Applications are now available to second year students interested in applying for a Fordham Student Sponsored Fellowship (FSSF). The Fellowship will provide stipends to students who have obtained legally-related jobs with public interest or not-for-profit organizations for the summer of 1989. Stipends will be awarded in varying amounts, with the common aim of ensuring that students have enough money to meet their summer living expenses.

To date, FSSF has raised almost $20,000. As its name suggests, the Fordham Student Sponsored Fellowship’s primary source of funding is students, who are asked in the spring of their second year to pledge one day’s wages from their upcoming summer job. The monies collected are used to provide stipends the following summer for the next year’s class. About $8,500 was pledged by current third year students, in amounts ranging from $30 to $500. Another $1,500 has been collected from law firms, which were asked to match the pledges made by their summer associates. Law firm contributions continue to roll in. The largest donation to date was made by Fordham Law School, which pledged $10,000. Members of the faculty and administration have also contributed. For applications and further information about the program, stop by the FSSF office in Room 12 on the Garden Level.

ONE MAN SHOW WOWS FORDHAM

By Jacqueline Baronian

"Vote No!", an intellectually fascinating one-man play written by New York Law School Professor Robert Blecker was presented October 3 in McNally Amphitheater. The play induced the audience, surising that students have enough money to meet their summer living expenses.

As School Professor Robert Blecker was Sponsored Fellowship’s primary source of legal-related jobs with public interest or legally-related jobs with public interest or not-for-profit organizations for the summer of 1989. Stipends will be awarded in varying amounts, with the common aim of ensuring that students have enough money to meet their summer living expenses.

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Blinded By Abortion

By Robert Lewis

A major issue in the race for the Presidency of the United States is whether a woman should retain the right to an abortion, based on the judicially created, constitutionally based, right to privacy. The legal arguments are strong on both sides. Meanwhile, a less privileged class of people remains unattended to by the law—men and women who suffer from terminal diseases and others whose lives are mechanically sustained by advanced medical technology.

This article focuses not on the issue of euthanasia, but rather on the right of a human being to deny medical treatment so that he may come to a natural demise. Imagine a woman who has expressed a desire to live out her life without heroic medical treatment, i.e. without the use of artificial life support. Suddenly she suffers a cerebral hemorrhage and slips into a coma. Weeks later she is diagnosed as having fallen into an irreversible vegetative state, with no chance of recovery. The doctors attach a feeding tube into her abdomen because she is no longer able to be fed through natural channels. Many doctors examine her and agree that there is no hope of recovery, yet disagree on whether she acknowledges pain.

Her family now reveals to the nursing home, where she currently receives general care and treatment, that she had expressed to her family on several occasions that, if she ever fell into such a state, she would not want to be mechanically sustained. They requested that the feeding tube be withdrawn, that she may die out the rest her natural life. The nursing home refused, and a lawsuit ensued.

Surprisingly to some, the State stepped into the picture to defend the rights of its citizen, since the woman was clearly unable to communicate her wishes. The District Attorney who supports the "Right to Life" movement would not accede to the woman's wishes, as expressed by her family. The arguments unravelled as follows:

The family alleged that the woman had said outrightly that should she ever be in a persistent vegetative state, she wished to die of natural causes and not be subjected, and not subject her family, to the unnecessary torment of a living death. Corroborating testimony was brought forth demonstrating that she expressed these wishes during the time of both Karen Ann Quinlan and Sunny Von Bulow, and when she saw her dying mother attached to certain mechanical life-support. A statute would compel the family to hold for them if it found that she did in fact express those wishes.

The nursing home simply sought to be relieved of the responsibility, should the Court so decide, of withdrawing the feeding tube. They contended that it was against their policy as a nursing home, that the legal consequence of such action was yet undetermined, and that they would suffer great losses if people were aware that they agreed with such practices. Moreover, they counterclaimed for the expenses incurred for caring for her. These expenses only consisted of the money owing after the family discovered that their instructions not to use heroic measures were not being followed. (The nursing home was instructed not to administer antibiotics or revive if she suffered respiratory or cardiac arrest.)

