

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

The Advocate

Student Publications

12-17-1971

The Advocate

The Advocate, Fordham Law School

Follow this and additional works at: https://ir.lawnet.fordham.edu/student_the_advocate



Part of the [Law Commons](#)

Recommended Citation

The Advocate, Fordham Law School, "The Advocate" (1971). *The Advocate*. 31.
https://ir.lawnet.fordham.edu/student_the_advocate/31

This Newspaper is brought to you for free and open access by the Student Publications at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in The Advocate by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

Advocate Wins Release of Five-Year Plan

On Friday, November 22, Anthony J. Siano, acting in consonance with efforts channelled through the good offices of The Advocate, released to the student body the text of the proposed Five-Year-Plan. The Plan, which was the result

of the labors of a 14-man commission, acting under SBA sponsorship, is a forward-looking, progressive, comprehensive document detailing proposed future growth of the Law School. (For Highlights of the Plan, see Page 4)

The Advocate

The Student Newspaper of Fordham University School of Law

Vol. IV - No. 4

NEW YORK, N. Y.

December 17, 1971

Byrn: Abortions Are Illegal

By ALLEN P. KAREN

Professor Robert M. Byrn, a long time foe of the right of women to have abortions, is currently a central figure in a test case which challenges the constitutionality of liberal abortion laws.

Prof. Byrn, a Catholic who is forty years old, is the Chairman of the Metropolitan Right-to-Life Committee, an umbrella organization that coordinates the activities of the various anti-abortion groups in the metropolitan area. Prof. Byrn told the *Advocate* that this lawsuit is one of the anti-abortion actions that are being prosecuted by the New York Defense and Education Fund for the Unborn, the legal arm of the anti-abortion forces. Though he is Catholic and unmarried, he said he is not representing any particular religious viewpoint, but is taking a civic position which has broad-based support from all segments of society.

Wins one, Loses one

The initial step of the current action took place in Queens Supreme Court two weeks ago, where Prof. Byrn was appointed guardian ad litem of all human fetuses in the fourth through the twenty-fourth week of gestation that might be aborted in the municipal hospitals.

Thomas J. Ford, Prof. Byrn's attorney, characterized the class action as one which has as its goal the preservation of lives of unborn infants who are "voiceless, voteless and friendless."

Prof. Byrn lost a round to the forces that support the right of women to opt for abortion, when, on Dec. 7, his motion to enjoin all abortions in municipal hospitals until the case is decided, was denied by Supreme Court Judge Frances X. Smith. The suit, which is the first major test of the constitutionality of New York's abortion law, is opposed by lawyers for the state attorney general and city corporation counsel as well as by attorneys representing various social service organizations who have submitted amicus briefs in support of the constitutionality of the law.

Rejects women's rights

When asked by the *Advocate* whether the question of abortion, a moral and religious issue, is a proper legislative subject, Byrn replied that "law should be involved in protecting human life." He contends that unborn fetuses



Professor Robert Byrn

have a fundamental right to life and to equal protection of the law.

Prof. Byrn rejected the right of the mothers to privacy, self-determination and equal protection of the law, and asserted that his right to demand that the fetus be allowed to live is superior. Asked whether he would support a change in the law that would reduce the period permissible for abortion from twenty-four to sixteen or twelve weeks, Prof. Byrn said he would not. He said that the right to life attaches upon conception and any compromise in the law would be an admission that abortion is permissible for a specified period, such position being antithetical to his views.

Prof. Byrn said that he would only permit an abortion where it is necessary to save the life of the mother.

SBA Notes

At an SBA meeting held on Dec. 13 the body considered a proposal to change our grading to one with broader categories (i.e., High Pass, Pass Fail) and soundly defeated it. Also rejected was a constitutional amendment that would have permitted eleven Board of Governor Delegates to mandate an SBA Board of Governors meeting upon tendering of a petition to that effect.

On The Inside

Schwartz on Peace	Page 3
Robbins on Opera	Page 3
Karen on Caldwell	Page 3
5 Year Plan	Page 4
Letters to Editor	Page 2
Editorials	Page 2



FATHER MICHAEL P. WALSH, S.J., the President of Fordham University, will visit the Law School tomorrow, Friday, December 17. He will be appearing in the Moot Court Room at 4:30 P.M., under the auspices of the Law Forum.

Schwartz Resigns From Law Forum

On November 17, Michael A. Schwartz, Chairman of the Law Forum, the Law School's speakers' bureau, tendered his resignation, effective December 7. Dan Keenaghan, the Deputy Chairman, announced that he had joined Mr. Schwartz in resigning from the Law Forum.

