of Pennsylvania Law School from 1987 to 1992. They found that these women had lower grades than men after their first year, that men were three times more likely to be in the top 10 percent of the class, and that men received a disproportionate share of honors, including law review membership.

This study's conclusion is similar to other findings. Another study of 7,000 first year law students by the Law School Admission Council revealed that although women had better undergraduate grades, they received lower law school grades than men. Another study involved Ohio law students. There, one-third of female students surveyed said that they perceived sexual discrimination at their school.

All this research raises troubling concerns for women considering admission to law school. It also creates an expectation that women who are about to enter the legal profession will not be as successful as their male counterparts.

Because these findings have such profound implications for the legal profession, I was eager to conduct our own research at Brooklyn Law School. I am happy to report that the experience of our women students has been far more positive.

I can confidently state that the environment at Brooklyn Law School is gender neutral. Our research found that Brooklyn Law School women had outstanding records of academic achievement equal to that of men. Women have done well and continue to do so. Although I cannot speak to the experience of other law schools, I suspect that there are many other schools that could be characterized as "friendly" to women, where gender is not a factor in the academic success of its students. My point is that we should not let the results of the Penn study speak for all law schools.

Let me share with you (and boast about) some of the significant findings from two studies that we conducted at Brooklyn Law School. In the first study, we examined data from the past 10 years and found that women were represented in high numbers among the top 10 percent of each graduating class. Our women students (approximately 175 per year) have comprised roughly 44 percent of each graduating class, yet they constitute a higher percentage of the honor graduates each year than do men. In fact, of the highest honors awarded - summa cum laude - 60 percent of those given over the past decade went to women. And six of our last ten class valedictorians have been women.

We also found that female students were represented in substantial numbers in three other important areas. Of the highly selective group of students who make *Law Review* (approximately 30 chosen each year), nearly half have been women. The *Brooklyn Journal of International Law* and the Moot Court character of the institution is critical to this success. Since its founding in 1901, Brooklyn Law School has had a reputation for openness. From the archives and photographs from the early days of the school, we know that the earliest classes included women and persons of color. We also know that as far back as the 1920s, women demonstrated significant achievement at Brooklyn Law School. In the class of 1927, women made up nearly 20 percent of all honorable mention candidates, the highest honor given at that time. Expectations for women have always been high at Brooklyn Law School. And Brooklyn Law School women have always performed accordingly.

The lesson to be learned from our experience is that nothing in the genetic makeup of female law students — or the demands of legal education — precludes women's success in law school — or for that matter, in the le-

gal profession. Rather the basic environment in which women study law may be the true determinant of whether they will perform as well as men. Nothing about a law school curriculum is, per se, inherently hostile to women. The teaching styles of our faculty members are as diverse as their personalities. Some use the Socratic method; others do not.

But if there is a thread of commonality here that might account for the generally positive feeling that our women students have about their experience at Brooklyn Law School, it is because the environment really is gender neutral. I do not think that there is any expectation that anything more or less, or different, will be required from female and male students, or from female and male faculty, or from female and male administrators. Happily, I think this is a view that our students carry with them into the profession.

Like many other law schools, we periodically bring graduates back to meet with students and discuss their careers and how they built them. Looking over the guest list for these networking events that we have held over the past few years, I am struck by the number of our returning alums who are women. Events like these send an important message to all our students: women and men alike. They remind them that women make up a growing and highly successful component of the profession. They serve as role models to students of both genders.

Also let me add one other thought. I think that law school may actually eliminate some of the negative effects of women's high school and college experience. In its 1992 report "How Schools Shortchange Girls," the American Association of University Women asserted that there was clear evidence that schools were not meeting girls' needs. Girls and boys, the report said, enter school roughly equal in measured ability. Indeed, on some measures of school readiness, girls are ahead of boys. But 12 years later, girls typically have fallen behind their male classmates in key areas such as higher level mathematics and measures of self-esteem.

The cause? There are several theories. Some psychologists say that because girls do not compete in sports they do not learn how to be competitive in a healthy way and miss out on an activity that would give them a feeling of accomplishment and self worth. Some psychologists attribute the academic slide to something they call "learned helplessness." In elementary school, girls are usually better behaved than boys, listen closely to the teacher and are good at memorization. Boys on the other hand, are more unruly, and don't pay as close attention. As a result, teachers tend to devote more time and attention to boys and show them how to work out problems. In junior high school and high school, memorization skills become less important than critical thinking skills; the girl who was sitting quietly in elementary school is now at a disadvantage, but the boy who managed to get the extra attention than has those reasoning skills. When the girl is faced with something new and challenging, her first response to this experience is "I can't do it." She loses self-confidence and an interest in competing.