Three years of debating between the family and the nursing home passed before the action was commenced.

The State defended her right to live. The ADA attempted to show that withdrawal of the feeding tube would cause the woman to suffer severe pain, despite the absence of external manifestations; that a feeding tube was not a mechanical device employed to sustain life but rather an alternative method of supplying fundamental nutrition. The administration of food and water, he contended, was not "artificial" but rather a means of doing something that she would otherwise do by her own (unlike use of a respirator). Moreover, denying a human being food and water would cause them to die of starvation, which would not be a natural cause of death; it would be inflicted upon her by others. A medical expert explained, however, that starvation was not a cause of death. It may be the catalyst to some other cause, but it is not the primary one, e.g. a person would suffer cardiac arrest because of the lack of fluids. For ex-
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ample, if the woman should die after being denied food and water because of withdrawal of the feeding tube, the cause of death would most likely be cerebral hemorrhage which she suffered three years earlier.

The judge appeared to be concerned more with the fact of whether the woman would feel pain if the tube were withdrawn. Perhaps he was looking for a way out of a very difficult case by resting it on an issue that could not really be deduced from any type of evidence.

Three years had passed since the tragedy occurred and the family needed an answer. If the tube remained, the judge would go on to his next case, the nursing home would continue to care for and profit from her, and the family would remain stagnated—forced to his next case, the nursing home would continue to suffer because of ambiguous or non-existent legislation. The right to live and the right to die are issues that our Congress should consider thoroughly. These issues are not ones to be left to nine people sitting on the Supreme Court. Too many others are affected by legal determinations in these cases and the legislature has the duty to represent them, not the Supreme Court of the United States.

The following letter was written in response to an address given by Mayor Ed Koch on September 28 at McNally Amphitheater.

To the Editor:

Listening to Mayor Koch yesterday I got the feeling that New York City doesn’t have very many problems. And the minor ones we have would be cleaned up very easily if we all just got out of the Mayor’s way and let him lead us to Utopia in Gotham. Drugs? Put all the users in jail. And if the jails are too crowded, we’ll build more. And with a wave of his mayoral hand our drug problem was gone.

The homeless? Send them to the shelters. And the Mayor assured us the shelters were really very nice places.

Housing? Move to Ocean Parkway or the Bronx if you can’t afford Manhattan.

Jobs? They are there for the asking. On one occasion the Mayor even ventured into City Hall Park offering jobs to a few lucky citizens.

And in addition to all that the Mayor informed us about the problems in Burundi and Northern Ireland. What a mensch!

Well, Mr. Mayor, I see a very different city. I see so many drug users that even if you build a new jail that will hold 800 prisoners, there are still going to be a lot of them out on the streets. And never mind that it isn’t just the jails, but the courts too that are overcrowded.

And the homeless are afraid to go to the shelters. And when I walk by them I think I, too, would take my chances in Tompkins Square Park.

And I see luxury towers so dominating areas of Manhattan that we can’t see the sun. And I see nothing being done about housing for the poor.

And can anyone really live in New York on the $4.00 an hour jobs the Mayor claims are for the asking?

I’m not blaming the Mayor for all of the city’s problems. And I don’t have the answers. But I get very uneasy when the Mayor acts like he’s presiding over Camelot on the Hudson while the crack wars rage. And when we failed to meet the federal standards for clean air. And the kids learn nothing in school. And AIDS spreads through the city. And the hordes of homeless swell.

Mark Curley

By David McGetrick

The "Mighty Mouth" has arrived. "Home-base" and "The Loudmouths" are well-known studio props. "Pablum-pokers" is lodged in our political lexicon. But does the Morton Downey, Jr. Show offer anything more than shock entertainment?

The line between programs that seriously examine socio-economic issues and those that feature tabloid-style exposés is these days, of course, blurred. The top story on Live at Five, for example, is as likely to be Sean Penn's latest altercation with a photographer as it is a reasoned analysis of the day’s disputes between the Presidential contenders. Oprah Winfrey and Phil Donahue seem to be racing to locate all of America’s unwed transsexual mothers and other desirables.