A matter of honor

Mr. Schwartz, who is a member of Section 3-A and is the Business Manager of The *Advocate*, indicated that his resignation was a matter of personal honor. "I cannot continue to invite distinguished speakers to address empty rows in the Moot Court Room" he said, alluding to the poor attendance at Law Forum functions. Speakers this year, including Senator Jacob Javits, Congressman Edward Koch, and Israeli Ambassador General Yitzhak Rabin, have addressed sparse gatherings of students, though the events were widely publicized.

It was reported that the Law Forum program is in no administrative jeopardy, as speakers have been programmed through the duration of the academic year. Joseph Pandolfi, of Section 3-A, Co-Chairman of the Law Forum, will assume the position vacated by Mr. Schwartz.

Egg Nog Party

The International Law Society announces a Christmas egg nog party to be held in the Student Lounge at 2:30 on Dec. 17. All are invited.

Stillman Memorial Prize Announced

By GLEN WALKER

Second-year evening students at Fordham's School of Law have established an annual award in memory of Andrew M. Stillman, whose 96.78 scholastic average in 1970-71 is believed to be the highest of any law student in Fordham history.

In October, Mr. Stillman was stricken with a paralytic disease of the spinal cord. He died Nov. 10 in Montefiore Hospital in the Bronx. He was 24 years old.

The Andrew M. Stillman Memorial Award was announced by Section 2E classmates on Dec. 7. It will take the form of an annual book award presented to the top-ranking first year student in Fordham's evening law school. The award fund will be administered by Fordham.

Fund begun

John J. Keohane, class president, and David M. Trager, a close friend of Mr. Stillman, head the collection for the fund. They said tax-deductible contributions should be made payable to the Fordham University School of Law (Andrew M. Stillman Memorial Award). Contributions are being accepted at the law school administration office and the SBA office.

"Andy was an extraordinary student and an extraordinary person," Mr. Trager said. "His death was a shock for all of us, and the idea for a memorial seemed to come spontaneously."

Hard worker

Mr. Stillman was born Sept. 4, 1947, the son of Morris and Rose Stillman. He attended Bronx High School of Science and the City College of New York, where he was graduated in June 1969 with a degree in mechanical engineering. He worked briefly for the Burndy Corp., a Connecticut firm, before joining Aetna Life and Casualty Inc. in January as a structural engineer.

Law study was a turning point for him. He told friends it was like discovering a new world. From a rarely distinguished academic record in college, he quickly emerged as the top student in all of his law courses. In his first examination in Contracts, he posted the only perfect score.

To do it, he studied intensively, exploring ramifications of the law that took him far beyond assigned work. After classes, he grilled his professors. Every Saturday he met a friend, NYU law student Peter Bienstock, at the Columbia University law library to do legal research.

He hadn't decided where law would take him. He was interested

in problems of poverty, and he spoke of spending time after graduation in a neighborhood law center. A month before his death he told a friend that constitutional law fascinated him and he was considering specialization in that field.

With all his dedication, Mr. Stillman found time for other interests. He was an avid sports fan, attending basketball or hockey games regularly. He had an unusual memory for sports statistics, and he enjoyed listening to NBC sportscaster Bill Mazer and catching him in errors. He was active also in the North East Reform Democratic Club in the Bronx, and he assisted in the campaign of Assemblyman Anthony J. Stella (86-AD).

An avid reader


Mr. Stillman made it a point to read at least one book a week that was unrelated to the law, and during the summer he took a speed-reading course so that he could read more. He and Sheila Krilov, a graduate student in math at the University of Pennsylvania, had planned to announce their engagement soon.

He admitted to being superstitious, but he called it "being careful." A friend recalled that because Mr. Stillman had eaten pancakes and worn beige pants at the time of a successful midterm exam, he decided not to risk a change at final exam time. He wore the same beige pants. And when someone offered him a sandwich, he declined. "Today's pancake day," he said.

Friends say goodbye

"Andy had a sense of humor and compassion," said one member of a study group to which Mr. Stillman Nov. 12 at the Hirsch spend hours trying to help someone understand a difficult concept. We'd all get impatient and shout at each other for awhile. Then we'd go out and have a couple of beers."

More than 300 friends, including classmates and faculty members, attended services for Mr. Stillman Nov. 12 in the Hirsch Brothers Funeral Home in the Bronx. In addition to his parents, Mr. Stillman is survived by a brother, Harold, 21, an art major at City College.



