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## THE ADVOCATE

- Fordham Law School's Student Newspaper since 1967 -

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Fordham University School of Law © The Advocate April 1992

#### Public Interest Resource Center Holds First Annual Dinner



Archibald Murray, Fordham Law Alumnus and incoming President of NYSBA, speaks on the value of public interest experience

#### Coffee and Bias Talk at the South African Consulate

#### By Daniel McLane

Over the past few years, the face of global geopolitics has dramatically changed. Social and political upheaval is almost the norm, rather that the exception.

It even appears that perhaps the once intractable apartheid system of South Africa is being abandoned to the political dustbin of hisended an extended period of cently, South Africa officially abolished its racial classification system.

In view of the recent changes in Southern Africa, Criminal Law Professor Abraham Abramovsky, along with Diana Thompson of The Advocate, and I visited the South African Consulate. We were an interesting ensemble to say the least — a Jewish law professor, a Protestant African-American feminist, and an opinionated, liberal Italian-Irish Catholic visiting South Africa's ambassador. Will wonders ever cease?

Members of the reception staff - mainly Filipinos - greeted us and led us through many conservatively furnished hallways to Ambassador Pieter H. Viljoen's office. Coffee, with seemingly slightly spoiled cream, was served, and we settled down for a nice discussion with the ambassador, Monica Williamson, Vice Cousul, and Constantin Ayiotis, a tory. A few years ago, South African lawyer who is part of the Permanent troops withdrew from Namibia. This Mission of South Africa to the U.N.

We were particularly incolonialist occupation. Also, re-terested in how South Africa addresses bias incidents. Williamson stated that "South Africa is a nation of minorities."

> In South Africa, there are no statutes which particularly target bias crime. The South African legal system deals with bias incidents through traditional Isanctions and penalties. Bias motivation may be considered by a judge as an aggravating circumstance in sentencing. South African authorities also use the concept of defamation to prosecute bias incidents

#### FSSF Auction Proceeds Matched By Dean

#### By Jennifer Berge

The Fordham Law public interest community came together on Monday, March 30 at a dinner in the Platt Atrium to celebrate what has been a year of successes for the Public Interest Resource Center.

Over a hundred guests attended the dinner last Monday to honor the work done by the Fordham Public Service Project, Fordham Pro Bono Director of The Legal Aid Society of Students, Fordham Student Sponsored Fellowship, and Fordham Pro Bono. Guests of honor included a group of thirteen alumni who anonymously pledged one million dollars to the public interest programs over the next five years; Dean John D. Feerick and the public interest students thanked these alumni with framed certificates of appreciation,

which were named in honor of the former Attorney General Louis J. Lefkowitz, Class of 1925. Fordham Law alumni who started the public interest organizations were also invited to attend the dinner; for some of them, it was their first return to the law school since graduation.

Archibald R. Murray, Executive New York and graduate of the Class of 1960, was another honored guest. An award for graduating students who performed a requisite number of hours of pro bono legal work or community service work received an award certificate in his name. Mr. Murray spoke briefly to the students about his career in public service. Bernadette Castro, auctioneer of

The Fordham Student Sponsored Fellowship's Goods and Services Auction on March 3, was also in attendance and presented with roses in appreciation for her efforts and interest in the Fellowship's activitie.

In the pre-dinner awards ceremony Dean Feerick said he would match the profits of the Fellowship's auction, which raised approximately \$37,000 from bids and outside donations. These matching funds will enable the Fellowship to award approximately 25 fellowships to students who wish to work for public interest organizations during the summer months. An announcement of which studentswill receive fellowships this summer are expected by April 10.



On Sunday, April 5, Fordham Law Students for Choice, organized by Karen Seemen '93, marched on Washington D.C. in support of reproductive freedom and abortion rights. The Fordham Law students were joined by a group of students from Fordham-Lincoln Center. The march, the largest in the history of Washington D.C., was attended by over 500,000 pro-choice supporters

"Under South African law, certain racial insults, such as calling someone a Nazi or a Kaffir (derogatory term for a Black person), are terms which fall under our law as defamatory. Defamatory terms are those which offend the person's dignity," said Viljoen.

Both civil remedies and penal sanctions are available in defamation cases. These sanctions, however, are of limited severity.

"In civil cases, you assess a number of factors in order to figure out the appropriate award of damages. These include the offended individual's place in society, the severity of the insult, and the actual effect of the insult upon the individual. The awards are usually not large. The most likely penal sanction is a fine. Incarceration is seldom used in these cases," stated the South African lawyer.

Defamation actions pose significant enforcement and reporting problems. "In the rural areas, people are less educated and less aware of their legal rights. They are also in much less of a position to bring a civil suit," said Viljoen.

South African authorities also have to confront organized rightist and leftist groups. "One potentially violent group is the Afrikaans

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## Pieper Bar Review will be at Fordham Law Schoöl this Summer

- Morning classes
- Videotape
- No weekend classes

Classes Start
Wednesday,
May 20th, 1992

#### ARTICLES 3

#### Fordham Law Folks Lend a Hand!

This past Spring Break eight Fordham Law students and Tom Schoenherr (Assoc. Dir. of the CPC) helped build housing for low income families under the auspices of the international organization, Habitats for Humanity. The Fordham team was organized by third year student Susan McInnis. She , Leslie Flynn , Bill Geller and Scott FitzGerald went down to Chapel Hill, North Carolina to help out while (pictured above from left to right) Regina Metz, Ken Suh, Tom Schoenherr, Mike Martin and Bill Hatch were stationed in Lynchburg, Virginia.

#### A "Legal Line" - Smashing Success At This Year's Follies

By Juan Roman

Every year, certain events occur as regularly as the changing of the terview week, as students began seasons. Once a year, the students their job search (or lack of job search) participate in the ritual of the with an interview at the prestigious Fordham Follies. When those eager firm of Dewey, Cheatum & Howe. for the sun had already departed for Zachary Sheister, Dewey and the southern beaches, several fellow Cheatum's most honest partner and students exercised their need to head recruiter, put interviewing stuentertain, amuse, and delight. This dents through the iron maiden and year's Follies, "A Legal Line," was several other torture devices. The loosely based on "A Chorus Line," interviews were peppered with stuwith various side trips to other vin- dent flashbacks as they remembered tage Broadway shows.

The show began with early inwhat got them into this mess in the

first place, Fordham Law School. The knowing what was going on. One student recalled that attack of the bar Dean Rivera and there was Izzy

flashbacks started with Ted's Bogus Law Interview. Ted, we discovered, made it through law school without review course reps. Perhaps one day they'll come up with a repellant. Luke, the Phantom of Fordham, turned one poor student into a ditzy Valley Girl, "Let's party! For sure!" There was Fantasy Registration, with

"Coffee and Bias" cont. from page 1

Resistance Movement (AWB). They are an anti-Black group. Their symbol is three sevens.

"Mostly, however, the AWB merely enter into street protests and agitate," said Viljoen.

Some leftist groups are also considered hate groups by South are considered violent include the Pan African Congress, the Azanian People's Organization, and the islamic fundamentalist groups.

Ms. Williamson stated that "The Azanian People's Organization's motto is 'one settler (white person), one bullet'."

Unlike Germany, which has enacted strict anti-hate laws, and some United States jurisdictions. which have banned paramilitary training, South Africa has no legal mechanisms with which to directly combat extremist groups.

"They are allowed to meet, to congregate, and even to own weapons. It's only when they cross that boundary, when they resort to violence

they may be prosecuted," said Mr.

In addition to native Blacks, Afrikaanses (descendents of Dutch settlers from the seventeenth century), and the descendents of English settlers, other ethnic groups African authorities. The groups that have migrated to South Africa. Asian Indians, both Muslim and Hindu, live in large numbers in South Africa. There is also a substantial Jewish community. "Most of the Jewish people arrived in South Africa before World War II. Most of the world's countries, including the United States, did not want to take them at that time," said Viljoen.

> Over the past several years, there has been a substantial exodus of Iews from South Africa to the United States and Israel. The ambassador reacted, "Jews have left South Africa for a number of political and economic reasons. The Jewish community has always been a A lot of Jews felt uncomfortable liv- class of 1991.

against persons or property, that ing under the old apartheid system. They decided to migrate.. The Jewish people are also a migrant community. They go where the best economic opportunities are," said Viljoen.

After years of segregation and conflict, South Africa may finally be moving towards a more enlightened society.

Many dismiss South Africa's initial steps towards universal enfranchisement as a means to eliminate the economic and cultural boycott by western nations. In order to achieve racial harmony, South Africa will have to do much more than anoint themselves "a color blind society."

Perhaps, however, there is hope that a few minds and hearts, on both sides of the South African negotiating table, are open to accepting true social change.

Daniel McLane is a free-lance fairly politically liberal community. writer and member of the Fordham Law

#### Alternative Practice Day Conference: A Legal Career Symposium

of the National Lawyers Guild

dent Chapters.

The conference began with an address by Professor Arthur Kinoy cluded with a panel of recent graduyer". Prof. Kinoy described the current employment. The panel was United States Constitution as a "liv- moderated by noted civil rights ating document" which must be used torney and Vice President at the Cenby lawyers to uphold the dignity of terfor Constitutional Rights William the people. Working as a people's lawyer, he said, allows the practipeople how to most effectively use Lawyers Guild. The next conferwhat one has learned in law school. ence is tentatively scheduled for the It also generates a tremendous net-

Submitted by Catherine Murrell on work of clients and, most imporbehalf of the Fordham Student Chapter tantly, leads to greater fulfillment and satisfaction in one's work.