Some genuinely educational shows do remain on the airwaves. Whatever one thinks of William F. Buckley's pomposity and reactionarionism, Firing Line is erudite and analytical, if not commercially viable. Ted Koppel's Nightline is a commendable effort by a commercial network to provide insight into matters at the end of a workday.

It is not so easy to categorize Downey's show. There are refreshing and profound aspects. With the prevalence of Phil, Oprah, Geraldo, etc. and ad infinitum, it is nice to have an antagonist who unabashedly describes himself as a "conservative". And Downey quite often focuses on topics of importance, such as the verdict on the Reagan Presidency, objectivity in the media, criminal defendants' rights, the rights of the unborn, tolerance of pornography, and the status of the feminist movement, to name just a few.
Tale Of The (Video) Tape

By Brian Kirby

The hype and hoopla of the first Presidential debate has come and gone, and now it's time to sort out the results. Other journalists' accounts of the encounter to the contrary, the first square-off between Bush and Dukakis had none of the excitement of the Olympic boxing tournament.

Unfortunately for the viewing public, none of Bush's advisors physically attacked Jim Lehrer for prematurely stopping the Vice-President in the course of one of his responses. Dukakis was not found to have taken performance-enhancing drugs of any kind. And both candidates showed up on time for the "booth".

What follows is a summary of the highlights (and lowlights) of this exciting match:

Vital Statistics

Height: Bush is 6'2", Dukakis is 5'8", although viewers probably wouldn't have known that if they had missed the beginning of the debate, since he spent the entire evening standing on a hidden platform behind his podium. Why the American public should be prevented from seeing Mr. Dukakis as other world leaders will see him should be elected President (unless, of course, he spends his entire time in office wearing shoes with lifts, or toting around a podium equipped with a built-in hill) is beyond me.

Reach: The Vice-President's reach appears to be limited only by the bounds of his imagination. Eight years of vice-presidential impotence in close proximity to the Gipper appear to have had their effect on Mr. Bush. If his handshake at the beginning of the debate is any indication, Mr. Dukakis' reach is even shorter than anticipated. It appears that Dukakis' right arm is attached to his body by a string (It's a shame that Bob Dole isn't the Republican nominee: then, maybe, we could settle the matter with an arm-wrestling match. Right arm, of course.)

The real question, of course, is who won the debate. This year, Dukakis didn't have to do much to win. He simply sat and listened, while Bush made gaffes and overreached himself. Here are the highlights:

Bottom Line

The Vice-President won a split decision on points. Bush generally did a better job of responding to the questions asked and with more detail than Dukakis. The Governor spent more time criticizing his opponent and rehashing tired convention themes (e.g. the Greek immigrant saga), than answering the questions posed.

The real bottom line is that the debate ultimately will have little or no effect at the polls. The vast majority of voters have already decided who they will vote for and believe that their candidate won the debate. The target audience of the debate, the undecided voters, was in all likelihood too busy watching "The Honeymooners" on Channel 11 to be persuaded to vote for either candidate.

IT'S PLAYOFF TIME

Byline: By Thomas McCarthy

The New York Mets, Los Angeles Dodgers, Oakland Athletics and the Boston Red Sox are division champions and now engage in the pursuit of World Series rings. The success of these teams in the divisional races is indicative of the importance of talented young ballplayers, particularly pitchers. Pitching rich ball clubs continue to come out on top of the standings with these changes.

The New York Mets' success resulted largely from the quality and depth of their pitching staff. The staff was anchored by twenty- seven-year-old winner David Cone. Dwight Gooden, Ron Darling, Bob Ojeda and Sid Fernandez filled out baseballs most consistent and balanced starting rotation.

The Dodgers also fielded an exceptional group of starting pitchers in 1988. Ace right-hander Orel Hershiser ended the regular season with 6 straight shutouts and 59 consecutive scoreless innings. The Dodgers strengthened their staff with the mid-season acquisition of John Tudor. While L.A. was saddled with a sub-par and injury-plagued season from Fernando Valenzuela, they received pleasant surprises from Tim Belcher and Tim Leary.