The Advocate
The student newspaper of Fordham University
School of Law

Editor-in-Chief
ALLEN P. KAREN

Executive EditorMichael McGovern
Managing EditorKevin C. Reilly
Associate EditorChuck Dubroff
News EditorRobert Kelley
Photo EditorAlan Michigan
Business ManagerMichael A. Schwartz

Staff: Glen Walker, Bill Robbins, Terri Aromando, John La Cava, Robert Minyard, Joe Kaestner.

345

Byrn v. Women's Rights

Professor Robert M. Byrn, in his continuous attack on the New York abortion law, is spearheading a legal attack which challenges the constitutionality of New York's so-called 'liberal' abortion law.

This attempt by Professor Byrn to impose certain moral precepts upon the laws of the states and nation, and to harass and subvert the right of all women to self-determination and equal protection of the laws, is both an arbitrary and a sexist affront to the dignity of women and to the concept of individual liberty.

We are confident that the courts will reject Professor Byrn's arguments and will not return the state's abortion law to the dark ages.

A Free Press?

A funny thing happened to the Advocate on its way to press last issue. Someone dropped the third paragraph of an editorial concerning the existence of a secret five-year plan for the law school. The howfore's of this deletion are still a mystery, but the whyfore's are discernible. It seems that the SBA's leadership thought that this report should be given to the faculty for their action without the benefit of a public airing. As Thomas Jefferson wrote: "To seek out the best through the whole Union, we must resort to the information which from the best of men, acting disinterestedly and with the purest motives, is sometimes incorrect."

Not that we think that the SBA's five-year plan is incorrect, but we do think that the report could have profited from a public consideration of its content instead of having the contents of the report presented to the students as a *fait accompli*. The five-year plan is a most comprehensive report and the writers should be commended upon their great energy in drafting it.

Recently in the *New York Times* decision, a due process right to know what its government is doing was asserted and upheld. Justice Douglas stated in this case: "Secrecy in government is fundamentally anti-democratic, perpetuating bureaucratic error." 29 U.S.L.W. 4879 (1971). We feel that secrecy in the law school government can only foster the same credibility gap and failure to communicate that besets our federal government today. In the words of James Madison: "A popular government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both."



THE ADVOCATE WISHES EVERYONE
A MERRY CHRISTMAS
and
HAPPY CHANUKAH
and
HAPPY NEW YEAR



OP. Ed. Dissent

By KEVIN C. REILLY

Professor Robert M. Byrn should be praised for his court action testing the constitutionality of New York's abortion law, not criticized as *The Advocate* has done editorially in this issue.

An important constitutional issue has been raised and the courts should settle the issue. It is ironic that *The Advocate* — a law school newspaper — should criticize anyone for using the courts.

The very foundation of our legal system is protection of human life. Without this basic right to life, our law is nothing. Our constitutional rights are meaningless without this most basic right.

Can we expect an end to Vietnams, Atticas, crime in the streets and other crimes of violence when the law sanctions the taking of human life, whether through capital punishment or abortion. While there may be a distinction between abortion-at-will and medical abortions, the courts should draw that distinction, and give constitutional guidelines.

Not worthy of comment

The Advocate's characterization of the views espoused by Professor Byrn as "sexist" is not worthy of comment.

Likewise, it is ridiculous for this newspaper to criticize Professor Byrn because his action was motivated by "moral consideration." Must law and morality be separated?

Is a cause of action less valid because it was motivated by moral considerations? Is a court decision made on such a cause of action and the less law?

Professor Byrn is exemplifying the ideal of the activist lawyer, using his legal skills to bring about change. He is showing us our potential. Yet he is criticized for precisely these actions and ironically by those who extoll this virtue when it is shown by persons favoring their views. (Although he disagrees with the author's view on abortion, Associate Editor Chuck Dubroff concurs with Mr. Reilly's other substantive views.)

Letter To The Editor

By JEFFREY D. BOGART

One-third to one-half the tuition being paid by law school students at Fordham goes to subsidize the University's undergraduate school.

The amount is indicated by a study of tuition at three other schools: New York University, Duke and the University of Virginia. It shows Fordham students pay extravagantly more per course than elsewhere.

The study, however, is not the only indicator. Dean McLaughlin recently told students that he believes the amount approaches 50 percent. He added that he had been told that accounts were not being kept by the university to show the apportionment.

At Fordham, all tuition is sent to the uptown administration, which in turn doles out funds to the law school from the university's overall budget. The result has been to curtail the number of courses and faculty at the law school.