Law school, on the other hand, may "level the playing field." It presents women (and men) with another opportunity to hone their critical thinking skills, to engage in wholesome competition, and to challenge each other intellectually. I think success in law school can increase a female (or male) student's sense of self worth and feeling of accomplishment.

I want to conclude by stating that my goal as an educator is to graduate women from law school who know they are on an equal footing with men. It is up to the law schools to strive to create an atmosphere that will accomplish this. I would like think that we at Brooklyn Law School are doing this, and I urge all of you to encourage your alma maters to do the same. Thank you.



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## BEST BRIEF PRIZE

Dean Wexler and Professor Walter would like to congratulate the following students who, in 1994-95, were nominated by the faculty for the Joan Offner Touval Memorial Scholarship. The scholarship is awarded annually to the student who has submitted the Best Brief in the First Year Moot Court Program. Professors Cary, Crawford, Dachowitz, Falk, Harris, and Teitcher chose the six semi-finalists. From this group Professor Walter selected the Best Brief.

### Best Brief

Laura Proctor

### Semi-Finalists

Gail Ennis  
Helen Heintz  
Clinton Hughes  
Sheila McDermott  
Josh Zuckerberg

### Honorable Mention

Robert B. Acton  
Elizabeth Arnold  
Richard A. Bornstein  
Barbara Cohen  
Robert M. Cronk  
Lisa Damkohler  
Jessica Dichter  
David R. Fertig  
Brad Finkelstein  
Jodi Golinsky  
Josheph Hoefflerle  
Ross Levi  
Helayne Levy  
Jennifer Malin

Robert J. McDermott  
Dan McElhinney  
Leon Medzhibovsky  
Michael Mosberg  
Andrew Park  
Dawn Podolsky  
Catherine J. Ruggieri  
Joshua B. Sessler  
Adam M. Steinfeld  
Alex Stern  
Lloyd Teitelbaum  
John Tierney  
Susie S. Wu



# Equal Representation

Name Withheld Upon Request

It wasn't just me! A vast majority of those who I interviewed for this editorial/article were shocked to find out that the Placement Office, also known as the Career Center, seems to have a narrow agenda. No one denies that the staff of the Career Center is professionally qualified, perhaps more so than any other law school placement office in the City. I dare not ponder why it is necessary to have so many professionals to keep a significant number of us working, but I can't complain about the support that seems to have been provided. What I can complain about is where that support is concentrated. I surely did not want to turn this article into another *Justinian* attack on a department of the law school, but there is an ugly tendency promulgated by the Career Center, at least as it is perceived by many students who have visited the department.

As students, we all pay roughly the same amount of tuition. Some of us attend during the day, some of us at night; some of us are part-time, some full. One would think that we all have equal access to the Career Center's resources, not to mention other services. Most of the students I spoke to said that everyone in the Career Center was polite. They all seemed anxious to help with r\_sum\_s and cover letters. How incongruous, several of us found, when, upon asking the Career Center about the on-campus interviewing program which is held each Fall, we were told straight out (and I am paraphrasing) — "this is something that we generally reserve for students who are in the top 10-15%". So the tuition of all students goes to creating a department whose biggest function of the year only benefits one tenth of us?

Now no one who has suffered through law school, particularly the first year, can deny that we were all under pressure to be in la creme de la creme, also known as the top 10%. But statistically we all know that only a finite number of us can make it. That's the nature of the curve. It doesn't seem fair that the rest of us are even not worthy of at least equivalent resources for job seeking though, especially since the vast majority of us have the huge strike against us that we are not in the upper echelon. I think most law students know by now that separate is never equal. I wonder how long it

will take the Career Center to come to the same conclusion.

The Career Center, as I understood it, exists to help students with lifelong career choices. Recently they openly admitted that this is not the case. Ironically, I gave the Career Center the benefit of the doubt since during my first year I heard a speech by one of the staff which made a pre-emptive strike against this criticism of only working for the top 10%. I cannot imagine that there has been a complete turnaround in policy so I'm very disappointed in what I have been hearing.. One thing is for certain, though, from my interviews with students; there is a lot of contradictory information given by the Career Center.