The conference continued with On Saturday, March 21, 1992, an a series of panel discussions of pracall-day conference focusing on alter-titioners in such areas as: Legal Renative and public interest law in the form in the 1990s; Reproductive 1990s was held at New York Univer- Rights/Right to Privacy; Civil Legal sity. Alternative Practice Day was Services; Criminal Legal Aid; Labor sponsored by the National Lawyers Law; The Judiciary; Immigration Guild's New York Metropolitan Stu- Law; Environmental Law; Public dent/New Practitioner and NYUStu- Interest Organizations; and Private

Finally, the conference conof Rutgers Law School, who spoke of ates, who discussed their decisions the hard work as well as the great to enter into public interest and alrewards of being a "people's law-ternative practice of the law and their Kunstler.

This was the first annual contioner to learn directly from the ference sponsored by the National fall of 1992.

Stradlin who went to law school and found Guns and Roses "knocking on every door." One student recalled class with "Let's take a poll" Pearce. The question posed — "Will sleeping with a partner help you get ahead?"

One of the most entertaining (and perhaps the most offensive) skits was faculty night at Gecko's with that bon vivant singer, Vince

"Kookie" Palsgraf. Palsgraf sang a medley of songs extolling the virtues of the professors who had had the most effect on his legal career, insuring that it would be a successful one - NOT!!! To show that perseverance and a little bit of luck can still land you a job, the drum-carrying "still looking" Eveready-to-work student landed the job.



FSSF Chairperson, Judy Beth Tropp, presents a dozen red roses in appreciation to Bernadette Castro for her outstanding efforts towards the FSSF Auction

#### CPC Director's Advice to Assuage Your Anxieties

#### By Kathleen Brady

Student anxiety levels are normally high this time of year as the reality of finals looms closer. For many, this year the anxiety is intensified by the additional pressures of a prolonged job search. Here are some suggestions on how to balance these pressures and keep your perspective on the situation.

RULE #1 - Studying for Finals Should Always Take Priority Over Job Hunting

obvious. The position you take this summer is not critical to your overall career. Your goal for this summer should be to gain some valuable experience (paid or unpaid!) and still leave yourself enough time to participate in the Writing Competition and/or moot court. These types of tion about yourself is critical. If you experiences, coupled with decent focus on your finals and do well, you grades will help you to be more can market the improvement in your marketable when searching for positions for NEXT summer.

For the Class of 1994, this rule is 1992 will probably disregard this rule. This is a MAJOR mistake if you are in a job search. It is a myth that it does not matter how graduating students do on their finals; it is not true that employers only care about first year grades. Job hunting is all about sales. Every piece of informa-GPA. Or, you can highlight the content of the specific courses and your Most members of the Class of knowledge in a particular practice

area of interest to the employer. Your RULE #2 - Continue Your Job dedication to your current "job" as a student will help potential employers evaluate the level of dedication you can bring to their organization.

Members of the Class of 1993 have an additional burden placed on them. While members of the class of 1992 enjoy the "luxury" of extra time (they do not "need" a job until September) 93's need to secure employment by June! However, Rule #1 also applies to you.

Search While Studying for your

Most students make the mistake of avoiding anything to do with job hunting during finals (and the bar exam), therefore, competition is minimal. Smart law students will take advantage of this fact. Remember, busy lawyers have to be able to keep many balls in the air simultaneously. Your ability to study, interview and remain calm will illustrate to employers that you can balance many high priority

Be organized. Set aside at least 2 hours per week for your job search. At this point you do not need to generate a mass mailing. Instead, follow-up with phone calls to employers that you have not heard from to date. Respond to every letter or phone call from employers immediately! Employers are aware that students are preparing for finals and will try to accommodate your schedules. When you hear from an employer obviously express an interest in meeting with them. Ask them what their time frame is, explain that you are studying for finals and negotiate a convenient time to meet. Remember, your first contact with an employer leaves a lasting impression. If you allow yourself to sound harried and unable to balance many pressures, you may not appear to be the strongest candidate. Also, if you wait until after finals to return phone calls, employers might assume you are disinterested and move onto the next candidate.

You should have a resume and basic cover letter ready to go out at a moments notice. Check the job books frequently and be prepared to respond immediately. Historically, as soon as the weather gets warm, employers realize that summer is rapidly approaching and call in to place ads.

#### RULE#3-Keep Your Perspective!

We have seen many changes in legal hiring in the last two seasons. The rules and generalizations we used to be able to make no longer apply. Therefore, devise a plan that is right for you; do not let the market dictate your choices. Stop by CPC during dropin hours to discuss your options. Believe it or not, you do have options.

> The law I love, the lawyers I suspect.

> > Charles Churchill

#### ATTENTION CLASSES OF 1992 AND 1993

JOB SEARCH SURVEY
Please complete this job search survey and return it to the Career Planning Center at your earliest convenience.
***************************
1. Did you participate in the On-Campus Interview Program? YES / NO (circle one) (If no, please skip to Question 2
a) How many On-Campus interviews did you receive?
b) How many On-Campus interviews did you acquire through "creative" means?(e.g. Student Escort System, Free Sign-ups, walking employers to lunch, etc.)
c) How many call back interviews did you receive?
d) How many offers did you receive?
2. Have you accepted a position?
YES
a. With?
a. With?(employer, city/state) b. Date Accepted:
c. How did you get this position? (Please circle one)
o On-Campus Interview o Mail Campaign o Personal Contact o Other (explain)
NO
a. I would like to submit my resume for the ACTIVE SEARCH file. Please attach your resume and indicate:
o AREA(S) OF LAW in which you are interested in practicing (i.e., real estate, tax, corporate, family)
1st choice2nd choice3rd choice
o GEOGRAPHIC PREFERENCE(S) (list city, state)
1st choice2nd choice3rd choice
o TYPE(S) OF ORGANIZATION(S) with which you would prefer to work: (Rank order: 1 = most preferred, etc.)
Law Firm:Accounting FirmEducational Institution  Checksmallmediumlargevery largeGovernment AgencyPublic Interest Agency  CorporationJudge
Other (Please specify):
Please return this form with a copy of your resume to the Career Planning
NAME
YEAR OF GRADUATION DAY / EVENING Date (circle one)

THANK YOU FOR YOUR COOPERATION!!

#### Classes of 1993 & 1994 Mark your calendars now for

#### The Fall 1992 On-Campus Interview Program

#### 1992 On-Campus Interview Program

Early interview Program: August 27th - September 2nd Fall On-Campus Interview Program: September 21st - November 6th

#### On-campus Interview Program Orientation Tuesday, July 14th.

4:30 - 6:00 P.M – Distribution of on-campus maţerials including the Guide to Fall 1991 Recruitment.

6:00 - 7:00 P.M. – Orientation Session Class of 1994 - Amphitheatre, Class of 1993 - Room 303

The resume deadline for the early interview program will be Wednesday, July 29th.

#### **Employment Statistics**

as of April 3, 1992

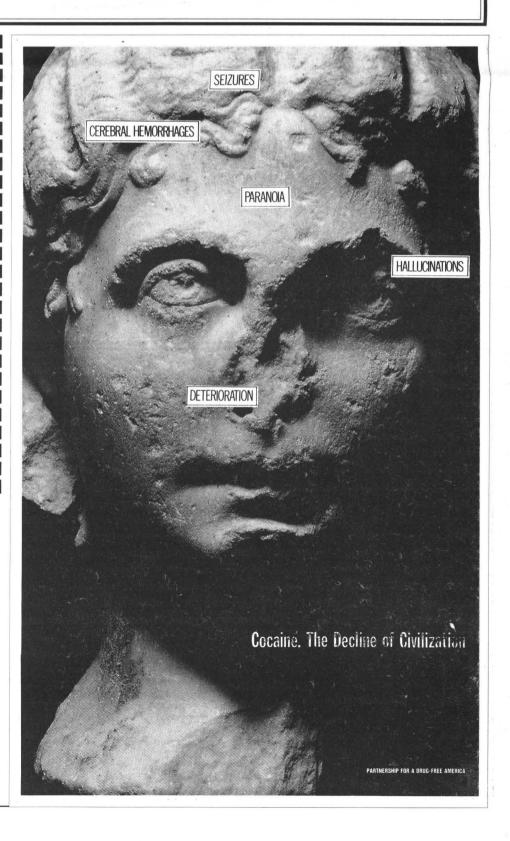
<u>Class of 1992</u> <u>Class of 1993</u>

72.7% Employed 62.8% Employed 27.3% Unemployed 37.2% Unemployed

48% reporting: 60.3% reporting:

It's important to hear from those who did not report.
Also, if your status changes, please inform CPC.







#### The Advocate - Fordham Law's Own Newspaper

General editorials are approved by a majority of the Board of Editors and are offered to foster debate within the Fordham Law School Community

#### Barbara Bush for First Lady

The presidential primary season is far enough along for us to know where we stand. Choosing whom to support seems more difficult than ever; however, by process of elimination - the choice is most clear.

Paul Tsongas: The former senator from Massachusetts is the only presidential candidate who makes economic sense. Unfortunately, he took himself out. Now, he teases that he might jump back into the fray. We would love to endorse Paul Tsongas, but we know that at this late stage, a vote for Paul Tsongas is a vote for a brokered convention. It is an act of inhumanity for any New Yorker to risk Mario Cuomo on the rest of America. Sorry Paul, we can't endorse you in good conscience.

Bill Clinton: The biggest obstacle for the former Rhodes Scholar and current Governor of Arkansas is the "character issue". We can't spare the column inches (read column miles) to fairly deal with all the allegations from [J]ennifer Flowers to draft dodging to conflicts of interests to segregated golf courses, etc. Suffice it to say that if he didn't inhale, we don't trust him.