Cost of subsidy

The drain on the law school is evident when examining how

much it costs other law schools to offer a single course. It costs New York University only \$16,250. At Duke, the cost is \$9,200; and at University of Virginia, it costs a mere \$7,300. But at Fordham, it costs \$32,800.

Those figures are derived by dividing the total of all courses offered into the total amount of tuition available at each school. At Fordham, there are about 437 evening students and 645 day students paying \$1,400 and \$1,900 each. The law school offers 56 courses.

By contrast, N.Y.U.'s 1,000 students each paid \$2,600, and the school offered 160 courses. At Duke, the 390 students paid \$2,100 each, and there were 88 courses offered. And at the University of Virginia, 808 students paid in a total of \$789,640 for the school's 108 different courses.

Faculty ratios

The drain by Fordham's uptown campus on law school tuition also makes itself felt in the number of fulltime faculty members at the law school. With a fulltime faculty of 20, the school's student-faculty ratio is about 54 to 1. Even two years ago the ratio was an appalling 38 to 1. It's 16 to 1 at N.Y.U.; about 17 to 1 at the University of Virginia; and about 15 to 1 at Duke.

Only one reason has been advanced for channeling tuition funds away from the law school: law students get the benefit of the "Fordham" name. To Dean McLaughlin, however, a 10 percent subsidy seemed much more reasonable for that purpose than 50 percent.

But why any subsidy at all? It's possible to argue that no subsidy should be required to share in the school's name. The reason: when law students leave Fordham and become famous, they in turn will be adding to the school's prestige — and they won't be charging.

Other than the good will that results from use of the Fordham name, no other benefits appear to accrue to law students from being associated with the uptown university. The law students have no reason to use the uptown facilities. The distance between campuses also makes it unlikely that the students would do so.

Four solutions

Four alternatives appear available to students who wish to abolish the uptown subsidy. They can attempt bargaining with the uptown administration through SBA officers. They can attempt to gather alumni support against the subsidy — through a letter-writing campaign, for example — which might have some effect, since the university, like most schools, presumably relies heavily upon alumni donations. Third, the students can turn to the courts. And fourth, they can resort to tuition withholding.

Concerning the courts, the students might sue the university for misrepresentation. The university has advertised in its law school catalogue that the money students pay will be used for "tuition" — meaning not to subsidize the uptown campus. There is at least some support for the notion that "tuition" is money to pay for the courses to be taken. The dictionary defines the term in that way. So did the court in *Lenton v. Lucy Cobb Institute*, 45 S.E. 53, 55.

As for a tuition strike, the money could be placed in escrow during negotiations with the university. The best time for such action would be during the second semester — that is, during the school year when it would be

harder for the administration to cancel classes.

For the Fordham administration, law school obviously is a money-making business. Thus it will continue to misrepresent "tuition" in the school catalog and continue to siphon off money until students show a little muscle in negotiating. For three or more years, student leaders apparently have accomplished little.

Fordham's name certainly isn't worth 50 percent. If the students get together and bargain, they should be able to reduce the subsidy, increase the quality of education at the law school and perhaps, even get their money's worth.

Advocate Changes

The Editor-in-Chief of *The Advocate* has indicated that there have been some shifts in the structure of the newspaper. Unidentified reliable sources have indicated that several members of the staff and editorial board will cease to retain their titles, as they have already ceased functioning in their assigned capacities. Also, these same sources have acknowledged that there is under consideration an enlargement with respect to the positions on the editorial board. These sources, however, refused to specify the additional positions to be created.

People interested in joining the *Advocate*, either in an editorial or staff capacity, should apply at *The Advocate's* office, Room 216, either in person, by proxy, or by mail.

Group Formed

It was announced today that there has been formed by students of the Law School an organization, the United Students for Freedom From Academic Irresponsibility. The goals of United Students are the strengthening of student morale by promotion of traditional moral and ethical values, and by vigorous opposition to the irresponsible tactics of certain radical members of the Law School.

Oren de-Rooted

Oren Root Jr. resigned his position as News Editor (Day) of *The Advocate* last month following a dispute about the content of a news story.

Root made the following statement: "When a newspaper allows itself to be censored, through overt or subtle pressure, it has betrayed its primary duty to its readership."

"Since *The Advocate* has succumbed to such pressure — for what seems to the majority of the editors the most honorable of reasons — I feel compelled to resign as News Editor (Day)."