Not only does one part of the department believe that they are truly only there for the top 10% while the other part claims that the entire department is there for all students, but there is another example of miscommunication among the Career Center staff. A few of the students who had their r\_sum\_s and cover letters approved as perfect by one staff member have brought it back for submission through the department to potential employers only to have the documents drastically revised by another staff member who completely abhorred the condition of the documents. What are students to think of inconsistencies of this degree?

Other students, none of whom wished to disclose their names, told me that their impression from the Career Center was that it was a "Do it Yourself Kind of Thing" or that the Career Center was for jobs that do not pay much. These attitudes are pretty pessimistic. Good luck sincerely to those of you who think you can do it all on your own.

It is pretty insulting to be told that only a select few of those in your class are worthy of full-time attention in job placement. Being rejected by a potential employer is hard enough. Being rejected from one's own Career Center has got to hurt.



## LAW AND POPULAR CULTURE

Professor Spencer Weber Waller  
Professor Anthony Sebok

"No animals were injured in the making of this review."

This month dichotomy: Post-Modern Masterpiece or Pretentious Drivel? This month's trivia contest, find Professor Waller's obscure reference to yet another minor actor that he knows from high school. Clue: It is not Darryl Hannah.

### *Devil In A Blue Dress*

**SWW:** This is the great detective movie that has taken Hollywood nearly a hundred years to finally make. Denzel Washington does his usual superb job of becoming the character. In this case, he is Easy Rawlins, a black man in 1948 Los Angeles asked to do a favor for a rich white man. It pulls him into a maelstrom of racial politics and hatreds as he seeks to reunite L.A.'s most powerful industrialist with his runaway girlfriend. Everyone has a secret, everyone tries to beat up Denzel to avoid being found out. What this movie does is effortlessly portray what it means to be a black man in a segregated and racist Los Angeles as the background for a fascinating and morally complex story. This movie does not shout or preach at you in the manner of more recent events in L.A. Kudos to director Carl Franklin and the entire cast, with the possible exception of Jennifer Beals who proved in *Flashdance* that she can't dance, and in subsequent movies that she cannot really act, either. On the other hand, her own personal history adds a certain poignancy to her role as a character who cannot live on either side of the racial divide. Post-Modern Masterpiece.

**AS:** *Devil In A Blue Dress* introduces us to author Walter Mosley's fictional hero, the hard-boiled Easy Rawlins. It also introduces us to a world that Sam Spade never explored, black Los Angeles just after the Second World War. In many ways, all the elements of classic film noir are deployed—secretive rich clients, a mysterious seductive woman, and endless nights filled with cigarette smoke, whiskey and unanswered questions. In this case, however, imitation by director Carl Franklin (whose

first film, *One False Move*, is violent but wonderful) is more than sincere flattery. By generously reminding us of *Farewell My Lovely* and *Chinatown*, Franklin slyly suggests that the "outsider" status assumed by fatalistic and alienated (white) private detectives was at best a quaint (albeit sincere) affectation. If Denzel Washington's Easy Rawlins is not as much of a cynical loner as Bogart, it may be because race discrimination produces a different sort of tough-guy anger than the vague nihilism generally suggested in these sorts of movies. As a result, Rawlins is a tough private eye who somehow manages to live by his own rules *and* live in a cute little neighborhood where friendly neighbors come by to visit and talk about their flower gardens. Post-Modern Masterpiece.

### *The Addiction*

**SWW:** What do you get when a depressed NYU grad student (Lili Taylor) working on a dissertation on the nature of evil gets turned into a vampire in an alley in Greenwich Village by Annabella Sciorra wearing an evening gown? The best graduation party ever and Professor Sebok's ideal first date movie!

This is the movie that convinced me that the director Abel Ferrara has lost his mind. While *The Bad Lieutenant* and *Driller Killer* were masterpieces and his remake of *Invasion of the Body Snatchers* was watchable, this movie was a mess, and even worse unnecessary. The best thing about it was the always dependable Christopher Walken as a recovering vampire. *The Addiction* is only 82 minutes long, but I still had to get up and get a second diet coke out of boredom. The *Addiction* is only the second best vampire lesbian movie set in downtown New York this year. If this is a genre that appeals to you go see *Madja* instead. Better yet, rent *The Hunger*. Pretentious Drivel.