Jerry Brown: The former Gov. "Moonbeam" from the Golden State is an intriguing and likable guy. We think his flat tax idea is attractive if only because it could save billions by transforming the abusive, wasteful, colossus that is the IRS into a harmless bureaucratic gelding. However, we cannot in good conscience endorse Jerry Brown because we strongly suspect he never exhaled.

Pat Buchanan: The conservative syndicated columnist served his purpose. David Duke is politically dead. Now, we would like Pat to return to CNN.

**George Bush:** The reigning president ended the Gulf War before finishing the job. As for the domestic front, read our lips George, there *is* a recession.

Finding no suitable candidate worthy of endorsement among the presidential contenders, we will consider the vice presidential ticket. The only two nominees in this area are Dan Quayle and Jesse Jackson, who was recently approached by Jerry Brown. We feel comfortable with either being a heartbeat away from the oval office. NOT!

Continuing our search for someone worthy of the Advocate's prestigious endorsement, we shift our focus finally on the choice of First lady.

Hillary Clinton: Between her remarks on Tammy Waynette and "baking cookies", she appears contemptuous of our mothers. American women should feel free to choose any career, including staying home to raise children, without fearing condescending comments from the first lady

Barbara Bush: Unpretentious in her dress and pleasant to all whom she encounters (including George), she appears offensive to no one. Her efforts in the fight against illiteracy are noteworthy. Finally, she is a local gal from Rye, NY. So, we endorse her.

- Raymond Liddy Editorial Page Editor for the Advocate

#### My Own Private Idaho

#### To The Moon Alice!

By Michael Gracia

Managing Editor for the Advocate

One of the earliest events that I can recall in my life is when my parents pulled me out of my crib and allowed me to stay up late so that I could watch Neil Armstrong's giant step for mankind. I don't recall the specifics of the event, just that my parents must have thought that it was important enough for me to see it. I now wonder whether I'll have the opportunity to do something similar for my children.

The space program has lost most of its momentum and support amongst Americans. This is unfortunate because a strong space program is important to the future of this nation and, although it isn't always true that what's good for America is good for the world, this is one instance when it is.

It has been almost twenty years since Apollo 17 became the last manned mission to the moon (no other country has achieved this feat). Apollo-Soyuz, Skylab and the first "Shuttle" flights captured the imagination of children and adults in the 1970s.

Today the enthusiasm for space exploration has faded. It isn't hard to understand why. Most of us at Fordham grew up without a true appreciation for the space program. We need to ask our parents and older siblings about the lunar landings and the space stations and the sense of pride and accomplishment that the space program brought to all Americans.

The accomplishments of NASA, especially the Apollo program, stood for America's superiority in technology and science in the world (although the Soviets would have disagreed). NASA now appears to stand for the mediocrity and mismanagement that the U.S. has

been known for the past few years.

A strong, goal-oriented space program is vital for the development of technology and the study of engineering, physics, mathematics and other hard sciences. It serves as an incentive for the study of these areas that have been so neglected in our schools and universities (let's remember that these studies have other applications besides the space program). A space program creates a strong sense of national spirit and it leads to new discoveries in areas, such as medicine and environmental conservation, that benefit everyone.

The arguments against building up the space program are primarily that it costs too much and we have enough problems here at home to bother with outer space. I wonder if things were perfect when Marco Polo, Columbus, Magellan and Lewis & Clark ventured off on their journeys of discovery.

NASA, like any agency, needs to be well-managed and goal-oriented, and of course, we need to be reasonable with how much money will be appropriated to it. A space program, by its nature, will be costly, but funds not appropriated to it will not necessarily find their way to programs that are underfunded, i.e. education and health, we all know this.

There will never be an "ideal" time to develop a space program; and with the Russians abandoning theirs, we should accept the challenge to once again lead the world in making new advances and pursuing ambitious goals in space exploration.

An adventurous space program can serve to unite people, improve education and serve as a vision of hope for a brave new world. By the way, Alien 3 is due out this summer; maybe there is a reason not to explore outer space.

#### **THE ADVOCATE**

Fordham University School of Law

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#### "A Rush and a Push and the School is Ours???"

To the Editor:

This letter is in response to "A Rush and a Push and the School is Ours!," by editor Michael V. Gracia. The inaccuracy of Mr. Gracia's piece is disturbing. Although a valiant call to arms, it lacked the requisite munitions to be effective and consequently was unjustifiably critical in certain respects. While the piece was very thorough in its breadth of reproach, we would like to focus primarily on the comments as they relate to the SBA.

Turning first to the student lounge, the disapproval is unwarranted. Upon a brief examination of the lounge, one will find that there is a new television in place. This new television should be viewed as a trophy in the red tape battle that is part of any large institution. The SBA and the Administration went back and forth over who should repair or replace the television. When we decided that it had to be replaced, SBA was able to get the Administration to pay for it. Here are the facts...At the end of last year, the television broke. Over the summer, the Administration repaired the television at great cost. Subsequently, the television broke again. The Administration demanded that the SBA bear the cost for repairing the television this second time because it had no money budgeted for such an expense. As the SBA also had financial limitations, we were able to get BAR/BRI to donate a television. However, the Administration as well as many students found this objectionable. Thus, with great time and effort expended, we were able to convince the Administration that a new television must be purchased, and that the Administration should bear the cost.

Secondly, the video games in the lounge have been replaced with fully operable ones. A bit of history. . .The old video games were owned and operated for years by a ment and refused to answer our calls. The SBA made continuous efforts to get this vendor to mend his ways, but to no avail. After Dean Reilly gave the SBA full rein, we located another vendor, and demanded that the old vendor remove his equipment. The new vendor has already proven himself to be a huge improvement. Current plans are to bring in newer, "stateof-the-art," games as soon as we prove we have the volume to support these more expensive games.

The next issue which needs to be addressed is Marriott's services. Admittedly, the services Marriott provides are less than optimal to say the least. However, to hold the SBA accountable for this is absurd

Dear Advocate:

I am writing in response to Michael Gracia's article "A Rush and a Push and the School is Ours!" in the March 1992 issue of The Advocate. A recent experience at a Fordham WANG forced Mr. Gracia to comment on Fordham's shortcomings. What occurred at the WANG to warrant such a diatribe of Fordham's wrongs? The answer to this question is found in the closing sentences of the tenth paragraph. Mr. Gracia writes of the offense committed against him at the WANG, "what's the point of having a WANG if you can only have three beers, let's do it right or let's not have it." One has to wonder what Mr. Gracia would have been forced to do had the WANG established a limit of only two beers, or none at all. (Perhaps attend Albany or Hofstra which apparently offer their students conveniently located restrooms, and maybe less restrictive limits on beer consumption).

I don't mean to be too critical of Mr. Gracia, who apparently suffers from such a poor quality of life as a Fordham law student. Fordham needs someone who will fight for better video games, cheaper cafeteria food, and private, well-lit bathrooms in the library (with a computer, perhaps). As an evening student who works a 60-hour work week and has three young children, I thought my life had its demands and inconveniences. And then I thought about New York City's 10% unemployment rate and its homeless people and the inconveniences they suffer. And then I read Mr. Gracia's article again and felt comforted that someone was fighting mad to make life more convenient at Fordham.

I can't wait until the student lounge gets a new video game.

> Inconveniently yours, Paul J. Echausse E '93

vending company who refused to and shows a true lack of knowledge keep the machines in good repair, of the situation. Marriott is under refused to return 50% of the rev- one contract for the entire Fordham enues to the SBA as per our agree- University, not just the Law School. The contract is negotiated by the University's legal counsel. We find it mysterious to refer to the SBA as "poor negotiators" when the SBA is not even invited to the bargaining

> The WANG... Unfortunately, we at the Law School are subject to the same University alcohol policy as are the undergraduates at Rose Hill. Marriott is only operating under the terms which this policy dictates. The most recent WANG at the Law School was an event which will never be repeated. Prior to that event, Marriott was amenable to "cooperating" with SBA. This was not the case at the last WANG held in the cafeteria. However, those who went to the post-Follies WANG at



satisfaction. This SBA feels that our

direct action in taking the WANGS

off-campus will continue to be the

route of choice.

The problem of late reporting of grades is one which appears to be almost synonymous with Fordham. There is no debate whatsoever that this ought to be remedied. However, although this SBA has made great strides in gaining the respect of the faculty, the SBA, as an institution, has little control over the conduct of the faculty. Instead the problem of late reporting of grades will only be corrected when the Administration resolves to apply the necessary pressure on the faculty.

We are also in full agreement with Mr. Gracia's complaints regarding the library and the computer facilities. Clearly, the library's design leaves much to be the inadequacies. However, Mr. Gracia is obviously unaware that beyond voicing the concerns of the students and making recommendations, these larger scale endeavors are outside of the power of the SBA.

Finally, although possibly coincidental, we find the timing of Mr. Gracia's article curious. These problems which the SBA has been battling all year could have been addressed in the Advocate at any time. Yet Mr. Gracia's article appears only weeks before the Advocate's editor-in-chief makes his bid for the SBA presidency. Although we are also candidates, the Advocate's initiative required a response. We have

worked extremely hard this year. In as Mr. Gracia's, perhaps we should have taken steps to "puff" our accomplishments and explained the obstacles we have overcome. However, we chose to focus on the tasks at hand. Among our other accomplishments, this SBA has published the first book of course evaluations, has corrected the "nightmare" of registration, completely revamped the student lounge, and organized the best boat cruise in the history of Fordham Law School.