The next issue of the *Advocate* (the first of the Spring term) will have an in depth analysis of Fordham's controversial minority enrollment program and its pros and cons. Also, we hope to endorse a Presidential candidate and present a study of the upcoming political year. Also plenty of controversy. The Editorial Board of *The Advocate* hopes you enjoyed this term's editions and we look forward to serving and stimulating you in the future.

Justice and the Environment

By JOHN N. MITCHELL
Attorney General of the United States

Young people have played a primary role in focusing the attention of the Nation on the quality of our environment and the importance of insuring that clean air and water are available for future generations.

During the past two and one-half years, the Department of Justice has recognized the urgency of their concern and has given top priority to the enforcement of federal laws relating to environmental protection.

Our original approach was to give new emphasis to a 72-year-old law — the 1899 Refuse Act — and to use it as one of our most effective weapons against polluters. Under the Refuse Act all industries which discharge any waste into navigable waters or their tributaries must apply for a permit to do so from the Corps of Engineers, stating that the waste does not pollute the water. If a company discharges without a permit, it is in violation of the law and may be fined as much as \$2,500 a day upon conviction.

Criminal actions and civil pe-

nalty actions are brought against sporadic or accidental polluters, as in the case of oil spills from ships or from shore installations. We found, however, that the penalties carried by these statutes are ineffective against major industries with continuous discharges.

In mid-1970, the Justice Department filed 10 civil injunction cases to halt mercury pollution. Some of the companies sued were dumping as much as 300 pounds of mercury a day into rivers. One of the plants sued closed down and the other nine immediately reduced their mercury discharge to less than half a pound a day. Forty other plants discharging mercury voluntarily cut back their emissions to a fraction of a pound.

Thus, in a period of about six months, we virtually eliminated the hazard that faced the country from the continual dumping of mercury into bodies of water. We have not eliminated the problem caused by the mercury already in the water, but we have brought to

(Continued on Page 4)

Nixon v. The People

ALLEN P. KAREN

The Nixon Administration, in its continuing attempt to control and manage the news by means of selective harassment, has authorized the Justice Department to prosecute suits against newsmen who refuse to reveal their confidential sources and information.

In a case currently pending before the Supreme Court, the Justice Department has taken the position that the government has the right to subpoena newsmen and their work product, and to require them to reveal information disclosed to them in confidence.

Caldwell v. U.S.

The case, *Caldwell v. U.S.*, involves Earl Caldwell, a New York Times reporter who established confidential relationships in the San Francisco chapter of the Black Panther Party. Over a period of months the Times published a series of articles by Caldwell, some of which were based on information obtained from high officials of the Panthers.

The United States Attorney for the Northern District of California subpoenaed Caldwell to appear before a closed Grand Jury hearing which amounted to a fishing expedition into 'crimes of the Panthers'. Caldwell refused to appear, even in view of a protective order that would have privileged him from revealing his confidential sources in most cases.

Caldwell felt a chill

Caldwell contended that a forced appearance by him before a closed grand jury would have the effect of drying up his news sources, thereby depriving the public of its right to information. Once Caldwell entered that closed chamber, his credibility with a group that is deeply distrustful of the workings of this government would be destroyed.

It is an easy task for a government whose power is as extensive and pervasive as the United States to chill the First Amendment Rights of its citizens if that is its

intent. The fear that information revealed in confidence with the understanding that its provider is to remain anonymous will be forced out of reporters under the threat of jail for criminal contempt is enough to persuade a source to remain silent.

Power to suppress

If you freeze a reporter's sources, then you effectively prevent him from gaining information that could lead to important news stories and exposes. In amicus briefs in the case, many of the best known journalists are on record as stating that a large percentage of their news stories originate through confidential tips supplied by informants.

Would the Panthers permit a reporter the kind of access that Caldwell had if there existed a possibility that the next week he might be telling all to John Mitchell? Would a high Government source reveal corruption in government if the people he exposed could find out his name? It's well known that most exposés on corruption in government originate with 'high government officials' and equally documented is the retaliation that has been wreaked on those officials when their identity has been uncovered.

Public's right to know

The right of readers and viewers to be freely informed by the news media is abridged and the First Amendment is violated if state and federal governments can compel reporters for such media to identify confidential sources or to divulge information obtained in confidence. It is to be remembered that it is the public's right to know, not the reporter's right to make a living by plying his trade, that is being protected. When the government's need to investigate conflicts with the public's Constitutional right to information, the people must prevail if we are to remain a free and viable society.

Deterrents to Peace

MICHAEL A. SCHWARTZ

The world, at present, is witness to three wars, each of which is of a generation's duration.