The Oakland A's and Boston Red Sox each possess deep staffs with two outstanding starters. Dave Stewart, who has won twenty games in each of the last two seasons, and the consistent Bob Welsh led the A's to the A.L. West crown. On the other coast, Bruce Hurst and Roger Clemens pitched the Red Sox to a close victory over the Tigers, Brewers, Blue Jays, and the Yankees.

In the A.L., the men with the bats were not entirely outclassed. Jose Canseco became the first ballplayer to hit 40 home runs and steal 40 bases in the same season.
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First, Let's Kill The Lawyers

By Alan Dershowitz

The other day, while on vacation, I was browsing through one of those shops that specializes in cute toys and gimmicks. A small crowd was gathering around one particular set of items. They were called "custom voodoo dolls." The set consisted of the usual objects of derision: mother-in-law, ex-husband, ex-wife, boss, lawyer.

Naturally, I bought the lawyer, figuring I could have some fun putting a few pins in particularly painful places, while fantasizing about several attorneys I have encountered who deserve no less. When I took my lawyer voodoo doll to the checkout counter, the saleswoman laughed and said, "That's all anyone is buying — the lawyers sell like mad."

Everyone seems to want to stick it to lawyers! We are the butt of bad jokes and the object of literary derision. He are a few examples of lawyers taking it on the chin in humor. Ronald Reagan once told this one to Ed Meese: "Do you know why they're now using lawyers instead of white mice for experimentation? First, there are more of them, second, there is no danger that the experimenter will get to like them; and third, there are certain things that mice won't do."

Another is the new definition of waste: a bus load of lawyers going off a cliff with two empty seats.

Then there is the one about the lawyer, the doctor and the priest who were shipwrecked near an island. When the doctor and the priest tried to swim to shore, the sharks frightened them back to the wreck. But when the lawyer jumped in the water, the sharks escorted him to the island. The priest asked why the sharks treated the lawyer so well, and the doctor responded, "It must be professional courtesy."

Finally, I was recently told about the holy man who had devoted his life to prayer and the Lord's work. When he got to heaven, he was assigned to a tiny house on a small cloud. One day, he saw a fat, prosperous angel drift by in a mansion on an enormous cloud and he asked the Lord who that man was. The Lord said he was a lawyer. The holy man complained gently about his own comparatively shabby treatment and the Lord responded: "You see, we have many holy men here in heaven, but he's our only lawyer."

We are all familiar with Shakespeare's line, "The first thing we do, let's kill all the lawyers," and with Dickens' characterization of law as "a ass—an idiot." But how many of us know that in Sir Thomas More's Utopia "they have no lawyers among them, for they consider them a sort of people whose profession it is to disguise matters."

Why are lawyers thought of so badly? Why are we found near the bottom of every public opinion ranking of occupations? The answer is simple: Because we deserve it! It is not clear whether lawyers do more good than harm. The vast majority of lawyers' time — especially that of the super-elite lawyers, the ones I help train at Harvard — is devoted to helping the super-rich get even richer and pay less taxes.

This dedication to the rights of the wealthy certainly helps the 1 percent of the population served by these corporate lawyers. But there is a real question whether it helps or hurts the rest of us.

The profession of law is, after all, a monopoly. Only licensed members of the bar can sell legal advice and representation. Generally, when the state gives someone a license to engage in a monopoly, it demands something in return: The monopolist must serve all of the people, not just a tiny fraction. And this makes sense. If most of those who need legal services are not being served by those who have the exclusive right to practice law, then others — unlicensed... (continued on page 7)
LETTERS TO MR. X

As I seem to have lots of free time on my hands in prison these days, I have decided to answer some of the fan mail that I have received from my millions of supporters. I have reprinted some of these letters and my replies below.

Dear Mr. X,
Why is it that David Letterman and Jim Hensen seek to ruin your career? I be having the same problem with Giuliani and Abrams.
Rev. Al

Dear AL,
Letterman and Hensen are small, jealous men who have sought to destroy my name and reputation and keep me under lock and key through their manipulation of an antiquated legal system which protects mediocrity and persecutes genius. My childhood friend and classmate, Jonathan Swift, realized this and summed up my plight in the following quote:

"When a true genius appears in the world, you may know him by this sign, 'That the dunces are all in a confederacy against him.'"