> Kelly Crawford, SBA Treasurer ChristopherHawke, SBA Secretary

Michael Gracia responds:

It is unfortunate that Mr. Hawke and Ms. Crawford have interpreted my piece as an attack on the SBA's performance. This defensive posture is certainly not warranted when one takes into consideration the fact that the SBA was only mentioned three times in the

Mr. Hawke and Ms. Crawford's desired. The SBA has spoken with insinuation that there is some the Administration and explained connection between the article and Mr. Javdan's candidacy for the SBA presidency is unfounded. The idea to write the piece developed last semester and the last WANG at school led to the decision to go ahead and write it. The article appeared in the first available Advocate issue following the WANG. It is an argument that as laughable as an assumption that they are using this letter as an opportunity to further their candidacy.

I must state that to argue over who is responsible for the TV, videos or WANGs (as Mr. Hawke and Ms. Crawford have done throughout half of their letter, when these points were made in a single paragraph of the piece) takes attention away from the important issues addressed in the article.

My piece is indeed disturbing (as order to prevent invalid charges such Mr. Hawke and Ms. Crawford refer to it), disturbing to all of us who are paying around \$20,000. a year to attend Fordham. But it is far from inaccurate. The fact is that SBA agrees with most of the article, it just takes offense at being mentioned alongside Fordham University and Fordham Law's administration.

> Obviously there are things that the SBA does not have much control over. The article never held any one party responsible for any one particular thing. It simply raised issues and posed the question of who is to be held accountable. The SBA has provided some answers in their letter but its anger is misdirected and its false accusations not appreciated.

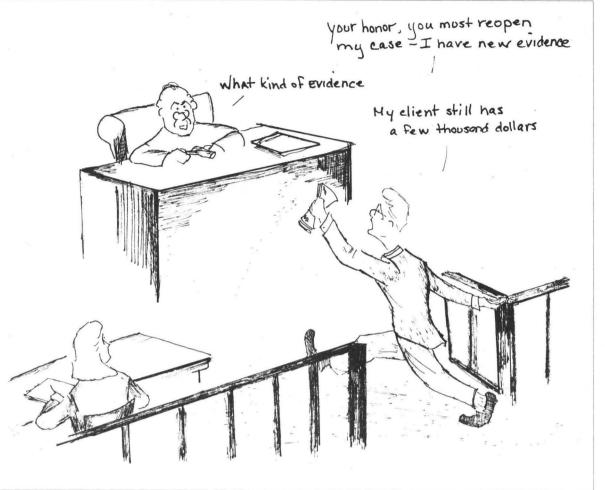
By the way, my next piece is on the space program. I don't know anyone at NASA who would benefit from it.

As to Mr. Echausse's letter, in his attempt to make a mockery of the article, Mr. Echausse has taken the liberty to rearrange some of the words in it to serve his needs.

I agree with Mr. Echausse. If I worked 60 hours a week and had three young children, I too would be more concerned with other things, such as work and spending time with my children, than with the quality of student life at Fordham. Yet, what I wrote about in my piece affects most of the students at Fordham, be they day or evening students. Mr. Echausse probably does not spend enough time at Fordham, for obvious reasons, to understand the need of computer facilities, better meal service or better study facilities. Those of us who do spend a lot of time here would like to make our student life a bit better. Why should Mr. Echausse have a problem with that?

Upon closer examination of the piece, Mr. Echausse will find that I cover seven issues. Two of them less important than the others, or as I stated in the piece "... [the] least important of Fordham's shortcomings".

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#### LETTERS 9

#### Society X Must Abandon Their Cocoon of Secrecy

Ever notice white people gathered in small groups conversing in hushed tones about their discontent with black people? Ever notice black people doing the same thing, discussing their discontent with white people? Ever notice the two groups interacting with one another? The subject of race never comes up, except for the few isolated but highly publicized incidents of racial violence. And yet it's well accepted that a severe problem exists between the races, a problem the roots of which stretch back into the dawn of our history as a nation. So I have to ask myself, how can a problem, based on a factor as trivial as the color of one's skin, dog a nation so persistently, particularly a nation founded on an ideology of liberal democracy? I believe the answer lies in the fact that for the average person, it is easier to ignore the problems of race. Rather than stir controversy, and risk being outcast, we simply deal with the races as best we can, and then complain behind their backs. In so doing, we reinforce the problems, most of which are only imagined anyway.

It is not difficult to understand the average person's aversion to being truthful and forthcoming with their ideas. There seems to be no way to take a position on any issue without finding yourself lumped into some buzz-word ideology. For instance, if you oppose abortion, you're a sexist. If you have reservations about gay rights, you're a homophobe. If you believe in gun control, you're soft on crime. Within seconds of opening your mouth, the issue you've raised becomes subordinate, and you must sustain an attack on your individual character. So, rather than be unpopular, you smooth out the edges of your point of view, compromise your more creative ideas, and seek to gain consensus. You have now joined the pusillanimous legions of the politically correct.

My objectives for this writing are several. The first is to expose the lunatic fringe who covetously dominate social debate. The second is to awaken the "Middle-Wing" who fear that something wrong with them because their own ideas are never fully represented by the familiar outspoken ideologues. The third is to rattle those who decline to formulate an opinion for fear of being controversial. Finally, I hope to offer a partial remedy to the problem of race at Fordham.

There is no shortage of advocates who resort to sharply divisive tactics to move their agenda. These true "perpetrators of the state of oppression" are not limited to a singular ideology, and the medium for their caustic attacks varies from the Willie Horton commercial to the anonymous newsletter. A particular newsletter is the issue I would first like to address.

I am a police officer. I have experienced racism. I may have even

perpetrated some oppression during my younger, more zealous days. Since that time, I have learned the value of an olive branch. In an earlier letter to the editor, I extended what I believed to be an olive branch. Following an immediate character assassination (amusing but irrelevant) I think I earned a grudging iota of respect from the Society of the X (soon to be retracted I'm sure)). I am foremost a pragmatist, loyal to no ideology, and am considerably distasteful of the terms liberal and conservative.

The Society of the X, in my humble and imperfect opinion, has indulged in the most invidious of acts. They have defiled themselves, the Fordham institution, faculty and students, and most ironically, the black leadership which they profess to idolize. In the most recent newsletter as of this writing, the Society, in their typically self righteous and degrading manner, explained their refusal to identify themselves. Unsurprisingly, they declared that to do so would allow the fathers of white students to destroy their legal careers.

What would happen if the Society went public? First of all, they would have to sacrifice the flagrant race-baiting and hate-mongering of previous communications so as not to isolate themselves completely from the mainstream Fordham community. They would have to formulate their ideas with care, so as to sway their listeners, rather than insult them. However, if their words manifested the truth, and were undeniably just, despite being inconvenient or unpopular, they would

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#### Professor Yorio's Niece Thanks School

The following is a letter written by Erika Yorio, the late Prof. Ed Yorio's niece, to Rev. George J. McMahon, S.J. (Vice-President, F.U. Lincoln Center). In keeping with her wish expressed in the letter, Rev. McMahon has given a copy to Dean Feerick who, in turn, has given it to The Advocate.

Dear Father McMahon,

I really wanted to address this to all my uncle's colleagues, students, and friends at the Fordham community, but I was not at all sure about how to do that. I am trusting that you will do the best you can to let as many of the other people involved in my uncle's life at Fordham know what this letter says.

I know it is a lot to ask you to do, but I think it is very important that they know what I am about to say.

Thank you. Thank you all for everything you have done for my family and myself. You really cannot begin to imagine how much it has meant to us. The mass was more than beautiful. Especially when I see the love and care that went into it. All the flowers have been beautiful. The letters we have gotton have been overwhelming. And the support that all of you have given to my family has been wonderful. But, perhaps, the thing that has helped me the most, were the stories that his students and colleagues shared with me.

I never knew how brilliant my uncle really was. I regret never being able to experience that firsthand. He never bragged about it, and from what I've heard, he had a lot to brag about. So I didn't love him for that.

I loved him because he was my uncle, and he loved me. I knew he loved me because of how much he cared about my brothers and I.

He could go into a classroom, and scare the hell out of his students, and the next minute rush out of school to get to a little league game.

About the only thing he did brag about were my brothers and me. We were his life. I was as much his little girl as I am my father's, and my brothers were like his own sons.

He was a great man. He never let his illness stop him from anything. He didn't even want anyone to know. In fact, my brothers and I didn't know until this summer. He would go into school to teach the same day he had had a chemotherapy treatment. He gardened, traveled, went to the opera, and spent time with us whenever he wanted to. And he never complained. That's the thing I admire most about him. If I get a little cold, I'm in bed right away and you could hear me go on for hours. I'm not good with pain.

But my favorite thing about my uncle was the way he could say things that nobody else would dare say, and get away with it.

Iasked him once if he was going to see my school play. It was my first major role. He turned around to me and said, "Aw Erika, you know I don't like amateur performances": but it didn't matter coming from him. I was very lucky to have even know him. I thank you once again.

Sincerely, Erika Yorio



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Mr. Echausse seems to suggest that since I can "afford" to put myself \$18,000. into debt every year I should consider myself lucky and not complain about anything. I am also glad to see that Mr. Echausse is aware that a homeless problem exists in New York City; does that mean that if heat was accidentally cut off from his home he wouldn't complain about it?

In the end one just has to answer the following questions: Is a year too long a wait to fix a television?; should grade reporting be done sooner?; is the Marriott service overpriced and of inferior quality?; should the library be renovated?; should there be computer facilities within the law school?