In Vietnam, the Indochina conflagration is experiencing an end to Occidental physical involvement with the withdrawal of the Americans, who were successors to the French in that war. On the Indian subcontinent, the Indians and Pakistanis have renewed their feud, which originated with the simultaneous independence of the two countries. In the Middle East, the continuing conflict is headed toward a fourth major exacerbation in the past 23 years.

While these wars involve different parties in non-contiguous areas of the world, there are certain features which they share in common.

Areas in common

Firstly, the Middle East conflict and the India-Pakistan affair are directly attributable to partition schemes foisted upon the parties by the United Nations, and the Indochina war has been aggravated by a partition plan which was the result of an international commission. Secondly, though the three wars were confined originally to second- and third-rate powers, the superpowers have become deeply involved in all three conflicts, either as major munitions suppliers and technical advisors, or, as with the Soviets in Egypt and the Americans in Vietnam, as nations which have taken an active role in the support of one of the belligerents by the introduction of substantial numbers of combat troops.

* * *

In the Arab-Israeli hostilities, the effect of efforts by outside powers and international organizations has been less than evenhanded. With respect to materials supplied to the belligerents, the Arabs have been favored. In supersonic aircraft, for example, Egypt alone has more jets than does Israel, and the evidence indicates that these Egyptian jets are being piloted by Soviet airmen. Likewise, in armored vehicles and in every other category of weaponry, the Arabs have a far greater stockpile than do the Israelis.

Presently, the Arabs are being supplied, gratis, with the most sophisticated jet fighter in the world, the Soviet MIG-23 "Fox-

bat," fully equipped with Soviet pilots. The Nixon Administration, during the same time, is refusing Israel the right to purchase F-4 Phantom jets, and is forcing the Israelis to construct their own jet fighter factories, a considerable burden on an already over-burdened Israeli economy. In view of the overwhelming superiority of the Arabs in all military departments, except the quality of the individual soldier, of intelligence, and of the General Staff, it is most difficult to accept the Nixon Administration's claim that its embargo on jets to Israel is based upon its desire to maintain a military balance of power in the area. For, as General Yitzhak Rabin, Ambassador of Israel to the United States, indicated in his address here at Fordham last month, American weaponry supply to Israel never approached the magnitude of the Soviet supply to Egypt.

UN prejudice

The United Nations has been particularly prejudiced in favor of the Arabs.

Following the 1967 episode in the Middle East war, the U.N. issued a resolution calling for Israel to abandon territory which it had garnered as a result of its victory. This resolution was vigorously promoted by the Arab belligerents and their communist overlords. An area of particular concern in the resolution was Jerusalem, the historic capital of Israel. The U.N. demanded that Israeli jurisdiction over a United Jerusalem be terminated.

One must view this resolution in light of the 1948 Independence War. At that time, the Jordanian Arab Legion, led by British officers, and acknowledged as the finest trained troops in the entire Middle East, attacked and conquered by force the eastern half of Jerusalem by driving back a beleaguered force of Irgunists who were outnumbered 300 to 1, and who, to their credit, retained control of the western half of the city. Following the war, there was no United Nations condemnation of this Jordanian aggression in Jerusalem, though the Jordanians, by the partition agreement adopted by the U.N., were prohibited from exercising domain over the city. During the 19 years of Jordanian occupation, under which there were countless cases of government-inspired desecrations of

religious places (including the construction of the Intercontinental Hotel, owned by Pan American Airways, on top of a Jewish cemetery) the U.N. issued no protests, no resolutions, no condemnations. It was only when the Israelis ousted the Jordanians from their illegal occupation that the U.N. retaliated.

History of UN action

Furthermore, in the 1948 war, the Arabs took over Israeli territory in contravention of the U.N. partition agreement. However, no resolution condemning the Arabs for this act of aggression emanated from the United Nations. Only when the Israelis regained their lost territory and secured lands which were formerly under Arab administration was the U.N. prompted to respond with resolutions condemning Israel.

In 1956, as part of a truce under which Israel agreed to return the Sinai Peninsula and the Gaza Strip to Egypt, the U.N. established a "permanent" peace-keeping force, which was to provide security in the area. However, at the request of Egyptian President Nasser in 1967, the U.N. conveniently removed the force so that Egyptian forces might mass on the Israeli border prior to the outbreak of organized hostilities. The "permanent" force thus was a temporal device, whose existence was controlled by Arab desire.

Currently, the U.N. is attempting to coerce the Israelis into relinquishing the fruits of their last victory in exchange for a "permanent" peace-keeping force, à la 1956, on the same site as the old "permanent" force. Considering the U.N.'s past history with regard to the Middle East, it is not completely surprising that Israel is not overly enthusiastic about the proposal.