(From Swift's "Thoughts on Various Subjects, Moral and Diverting, Including the Plight of Mr. X")

Ali, I hope that you take some consolation in your plight from Swift's words.
Mr. X

Dear Mr. X,
Well, I am a big fan. Well, I have seen all of your movies. Well, I liked your Muppet movie "Pork Me Kermit" the best. Well, would you be willing to put me in one of your films when I leave the White House and you leave prison? Well, if you find me a big part, there may be a pardon in it for you.
Well, President Ron

Dear Ron,
There may be a part for you in a new movie that I am planning called "Bedtime for Ronzo." You would play a seerle, ex-president who thinks that he is a chimpanzee and who is exploited by two mean-spirited zoo-keepers resembling Oliver North and Nancy. If you are interested, please give me a call.
Mr. X

Dear Mr. X,
What are your views on the Middle East?
Mr. X

Dear Mr. X,
What are your views on cannabilism? There is going to be a referendum on my island soon and I need to know which way the wind is blowing.
Chief Unga Bunga

Dear Unga,
I like nothing better than sitting around a big pot with a fire under it while my victim stews. Although I am generally a leg man, I do enjoy a good breast once in a while. It is unfortunate that cannabilism is not permitted in prison, but I wouldn't worry about your island—the population sounds to civilized to ever "just say no".
Happy Dining,
Mr. X

Dear Mr. X
Do you think that I'm a washed up old hag like the rest of America. Please reply by Federal Express. I need to know.
Nancy R.

Dear Nancy,
Although I do not always agree with the American public, they are right this time.
Sorry. Mr. X

Dear Mr. X,
What is your favorite joke? I've got some of your others are interested in having Mr. X answer any questions, please write to the following address.
Dear Mr. X
Cell 138
Federal Prison
Joliet, Illinois, 60040
Editorial Plea: Send $20 and a nice 6-pack of Bud with each letter to cover Mr. X's postal costs and help jumpstart his brain.
Thank you.

Dear Mr. X,
I'm sick and tired of hearing about the Middle East. Why can't someone show some concern for the Middle West, what with the plight of the farmer.
Mr. X

P.S. Leave Ron alone, he's up for a big part in my next movie.

Let's Kill The Lawyers...

(continued from previous page)

paralegals—should be able to compete and provide legal advice and representation to those who are now being excluded.

Something must be done to bring legal services to the people who need them most—working people, welfare mothers, the handicapped, immigrants, the aged. These are people with rights but no realistic remedies.

The Reagan administration has cut back on publicly financed legal aid. Some large law firms—to their belated credit—are helping a bit. But the situation is still critical. It is as if the emergency wards of our hospitals were going unattended, while most of our doctors were performing cosmetic surgery.

Cynics may respond that the last thing we need is to have more people represented by lawyers. This reminds me of the small town that had no lawyer, and so they invited one to set up practice. He did, but there was no business. As he was about to leave, another lawyer moved into town. Suddenly, there was more than enough business for both.

Lawyers are a contentious lot. Sometimes we create—or at least discover—problems. We operate on the adversary system. We are not supposed to win popularity contests. But in a society full of injustice, we are a necessary evil. It is not enough to poke pins into voodoo doll lawyers, or to make jokes at our expense. Something must be done to bring the benefits of our legal system to all people.


Playoff Time...

(Continued from page 4)

Boston's Mike Greenwell, Kirby Puckett of the Twins and New York's Dave Winfield also produced numbers which in many seasons would have earned an MVP award.

In the N.L., the pitchers truly dominated the hitting. League-wide totals in batting averages and home runs fell off from 1987 levels. Nevertheless, someone must be awarded the MVP. Darryl Strawberry of the Mets appears to be the logical choice. Although he only batted .269, he hit a league-leading 39 home runs and drove in 101 runs.

Darryl's main competitor seems to be the Dodger's Kirk Gibson, but his 76 RBIs are not of MVP caliber. Kevin McReynolds of the Mets and Will Clark of the Giants also have outside chances.
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