If the answer to most of these questions is yes, then you agree with A Rush and A Push and the School is Ours!



#### In the Jesuit Tradition IV: Church and State

By Edward G. Zogby, S.J.

Catholicism ceases to be the state religion of Italy." The new concordat, symbolically, was signed in a 16th century palace that once belonged to Pope Clement VII, and is now owned by the Italian government. Under the 14-page agreement come such shifts as Church annulment of marriages which are now subject to state confirmation, and the stipulation that parents are required to state each year whether they want their children to participate in religious classes that will continue to be offered. They are no longer compulsory. The shift separates sacred and secular in many ways; it is not to our purpose here to discuss the pros and cons of the issues as Italians legally separate their constitutional and civil laws from the complexities of Church canon law. The point of interest for me in this article is that this new concordat is the result of negotiations that began formally in 1967, two years after Vatican II which was promulgated

While no one would proclaim John Courtney Murray, S.J. directly causal in the matter now involving Italian politics, his genial contribution to the deliberations of Vatican II and his co-authorship of the Decree on Religious Freedom had a good deal of influence on the Church's acceptance in principle of the separation of Church and State, in its recognizably American institutional mode.

As I have stated before in the Henry Kamm wrote in the New pages of The Advocate, these articles York Times on February 19, 1984, are nothing more than an effort, albeit "Italy and the Vatican signed a a conscientious effort, to introduce concordat today under which Roman Fordham Law School to the thought of John Courtney Murray. But when we reach the point, as we do now, of getting into the heart of the matter the separation of Church and State and, as I review my journalizing efforts at condensing what he labored to make so painfully precise, I am clear that this is an effort at naive brevity. It is always better to know and announce the limits of such a genre of communication. The reader is more wisely instructed to read the chapter of We Hold These Truths entitled "Civil Unity and Religious Integrity" for him/herself.

> Murray's method is to examine the Protestant tradition as it emerged in this country beginning with Roger Williams and evolved towards expression in the First Amendment, and to compare and contrast that with Papal teaching. In this regard he says of the First Amendment:

"It does not say that there is no distinction between true and false religion, good and bad morality. But it does say that in American circumstances the conscience of the community, aware of its moral obligations to the peace of the community and speaking therefore with the voice of God, does not give government any mandate, does not impose upon it any duty, and does not even communicate it to the right to repress religious opinions or practices, even though they are erroneous and false.

The demands of social necessity might account to some degree for

the emergence in America of "religious freedom as a fact", but the depth of feeling involved comes from another historical force, namely, "the dominant impulse toward selfgovernment, government by the people in the most earnest sense of the word." The early American desire for political freedom found Post-Reformation forms of churchstate unions illegitimate, forms which included "Calvinist theocracy, Anglican Erastianism, and Gallic absolutism." Two fears were clear in the evolution towards the First Amendment with regard to Church and State: the fear of Roger Williams that the State would corrupt the Church, and the fear of Thomas Jefferson that the Church would corrupt the State. The conclusion that emerged out of this was "that an end had to be put to the current confusions of the religious and political orders." It was Williams who saw Church and State in terms of the garden (church) and the wilderness (state) as not having a relation to each other. It was his genius to see them not as one but as two; it was he who gave us, says Murray, "the fateful metaphor, the 'wall of separation' between the Church and State. However, what concerns us here is the root of the matter, in fact that the American Constitution embodies in a special way the traditional principle of the distinction between Church and State."

This is important for the Catholic jurist for the specific reason that it sets our American constitutional system in sharp contrast to Jacobinism with which

the Popes had a long drawn out battle in the 19th century. Jacobinism is known as sectarian liberalism or, as Murray so often calls it, totalitarian democracy. In this context the Church's opposition to the separation of Church and State becomes clear, because in Jacobin tradition there was no such separation at all because the Church was subject to complete political control. "The evidence stretches all the way from the Civil Constitution of the Clergy in 1905." In the 1905 development the Church was subject to a juridical statute articulated in forty-four articles which minutely regulated every aspect of Church organization and actions. The governing principle was "the principle of the primacy of the political, the principle of 'everything within the state, nothing above the state.' "The full historical development of this thesis can now be seen in the Iron Curtain countries. The Church condemned this thesis of Jacobin development which proclaimed the juridical omnipotence and omnicompetence of the State.

But also did the founders of the American Republic providentially reject such a view. In the American view the government is not juridically omnipotent. "Its powers are limited, and one of the principles of limitation is the distinction between church and state, in their purposes, methods, and manner of organization. The Jacobin thesis was

basically philosophical; it derived from a sectarian concept of the autonomy of reason. It was also theological, as implying a sectarian concept of religion and of the Church. In contrast the American thesis is simply political. It asserts the theory of a free people under a limited government, a theory that is recognizably part of the Christian political tradition, and altogether defensible in the manner of realization under American circumstances."

In conclusion, it can be said that John Courtney Murray gave clarity to the Catholic understanding of its own compatibility with American constitutional thought and also American pluralist understanding of Catholic political thought. Through him the American distinction between Church and State entered official Church teaching. Through arduous but indefatigable efforts at Vatican II this distinction was finally accepted. Just how much it will profit the world to have the Church take the initiative as it did in 1967 in Italy will be for another time to discern and recognize. But it does illustrate what one man can do to make a difference in the lives of millions of people by clarifying a distinction, thereby creating a whole new context of being responsibly human: civil and religious.

#### Students, Faculty and Adminstrators: Ed Yorio Scholarship Fund

The family of Ed Yorio is contributing \$25,000 towards the establishment of a scholarship in his name to be awarded to a student who graduated from either a Jesuit High School or College.

In addition, a student has anonymously added a \$10,000 contribution, boosting the fund to \$35,000.

The fund will be open to additional contributions from alumni, friends, etc. Accordingly, I am circulating this announcement as a point of information for those who want to memorialize Ed's memory in a manner that was dear to his heart — helping students. I can think of no greater tribute to Ed's memory.

If you feel you wish to contribute to such a fund, please make a check payble to Fordham Law School (Ed Yorio Fund) and send it to either the Dean or myself.

Thank you for your consideration.

- C.N. Katsoris



#### Columns

#### ...Weiscracks

#### By Ari Weisbrot

Recently I attended a debate between supporters of Bill Clinton and Jerry Brown, both Presidential candidates. I asked a particularly fervent Clinton supporter what he found so attractive about his choice. "Jerry Brown has no clear platform and plus, he's an idiot!" Armed with that information, I posed the same question to a Brown follower. "Clinton has no moral backbone and is totally unpresidential, plus, he's an idiot!" I tallied as many people in the room that I could and despite the passion expressed by many, one thing was clear: Far more people were voting against their opponent than for their own candidate. Perplexed, I posed this question to the members of the panel: "Can anyone say anything particularly strong about their own candidate?" Clinton's people were prepared for that one, and leapt at the opportunity, "Look at what he's been up against lately, and he's still square in the race." I expressed my admiration, and then pressed the matter, "Is that the best thing you can say about the potential next president of the United States?." I knew his answer before he opened his mouth. "No, but it's a very important issue." Right. Maybe to the National Enquirer. I passed the question on to Brown's supporters. Their answer was also a little too quick in coming. "The former Governor is totally anti-establishment, and totally opposed to the government." Great. This is the man I want leading my establishment, and my goverment. The scary part, was that millions of Americans are going to the polls armed with these arguments. In a country of hundreds of millions, we can not find three or four people to vote for on the merits? There is not one man with enough intelligence, honor, and patriotism to lead this country? Maybe we should open the ballot to foreigners.

The reason why there are so few qualified candidates is readily apparent. A recent CNN poll found that 8 of 10 college students feel that they have done things or said things in their lives that would disqualify them from public office. We aren't talking about theft, murder or other felonious behavior. These students experimented with various illegal substances, or said things that the overzealous media could construe as sexist, racist or otherwise unpresidential, despite the innocent intentions. The harsh treatment afford to modern day candidates is scaring away over eighty percent of the American public from entering politics. It is hard to imagine how may of those people are closet super-statespersons. Since the media and the public ignore the major issues, like the recession, world peace, and racism, and concentrate solely on the race for celibacy and "good looking" politicians, its hard to blame the candidates themselves for ignoring the issues (or indeed having no serious platforms anyway), and concentrating on turning everybody against everybody else.

Disgruntled, I turned to leave the debate, when I cam across a number of people standing in the back of the room. Their suits, carefully combed hair and depressed look cried out Republicans. Amazed, I asked what this group of Republicans were doing at a Democratic party debate. "We want to make the best choice for President." I asked the obvious question. "What s the matter with your own candidates?' "We could never vote for Bush. He has practically ruined this country, and plus, he's an idiot."

#### Some Parting Words From an Evening Student

By John Caminiti

During these last four years I have "worn many hats" here at Fordham. I have been an SBA Rep., the Lifestyles Editor of the Advocate, occasional theater critic for the Advocate, the President of GALLA, and candidate for Evening Vice President. All of these experiences were greatly rewarding and filled me with a sense of accomplishment. However, what I am most proud of is being a member of the class of 4E. My colleagues in this section are the most motivated, dedicated, organized, focused, articulate, and over worked people I know. It has been a great privilege to spend these last few years in their company. For four years we have successfully balanced full time careers, school, and family and financial obligations. We ran from work to school, quickly downing some Marriott delicacies in between. Many of us were on journals and participated in other school clubs as well. Some even returned to the office after class. Our weekends were spent with homework, laundry and groceries. We received understanding from families and friends and provided each other with moral support.