It is difficult to predict an end to the Middle East struggle, just as is the case with the India-Pakistan and Indochina struggles. However, this appears certain — the more outsiders, including superpowers and international organizations, interfere with conflicts between small nations, the dimmer is the hope for peace. The best course, therefore, would be for all non-parties to desist from any participation, direct or indirect, as accessories or as mediators, in these disputes.

CLASSIFIED

Rates are 10¢ per word, with a minimum of 10 words. *The Advocate* reserves the right to refuse any advertisements.

Interested in activist Democratic Political Movement in the Bronx? Contact Allen P. Karen in the *Advocate* Office, Room 216. Also, those interested in joining a 'Kennedy in '72' Mobilization Committee, come on in to see us in Room 216.

Woman Needed. Agile minded hard worker. Positions currently available on *The Advocate*. Good fringe benefits. Contact Allen P. Karen, Room 216.

Anyone interested in a ride to Guadalajara, Mexico, following the July Bar Exam? Will share expenses. Not liable for losses due to banditos. Please address inquiries to Box 048.

Teamwork

WILLIAM ROBBINS

In most areas of our world it is most important that one thing cooperate with another. To create a balance many considerations must come into account. A good class results when the professor presents good material by means of a good presentation in the proper surroundings. Opera more than anything is much the same.

To effectively produce an enjoyable opera it is important that many elements all contribute their best so as to result in unity. Effective opera must be well conducted, sung, acted, staged, directed and most important of all be well written. To be enjoyable all elements must be present and if any one is outstanding the performance is a memorable experi-

ence.

Tristan und Isolde is a hit! It is superlative in every one of the elements. Richard Wagner's score is extremely strong and compelling. The new production at the Metropolitan Opera House combines the best of all possible cooperation. The staging complements the score and libretto and aids the audience in what could have been a long and dreary opera. Instead the stage is constantly in motion as *Tristan and Isolde* move from reality to their world of love. It is truly a psychedelic experience. The direction of the opera is fluid and always works in conjunction with the mood to be created. Erich Leinsdorf conducts the opera as if

(Continued on Page 4)

SBA's Five-Year Plan In A Nutshell . . .

FACULTY

(A) An increase of 10 full-time faculty members, in addition to the 2 full-time vacancies which will develop as of September 1972. This would bring the full-time faculty to 30, and reduce the student-faculty ratio from 52.1 to 1 to approximately 34 to 1.

(B) 4 new part-time professors for a total of 16.

(C) An immediate \$5000 raise for full-time faculty salary with further increases in 2 years.

(D) A 25% increase in part-time faculty salary proportionate to the individual's teaching responsibilities.

(E) Starting salary of full-time faculty to begin at \$21,000 per annum, effective immediately.

(F) The hiring of 4 additional full-time faculty secretaries.

(G) The establishment of a \$24,000 fund for student research-assistants for the faculty, which fund would be increased to \$48,000 in the second year, giving each full-time faculty member a 400-hour share of research assistance.

BASIC CURRICULUM

(A) Decrease in required credits from the present 66 to 42, with decrease in required courses from 19 to 12.

(B) Establishment of tutorial teaching programs, limited to sections of 15 to 20 students in Property, Torts, Contracts, Civil Procedure and Constitutional Law.

ELECTIVES

Increase in available electives from 35 to a proposed 96. Presently, Columbia offers 113 elective courses, NYU 146, Yale 142,

Harvard 111, George Washington 139, and Boston University 97.

LIBRARY

(A) Increases in acquisitions by increments of \$27,000 in Years 2 and 3.

(B) Increases in the library staff.

ANCILLARY CURRICULAR PROGRAMS

(A) A concentrated Legal Writing Program, to be administered in the 2 weeks prior to the commencement of classes in the freshman fall semester, to cover aspects dealt with in the current program plus:

(i) Historical Development of the Law

(ii) Interpretation of Statutes

(iii) How to read cases

(iv) Weight of authorities

(v) Role of administrative agencies

(vi) Attacking a legal research project

(vii) Writing and research

(B) Freshman Moot Court to be constituted as at present.

(C) Required "Writing Credit" programs

Students would be required to participate in programs of their choice from among the upper class moot court programs, the Law Review, the Urban Law Journal, clinical programs, and faculty research assistance.

(D) Expansion of current legal publications and the addition of an International Journal of Law & World Order.