**AS:** As I watched *The Addiction*, all I could think was, has anybody told the NYU philosophy department about this film? The film's only plausible idea is that the best way to insure the completion of a philosophy Ph.D. at NYU is to become a member of the undead. Actually, Lili Taylor doesn't really change too much after she gets bitten by Annabella Sciorra—she starts wearing sunglasses to class; wears dark finger-nail polish; and stays up at night and sleeps during the day. I don't know: maybe she was just trying to fit in with the rest of the graduate students. In any event, this movie is unbearably pretentious. For some reason, there seems to be an unwritten rule in filmdom that vampires have

to speak in aphorisms and stilted, formal tones (at least Tom Cruise had the excuse that he was French in *Interview*). This film took things a step too far by having the vampires talk about Kierkegaard and Feuerbach. I don't think Abel Ferrara has lost his mind; I just think that he should return to making movies about sadists with guns. For example, *Ms. 45* and *King of New York* are great Ferrara classics and I don't think Hegel makes an appearance in either of them. Pretentious Drivel.<sup>1</sup>

<sup>1</sup> I don't want to sound peevish, but if Spencer W<sup>2</sup> had bothered to pick up a phone and called me, he would have found out that my current ideal first date movie is *Leaving Las Vegas*. The *Hunger*, of course, has always been reserved for that all-important third date.

## CULTURAL EVENTS AROUND TOWN...

Brooklyn College  
Walt Whitman Hall  
Campus Road & Hillel Place  
Brooklyn, New York:

A Colonial Nutcracker is this year's holiday ballet. It is a full length, lavish version that adults and children are sure to enjoy. For information on how to obtain tickets for the December 17, 1995 performance, please call (718) 951-4500, Tuesday-Saturday. Tickets are \$10.00 each.

National Museum of the American Indian  
1 Bowling Green  
New York, New York

Creations Journey: Masterworks of Native American Identity and Belief is the inaugural exhibition of the George Gustav Heye Collection. Over five hundred pieces from the collection are currently on display. Admission is free. For further information on this exhibition, please call (212) 825-6922.

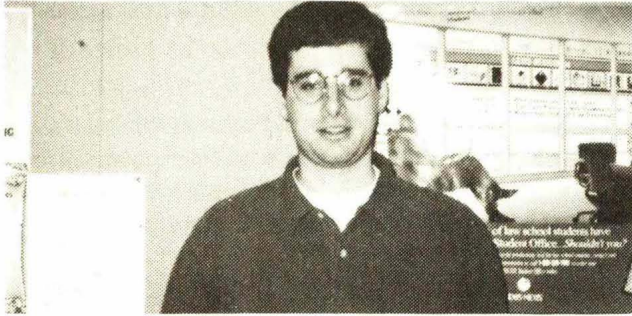
The Brooklyn Museum  
200 Eastern Parkway  
Brooklyn, New York

Expressionism to Neo-Expressionism: 20th-Century German Prints are on view through January 14, 1996. The *Disillusioned II* by Max Beckmann and *Self-Portrait with Pipe* by Max Pechstein are just two of the many works in this large collection. Suggested admission contribution to the museum is \$4.00 for adults and \$2.00 for students with valid identification. For further information, please call (718) 638-5000.



# What Do You Think?

Now that December is here, what do you think about the final exams being administered this month as opposed to January?



"I am very happy and relieved to have the opportunity to spend the holidays with my family, although I do miss the two weeks at the end of the semester to cram."

Robert Permutt, BLS '96

(Photo not available)

"I liked having the exams in January because of the fact that we had more time to do the reading. I am someone who did not mind doing reading over the holidays. Therefore, I liked having the reading period longer."

Lyle Frank '97



"I can see it both ways. This time personally it works out fine, though it is a very short reading period. I have a lot of papers and projects so that makes my exam load easier, but I know for night students it is a major, major problem to have exams in December. Also, it is not great starting classes in August. The month break, however, is very nice. That officially puts me on the fence."