This moral support was most important because at times it was perceived that no one really cared about us. It seemed that the administration and the day students rarely considered us and our unique needs. When we first started several years ago, SBA meetings were never held at a convenient time for us, but thanks to past President Brian Daly this was changed to allow evening students a chance to have some input. I'll never forget the spring semester that we all returned from Christmas break only to find that while classes started on Tuesday, the cafeteria would not open until the next Monday. This was not announced in advance, so that first night of classes those of us who usually arrive at school with little time to spare went without dinner. I'll also never forget the semester that the schedule was so prejudiced against us that almost every person in 3E signed a letter to Dean Feerick in protest. A meeting was held in his office with Dean Rivera and Dean Vairo and changes were made in the spring schedule. And of course there is that move for mandatory probono. The meetings that were held to discuss this were downright insulting. When I spoke on behalf of my fellow classmates, it was pointed out to me that we could do our pro bono work

during spring break or on summer vacation. Earth to day students: come in! We still work during these "vacations" and some of us even attend classes in the summer. And those of us who just want to spend some time with neglected family members, significant others, and friends deserve it. It was so satisfying to me when I raised this issue at the pro bono forum held in the amphitheater this semester. The speakers who were extolling the virtues of their school's pro bono programs had to admit publicly that they did not have full time evening students at their law schools. However, after some investigating I have come to the conclusion that it isn't that they just don't care about us, it's that they just don't get it. The life of a full-time evening student is very foreign to them, as foreign as sexual harassment is to the all-male Senate Judiciary Committee.

While some changes have been made, thanks to an understanding SBA, a very sympathetic Dean Rivera, and a tireless Dean Vairo, much can still be done. So to the students of 1E, 2E, and 3E, I say, don't be satisfied being second-class citizens. You are paying a lot of money to be here, get what you deserve. Get organized, get involved, and don't just complain to each other. Talk to the administration, they do

I guess it all could have been easier if we were day students, but the law school experience would have been much less educational. In contracts we were able to discuss contracts that many of us had signed when we bought homes or started businesses. In Employment Discrimination, a fellow student was at that time being sued by a former secretary and he added an entirely different viewpoint to the class. In Corporations we had students who work on the Stock Exchange bring all that mumbo jumbo into perspective. In Law and Medicine, two of my colleagues who are doctors, spoke with conviction about medical malpractice. In Constitutional Criminal Law, after the professor spoke on about warrantless searches, it was enlightening to hear from a classmate who is a police officer. He eloquently pointed out that while the Fourth Amendment is important, legal scholars rarely are faced with the life and death situations he faces every day on his beat. And in Domestic Relations how fortunate I was to be in a class with someone who is presently seeking to adopt two children with his lover. How lacking this all would have been if the only external information brought to class was where to get the best tan during spring break or how cool Fordham Nights are at those Upper West Side watering holes.

I know to some of you, this all seems like an "ode to evening students". Well maybe it is, we earned it. We've struggled and sacrificed these last few years and now that it is over we have reason to pat our own backs. To my colleagues in 4E, thanks for all of year support, congratulations, live long and prosper.

The Rational Corner

By Aron G. Weber

Thousands of actors out of work, and everyone is a comedian." The race has begun and the democratic clowns or candidates have barely left the starting gate. From the rational perspective, one must sift through the garbage to find a salvagable candidate to support. In the hopes of helping those first years who are buried beneath their Emannuels and Gilberts, I will shed some light on the circus.

Reagan trounced Jimmy Carter, the Dan Quayle. First, is he a trustworthy masses want to vote for anyone but a Republican. Unfortunately, do students really have a choice? Those registered Republicans have to choose between George Bush and Pat Buchanan. Neither of these indiviuals can put together an effective domestic policy, much less balance their own checkbooks. Although Bush has become an expert in geography—being able to locate Kuwait on a world map—his weak vocabulary was displayed by his inability to comprehend the meaning of "recession."

Should I vote for Buchanan as a protest vote? No! Although Bush has done a horrible job, Buchanan represents a worse agenda because he is anti-minority. I realize that this is an ugly conclusion, but his antics have been documented extensively by scholars such as Professor Dershowitz in his book Chutzpah.

Nevertheless, is the leadership of the Democratic Party secretly supporting the Republican candidates? Why else would the leadership allow these "unelectable" candidates to seek the party's nomination? How about Governor Clinton? Governor Clinton is the perfect candidate for those students For the first time since President who support both Gary Hart and candidate? If he would commit adultery, I am sure that he would not hesitate to lie to the American people. Furthermore, did Governor Clinton believe that he could hide the "open zipper" syndrome from the bloodsucking news reporters? Governer Clinton is either naive or stupid.

> Additionally, Slick Willie spent Vietnam in a foxhole located in England. Although being anti-Vietnam was an admirable philosophy, he was just another rich boy who used political connections to keep himself out of the war. Some students believe that if they were in Clinton's position, they would also have used these connections. Realistically, we should not reward

Governor Clinton for his willingness to avoid his obligations to this country

Well, what was Governor Clinton doing while my father was in Vietnam? Smoking marijuana! Just imagine the anti-drug commericals: this is your brain; this is your brain on drugs; I didn't inhale and now I'm President. Slick Willie knows more about flowers and weeds than the qualities necessary to be a good President.

If not Governor Clinton, how about voting for Governor Brown? call of the people for another Ierry Brown is opposed to nuclear candidate. Who is the masked man? power, he won't take large H. Ross Perot. He is not a politician, donations, and supports slashing the but I see the attirbute as a positive military budget. Well, Jerry has one. Recently, Perot named Vice promised to choose Jesse Jackson as his Vice-Presidential running mate if he wins the election. For those students who don't remember Rev. Jackson, he was the candidate who hotline (1-800-685-7777) to get more referred to New York as "Hymietown" in 1984. Need I Say More!

For those students who want to vote for Brown because of his vicepresidential choice, let's look at his flat tax. First of all, a flat tax program has been cheered by economists for many years. Economists, however, have rejected Brown's 13% plan. As Ray Harrison recently wrote, "If the rich are paying 33% in taxes today unjust." Brown is just another

democrate selling himself as a fried of the blue-collar worker, while his economic plans burden the poor and help the rich. Perhaps, he is called Governor Moonbeam because he has not taken the time to comprehend his own proposals.

Unless a new or improved candidate steps forward, I predict a huge loss for the American people. Well, who are we going to vote for? Mickey Mouse? No, Mickey already has a decent job.

One American has heard the Admiral James Stockdale as his "interim" running-mate for his independent campaign.

Yesterday, I called the Perot information for you. The Perot representative was unable to answer my questions about his platform. In other words, you are expected to sign his petition without any knowledge of his personal agenda. However, Mr. Perot's representative stated that Perot will inform the public of his agenda after he is slated on the ballot. Based on the other clowns in this race, it is and Brown's plan lets them slip in at worth signing the petition in order 13%, then it's not only unfair but to get a new candidate in the race.

#### Hate Speech is Great Speech

By John Cody

W. Axl Rose of Guns 'n' Roses has been roundly condemned as a racist, a homophobe and a xenophobe for these lyrics in his song, "One in a Million:"

my way /Don't need to buy none of your gold chains today... Immigrants and faggots, they make no sense to me / They come to our country and spread some fucking dis-

How do we account, then, for the following lyrics, also part of the same song?:

"Radicals and racists, don't point you fingers at me / I'm a smalltown white boy just trying to make ends meet..."

At first glance, there appears to be something disturbingly contradictory going on-how can a racist be criticizing racists? Or can these ostensibly contradictory lyrics be reconciled somehow?

I opt for the latter reading. When I ask myself, "Why is Axl seeking to consciously offend?" the answer becomes clearer. A mental health professional could surely explain this better than I can, but even a layman can see that Axl is lashing out in revenge (however misguided his efforts may be). If you have any sympathy or understanding for similar "hate speech" lyrics by rappers like Public Enemy then perhaps you can understand that Axl, too, feels put upon and is simply fighting back.

Suppose we start a list of words to be cancelled by our law against "hate speech:"

nigger/faggot/racist/ crippled/patriarchy/feminist/hate

What's that, you don't like my list? But many of these words greatly offend and hurt me. Aren't I allowed equal protection?

"Hate speech" is by far to me the most odious term on the list. The "Is Hate Speech Free Speech?" exhibit in the law library this past autumn offended me greatly. I grew come such a diry word? Was it in the Orwellian 1980's, when it was twisted to mean freedom from, as in "drug-free child," or when it was dragged through the mud by Republican presidents? Abbie Hoffman considered the word one of the "noncorruptible" words in the English language. Sorry, Abbie. remember a Parade magazine article about our precious "freedoms" published one Fourth of July, alledgedly penned by Ronald Reagan; throughout half a dozen pages the only freedom actually referrd to was economic. When Reagan spoke of getting overnment off of our backs, apparently he meant

To even broach the question, "Is Hate Speech Free Speech?" is to consider taking yet another step on the slippery slope towards limiting valuable rights. (What's next, impolite speech?) As I said, on a gut level "Police and niggers, get outta I found the exhibit mostly offensive, yet in certain ways it also struck me a daring and thought-provoking. There's no contradiction here. The real value of truly free speech is in its enlargement of the contexts of our perception. It hurts me to see that question about "hate speech" posed just as much as it hurts you to see "faggot" scrawled across your gay rights poster. Yet I accept the exhibit because it offers a valuable lesson to me about how differently others perceive the world, and its very offensiveness jars me into self-reflec-

> "Feminist" is another word that wounds me. Objectively, how hateful and selfish an idea; surely you who call yourselves feminists and in so doing limit your worldview wouldn't like it if there were a large group of men calling themselves "masculinists," who were forming male student organizations and so distancing themselves from you.

> "Patriarchy" is even worse. I've attended meetings of student organizations of blacks and of women and of gays for my own edification in the past when I was considering starting a white male student organization. What persuaded me to drop my plan was the stultifying nature of what I call the "cocooning effect," and my desire to avoid it in

"Cocooning" is what happens when a group of people of like mind get together and close out those who are different from them. Soon words and slogans representing the group and its limited agenda are created which only tangentially have meaning for the rest of us. "Patriarchy" is such a word—it's certainly not part of my common parlance, and I simply refuse to give it any legitimacy. I'm not at all persuaded that what the word "patriarchy" is supposed up with a passionate love for our to mean is an accurate representacountry's ideals, and the thought of tion of the world. It's similar for me further erosion of the Bill of Rights to another odious term, "working sickens me. When did freedom be- class," as though individuals can be reduced, like bugs, to such abstractions. What are we, bees, or ants?

"Those who have historically been discriminated against cannot themselves discriminate." This singsongy phrase has a lot of meaning for those in certain cocoons, but to the rest of us it's discriminiatory hogwash and hate speech. By denying me my right to be uncivil, to use certain language, you're saying that my perception of the world is not valid—you're discriminating against me. More importantly, though, you're discriminating against yourself, denying yourself the benefit of even the possibility of a differing perspective.

it in an economic sense only, if that. both enlarging and limiting it. After

growing up in a high-crime area, fending off hoodlums almost daily, I'm more symphathetic about victims' rights than about criminals' rights. I have no quarrel with there being such a thing as a Prisoners' Task Force, but I have no interest in it. You work on your end and I'll work on mine-diversity is beautiful. I do have a problem with probono publico being defined as helping prisoners, or the poor, when I don't think that's necessarily in larger public's interest whatsoever. If probono is ever required, you'll find me working for the public good in the D.A.'s office, thank you.

There's a fellow in our section who disagreed with some of the comments I made in an article about the felony-murder rule. At the end of one of our Research & Writing classes he threw the paper my way and started an ugly argument which I joined, being just as ugly. After-

wards, I was considering reporting him for harrassment, as this was his third unprovoked harangue at me, when he unexpectedly apologized. This much-welcomed gesture of civility enabled us to begin to finally communicate constructively with each other. Yet, his previous incivility was just as necessary for us to begin to reach mutual understanding. Excessive civility inhibits communication by hiding one's true essence. Reflected in his passionate, foolish, knee-jerk, socialist, "business is the source of all our problems" routine is my own passionate, foolish, knee-jerk, libertarian "government is the source of all our problems" reaction. Denied his (initial) boorishness, I would have difficulty recognizing my own.

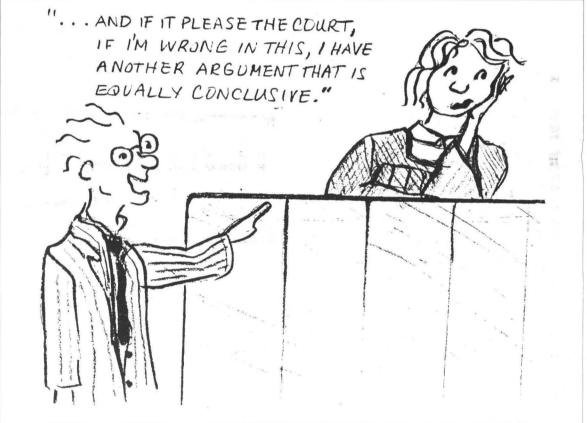
Civility does not mean always saying the right thing but rather learning the boundaries; without the cathartic nature of free speech we would never learn when to apologize, when we need translation if encountering the different language of another cocoon. There are already mechanisms in place to

counter harassment without placing limits on speech. If these mechanisms don't appear sufficient to you, know that you victimize me when you bind me with your own insecurities. Every child knows that "sticks and stones will break my bones but names will never hurt me." If Axl Rose was censored, we would lose the subtle meaning of his marvelous juxtaposition; the lack of names might very well hurt you.

The value of hate speech, whether the black-bashing epithet "nigger" or the white-male-bashing epithet "patriarchy" is in breaking through the cocoon. We rightly condemn as harassment these terms when used in combination with certain conduct. But absent that conduct, attempts to suppress these words will create walls rather than break them. William Black said it much better than Axl Rose ever will:

"I was angry with my friend: I told my wrath, my wrath did end. I was angy with my foe: I told it not, my wrath did grow."

> John Cody is a first-year student at S.U.N.Y. - Buffalo Law School



Dailey, continued from page 9

certainly rank higher than a mere alternative to the Legal Fiction.

And what is this about wrecking their legal careers? Is this an indication that after law school they will shamelessley sell themselves to those same "white fathers" for affluence? Do they think the problems of race are that ephemeral that they can escape accountability merely by remaining anonymous? And what does this say to their heroes? Was Thurgood Marshall preoccupied with wealth when he drove himself around the south in an old car fighting for civil rights? Was Martin Luther King motivated by money? Was their namesake striving for renumeration, or wasn't there a higher purpose? If they believe in what they say, sacrifice is incumbent. If their mission is expedience, however, I wish they would dump their trash elsewhere.

Finally, what do the actions of Experiences color perception, the Society of X indicate about the overall Fordham community?

Fordham producing leadership or ambulance chasers? A leader must have the courage to state what he thinks and face rebuttal. Is the Society of the X the black leadership of Fordham or merely a racist fringe? How will we know if we can't face them, look them in the eye and ques- and misconceptions that divide and tion them? If they did come for- isolate must be discarded, and the ward, would we be willing to question them, or is Fordham too timid, content to allow others to think for us? If things are as bad as the Society would have us believe, a formidable challenge stands before us all. How is Fordham responding to that chal-

A suggestion. First of all the Society of the X must abandon their cocoon of secrecy. They are largely responsible for bringing this debate to the forefront, and for that, deserve to be commended. The time has arrived for them to assume a larger role, visible to the public. A forum for discussion, like that sponsored by COBA on March 11, must become a frequent and regular exercise at Fordham. All students and faculty

at Fordham must exercise their responsibility to attend and take part in the discussion. (The Fordham Follies, held later the same evening, had a far superior turnout. It also offered more controversy for the buck.) At these discussions the lies, half-truths, substantive problems identified. An attempt should not be made at solving these problems, merely identifying them is a noble and attainable objective. There are among us here at Fordham the leaders and policy makers of tomorrow. By arming ourselves with a clear enumeration of the differences between the races, forged in cooperation by the races, we can move to settle this matter once and for all. But not in one sitting. I believe that average people Black, White, Hispanic, Asion, Whatever, are willing to listen to one another, and alve the differences between them. This latent nobless must finally seize the day. This is how covares explain their imperfections, they place the blame on others.

# DON'T LOSE THE LAST PIECE



PIEPER NEW YORK—MULTISTATE BAR REVIEW, LTD. 90 Willis Ave., Mineola, New York 11501 (516) 747-4311

#### Book Review: House of Cards: Inside the Troubled Empire of American Express By Stuart Kohn

House of Cards: Inside the Troubled Empire of American Express By Jon Friedman and John Meehan G.P. Putnam's & Sons, 272 pgs, \$24.95 touted image of success has been

House of Cards is a detailed and authoritative account of the inner line. In House of Cards, authors Ion workings of American Express, one Friedman and John Meehan shatter of the most recognized and powerful the myths behind the facade in a

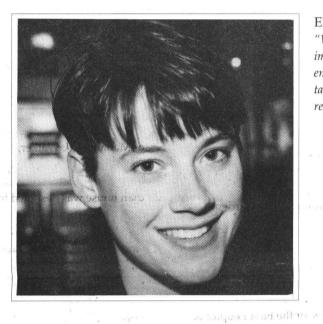
financial-services companies in the world. However, as this sharp expose reveals, American Express' defined more by public relations and wishful thinking than its bottom

gripping, fast-moving, behind-the- AmEx's seemingly stellar earnings scenes- account of corporate crises, bungled deals and clashing executive egos. The book focuses on American Express Chairman James D. Robinson, III, and raises questions Robinson's reign has been marked about his management and his by high executive turnover and a company's flawed performance. series of public relations fiascos, in-According to Friedman and Meehan, cluding a Boston merchant revolt

and the prestigiousness of its credit cards, masked many management mistakes that became all too apparent by 1990. As the authors explain,

against the once-vaunted green card, the failure of the Optima card, as well as unprecedented layoffs and questionable write-offs. House of Cards presents an important lesson to all aspiring corporate lawyers, and will certainly appeal to anyone interested in learning the "nittygritty" of the finance world.

#### The Roving Reporter Asks: Besides the economy, what issues are important to you in the upcoming presidential election?



Elisabeth Youngclaus "Well actually, most important to me is the environment and nobody's talking about it. So, it's really depressing."



Andy Neuman "I think the health care situation. What's going to happen with health care? Is it going to be nationalized and how are people going to afford the exorbitant cost in the ninties?"

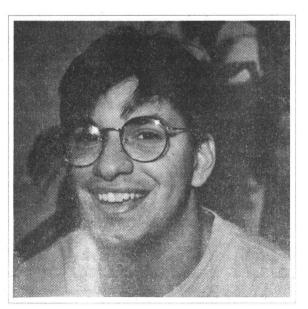


Present Atrest .....

Rick Davidovich "I think the economy is pretty important but other than that I guess I look to see how the candidates feel about issues like abortion and capital punishment. Things like that."