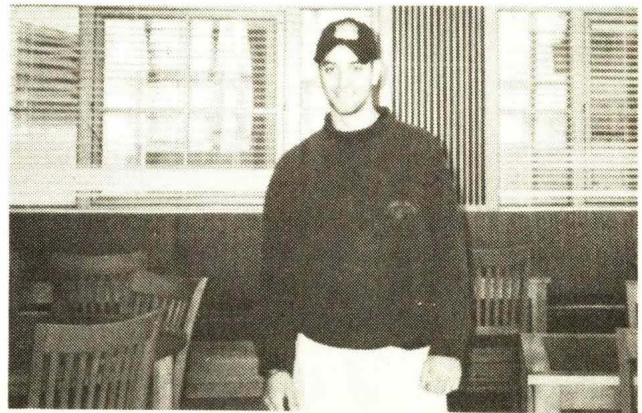
Leslie Wright '96

If you could be granted an intangible present for the holidays, what is one that you think you would choose?



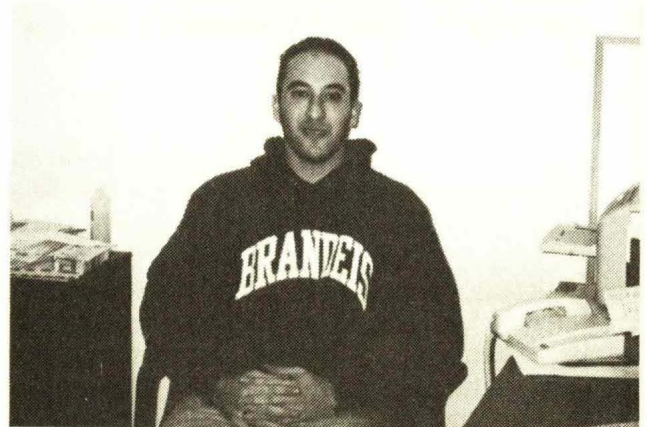
"I would wish patience for everybody-the students, the faculty and all of us who work here at the library during this stressful period in your lives."

James G. Murphy, BLS Librarian



"I would like a life outside of law school and outside of the library."

Wayne R. Kaufman BLS '97



"Hindsight."

Douglas Shulman '96



# Dangerous Corner

By Muriel Richards

This play, written by J.B. Priestly in 1932 and currently directed by David Mamet at the Atlantic Theatre Company, combines tragedy and humor through its depiction of some common human relationships. The play opens with a scene from the 1930s that could have taken place in the summer of 1995. Four women from the upper echelons of society are sitting around the garden of the country home of Robert and Freda Chatfield (played by Jordan Lage and Kate Blumberg), chatting about their day and a novel that one of them, Maud Mockridge (played by Rebecca Pidgeon) is writing. The seemingly genial mood becomes threatened when someone mentions Robert Chatfield's brother's (Martin) suicide, which occurred several months earlier. However, the threat to outward harmony is dismissed by Freda, who assures the woman who mentioned it that her inquiry is not in bad taste and steers the conversation back to one of socially acceptable small talk.

Robert, Charles Stanton (played by David Pittu) and Gordon Whitehouse (played by Robert Bella) enter the Chatfield garden. The three men display much the same mood as the women—amiable and talkative. The threat to the carefree facade

utilized by the characters becomes more than fleeting when Freda offers cigarettes held in a cigarette box to the guests and remarks that the cigarette box belonged to Martin. The milieu becomes uneasy at that point and, despite efforts on the part of various characters to return to the polite conversation, degenerates into hostility at various junctures as deception, unrequited love and other human foibles and failings are revealed.

The lines were delivered with perfect timing by the performers. This is especially critical to a play where humor is dispersed amongst tragedy. Delivery at the wrong moment could turn the humorous into the inappropriate. In this play, one is able to understand what the performers are trying to convey. This is a play that one can enjoy at the end of a work day as its plot concerns something that one can relate to—human nature.

Dangerous Corner is playing at the Atlantic Theatre, 336 West 20th Street, New York, now through January 1, 1996. Ticket prices range from \$10-\$32. Please call 212-239-6200 for further information.

## Conference Room Rules During the Reading Period December 5 to 22

Library conference rooms are for the use of two or more students. Groups have priority over single students who wish to use a conference room. Students cannot "save" a room by leaving personal belongings behind. If a conference room is unoccupied by a group for more than 20 minutes a new group can request that the Library Staff post a "20 Minute Warning" on the door of the room. If that warning sign is not returned to the Circulation Desk within 20 minutes, the new group has the right to move into the conference room. We expect students to treat each others' belongings with respect. The Library Staff will eject students who eat food in the conference rooms.

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REVISED AS OF  
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