Judy Wilke "The economy is the main one. I don't know. Don't do this to me. Turn that thing off."



Mike Versichelli "I think the abortion issue is probably a big issue right now primarily because the case that's supposedly going to be decided in June is going to have a mojor impact in this election. So that's something I listen to. But I also am interested in the AIDS issue and how it's being treated. I don't think the candidates are really dealing with it that much but it's hard to say. . . The economy is probably still the primary issue. All other issues seem to take a back seat unfortunately."



"I could give you a simplistic answer which is what everybody else is giving you. But I don't

Susan Solomon

have simplistic answers. . . Honestly, I really think that whatever happens out of this election is really going to create enormous reaction, four years down the road, eight years down the road. . . The economy drives everything. You can't separate out by saying "besides the economy". There is really no issue besides the economy."

#### Arts & Entertainment Guide for Spring & Summer

By Diana Thompson

#### SEASON CELEBRATIONS

Brooklyn Botanic Garden 1000 Washington Avenue (718) 622-4433 Tues. - Fri., 8:00am - 4:30pm Sat. & Sun., 10:00am - 4:30pm \$2

N.Y. Botanic Garden North Central Bronx 220-8777/8700 Tues. - Sun., 10am - 4pm Pay-what-you-wish admission.

Queens Botanic Garden 43-50 Main Str., Flushing (718) 886-3800 Tues. - Sun., 10am - 5pm. Donations accepted.

#### **EXHIBITIONS**

Now - 5/23

"Body and Soul: The Alvin Ailey American Dance Theater"
Videos, photographs, costumes, and other memorabilia of this modern dance company.
Main Gallery of the S.C. Davis Museum,
Library for the Performing Arts,
Lincoln Center.
870-1721
Mon. & Thurs., Noon - 8pm
Wed. & Fri., Noon - 6pm

Sat. 10am - 6pm FREE

Now - 7/19

"Bridges & Boundaries:
African Americans and American Jews"
The relationship between these two groups is examined through works of original art, photographs, documents, films, lectures, and panel discussions.
The Jewish Museum at
The New-York Historical Society
Central Park West at 77th Street
Call 399-3430.
\$3 - \$10.

Now - 8/1

"Cooper Hewitt's Collection: A Design Resource" Almost 700 items chronicle the history and collection philosophy of this museum. \$3, \$1.50 for students. Two East 91st Str. Call 860-6898 for details.

Now - 9/13

"The Royal Art of Benin" Metropolitan Museum of Art Fifth Ave. & 82nd Str. Call 535-7710 for details.

5/6 & 5/9

"Broadway Beat"
View the best exhibitions of the
Spring season in Soho's lower
Broadway galleries.
Call Eye on Art Tours for details.

#### **MUSIC**

4/16 & 4/17
Sacred Music for Maudy
Thursday & Good Friday
12:10pm and 5:30pm.
St. Thomas Church
One West 53rd Street
Call 757-7013 x303, for
details.
FREE

4/17

Handel's Messiah (part 2) Calvary Baptist Church 123 West 57th Str. 975-0170 7:30pm. FREE.

5/2

Ella Fitzgerald Radio City Music Hall 8pm. \$30, \$40, \$50

5/12

Jose Carreras, tenor Lorenzo Bavaj, piano Carnegie Hall 8pm. \$14 - \$65. \$5 for students who arrive at 6pm.

5/29

"Workin' In A Coal Mine" Hazel Dickens, a singer, songwriter, and activist from Washington, D.C., Nomonde Ngubo, a union organizer, who has energized miners and The Rabbit Ridge Pea Pickers of Virginia, are coal miners who tell their story and perform traditional bluegrass music of the mining regions. Weill Recital Hall of Carnegie Hall 8pm. \$20. \$5 for students who arrive at 6pm.

6/10

"Sondheim — A Celebration at Carnegie Hall"
The cast, in formation, includes Harolyn Blackwell, Jerry Hadley, Harlem Boys Choir, Madeline Kahn, and Liza Minelli.
Call 903-9650 for details.

6/12

"Carnegie Hall Hootenanny" Odetta, Tom Paxton, Doc Watson, and others. 8pm. \$10 - \$40. \$5 for students who arrive at 6pm.

8/13 & 8/14 Linda Ronstadt Radio City Music Hall \$25, \$30, \$35, \$50

9/16

The 150th Anniversary of the N.Y. Philharmonic Kurt Masur, conductor Kathleen Battle, soprano Call 1-800-432-7470 for details

#### LITERATURE

4/23

"Three Lives"
Toni Morrison will read from her forthcoming novel <u>Jazz</u>.
154 W. 10th Str. 741-2069.
8pm. FREE.

4/28

"Harlem Writers Guild Distinguished Alumni" Rosemary Bray, Wesley Brown, John Henrik Clarke, and Louise Merriweather. 875-4128. 8pm. \$5. Writer's Voice 160 CPW (at 76th Str.)

4/29

"Author Talk"
Vertamae Smart Grosvenor
will discuss her book
Vibration Cooking (Or The
Travels Of A Geeche Girl).
Mid-Manhattan Library
455 Fifth Ave., 340-0944
6pm. FREE.

5/3-7/26

"Selected Shorts: A Celebration of the Short Story" Last season's selected shorts recorded at Symphony Space. WNYC-FM 94. Sundays 6pm - 7pm.

5/13

"Contemporary Chinese Poetry" The Asia Society 725 Park Avenue (70th Street) 288-6400 6:30pm. FREE.

5/19

"The Literary Legacy of Malcolm X"
Panel discussion with Dr. John Henrik Clarke, Paule Marshall, Dr. Henry Louis Gates, and others.
The Writer's Voice
160 Central Park West
875-4128, 8pm. \$8.

(Complimentary copies of the "Poetry Calendar" for May, June, and September will be available at Gotham Book Mart, 41 W. 47th Str., 719-4448, 9:30am - 6:00pm, Mon. - Sat.)

Solid Rock Cafe

Live contemporary Christian music The 2nd and 4th Friday of each month. 123 W. 57th St. 975-0170 8 p.m. (doors open at 7:30) \$5

Rock Concert Hotline: 307-7887

Call Kultur Video at 1-800-4-KULTUR, for a free catalog of jazz, opera, & ballet videocassettes.

#### **OTHER ACTIVITIES**

4/1-6/24

"Spirits of the Present: The Legacy from Native America". Radio's first documentary series to celebrate the diverse cultures of Native America. This series examines the life of today's Indians — their wisdom, humor, art & music, economics, education, religion, and politics.

Each Wednesday at 7pm.
WFUV 90.7 FM.

Now - 4/30

Use your "Passport to Off Broadway" to receive discounts of up to 50% at any of 63 Off Broadway theatres. To receive a Passport, visit a branch of Chase Manhattan Bank, or call NYC/Onstage at 768-1818.

Now - 5/3

Ringling Brothers and Barnum & Bailey Circus Madison Square Garden, 465-MSG1.

4/12, 5/16, 10/30

"Coyote Walks Around"
Native American Festival
Stories, Dances, Music and
Songs of the First Peoples of
the Americas
Symphony Space
2537 Broadway (95th Str.)
864-5400
\$15. 5:30pm (Crafts, books,
and food will be available at
4:30pm.)

4/18 - 4/26

International Auto Show Jacob Javits Convention Center 655 West 34th Street (718) 746-5900 \$8.

4/21

"To Be Guided By An Unseen Star: What Dr. Martin Luthur King Would Say If He Could Speak To Us Today" A lecture by the Hon. A. Leon Higginbotham, Jr.
Senior Judge, U.S. Court of Appeals for the Third Circuit. Assoc. of the Bar of the City of N.Y. 42 W. 44th Str.
7pm. FREE.

4/22 - 6/28

N.Y.C. Ballet N.Y.S. Theater, Lincoln Center 870-5570. \$8 - \$58. 4/25

"Women Tell the Truth:
A Conference on Parity,
Power, & Sexual Harassment"
Prof. Anita Hill, keynote
speaker. Other speakers
include Bella Abzug, Carol
Bellamy, Geraldine Ferraro,
Gloria Steinum, Melba Tolliver.
Call Ms. Shannon Liss, 3538580 (fax 475-4217).
Hunter College
69th Str., bet. Park & Lexington
9am - 5pm (Registration at
7:30am).
\$10. \$8 for lunch.

4/25

"Villa Lewaro and the Octagon This tour of two historic homes on the Hudson will begin with Villa Lewaro, the former home of Madame C.J. Walker, America's first Black woman millionaire. This Neo-Palladian house was designed in the early 20th century by Verntner Woodson Tandy, New York state's first registered Black architect. This site will be compared with the recently restored Octagon House, originally designed by Orson Squire Fowler. After lunch at the Tarrytown Boat Club, participants will have the opportunityh to browse the antique shops along Main Street. 10 a.m. - 4 p.m. \$85, \$75 for students Cooper Hewitt Museum two East 91st St.

5/16 & 5/17

860-6868

Ninth Avenue International Food Festival bet. 37th & 57th Streets, 11am -7pm.

PRISM Activities Hotline: 988-2880.

Theatre Tickets

Get half price day-of-performance tickets for B'way & Off B'way shows at the TKTS Times Square Box Office at 47th Str. & B'way, or in the mezzanine of Two World Trade Center, or in Brooklyn at Court & Montague Streets.

For more activities, read <u>New York Magazine</u> and <u>The Village Voice</u>.

For maps of NYC and brochures of places to visit, call the NY Convention & Visitors' Bureau (2 Columbus Circle) 397-8222

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