(E) Clinical Education
The initiation of clinical pro-

grams tied to legal aid, government agencies, and private firms.

(F) The establishment of a Research Institute for independent student research programs which would receive course credit.

(G) The establishment of a joint J.D.-M.A. program

(H) The establishment of summer school classes.

SERVICE AND SUPPORT FUNCTIONS

(A) Establishment of an Office of Student Affairs, to be staffed by an Assistant Dean and a secretary.

(B) Placing of 2 students on a 5-man Admissions Board.

(C) Scholarship Assistance.

(i) Increase in aid.

(ii) Placing of 1 student on a 3-man Scholarship Assistance Board.

(D) Placement

Staffing of a reconstituted Placement Office with a professional Placement Officer and a staff of 3.

BUDGETARY CONSIDERATIONS

Increase in the operating budget from the present \$1,250,000 to \$2,750,000 by Year 1976-1977. The Five-Year Plan Commission, upon analysis of the Law School's financial situation, has concluded that by 1976-1977, the Law School's internally-generated income would be sufficient to finance more than 98% of the recommended expenses for that year, the remainder to originate from the University.

Teamwork

(Continued from Page 3)

he were delivering birth — it is soft, gentle, careful and studied where it should be and explodes with joy and drama at the appropriate times.

The cast, which included Birgit Nilsson as Isolde, Jess Thomas as Tristan, Thomas Stewart, John Macurdy, Grace Hoffman and Rod MacWherter all deserve awards. Their performances were not only excellent, but beyond belief. How many singers could sustain almost four hours on stage and keep up a standard of the highest level at all times?

Tristan und Isolde is an example of how teamwork can take a work which has not always been successfully presented and make an exhilarating evening!

Leinsdorf excels

Teamwork is the keynote of a good performance. *Tristan und Isolde* proves how effective it can be. The performance of *La Forza del destino* on December 2, 1971, showed how a lack of teamwork can ruin a popular and usually enjoyable opera. The music by Giuseppe Verdi has been well accepted as a good work. The conductor, Michelangelo Veltri, however did not contribute to the evening. He raced through the first scene and created an effect which was most humorous instead of serious as it should have been. Throughout the opera he always seemed to be at sorts with the singers. The cast itself always seemed to be at the wrong place at the right time. The cast, with one notable exception, all sang well. It included Martin Arroyo, Robert Merrill, Ezio Flagello, Fernando Corena, James Morris, Carlotta Ordassy, Nedda Casei and Ion Buzea. Mr. Buzea, who portrays the major role, turned in an absolutely most unenjoyable performance. Sometimes one may make mistakes, but his voice consistently sounded forced and unfortunately most unpleasant to the ears. The poor conducting and singing by Mr. Buzea negated all the good qualities of the other singers and Mr. Verdi. If two major supports of a work crack then the work crumbles. *La Forza del destino* crumbled.

Candide is an operetta by Leonard Bernstein and Richard Wilbur. It is based on the Voltaire classic. It was performed at the John F. Kennedy Center for the Performing Arts. *Candide* is really a take-

off of opera and grand musical comedies. Yet, in its spoof it manages to bring out in a delightful manner a philosophy in which the good guy really might finish last monetarily, but first in happiness. The cast included Mary Costa, Robert Klein, Frank Porretta, Rae Allen and William Lewis. They all performed amply. Miss Costa and Miss Allen were convincing actresses and excellent in voice. Mr. Porretta and Mr. Lewis acted well and sang even better. Robert Klein was ample as an actor but his voice is really not good enough to be used publicly.

Fun performance

The production is light, airy and a great deal of fun. The sets and costumes were most elaborate. The Opera House where the performance was held provides a most pleasant surroundings for a performance. It is smaller than the Metropolitan Opera House and therefore less grand; yet, it conveys a warm and intimate feeling. The public promenades or Hall of Nations, Hall of States and Grand Foyer are immense and elaborately sheathed in marble and crystal. The effect they create is most sterile and cold. The public access areas are not a designing success, but the opera house is an elegant and intimate place while still accommodating a large audience. If in Washington, D.C. one should try to attend a performance.

Dissidents' Plans

The Advocate has learned from highly reliable sources that several dissident students are formulating a program to undermine the Student Bar Association's Executive Committee. Although the sources indicated that the dissidents declined to be identified, it was disclosed that they include first and second year students who have expressed dissatisfaction with President Anthony Siano's administration.

Justice and the Environment

(Continued from Page 3)

a virtual halt any additional pollution.

We have achieved a similar solution to the discharge of sulfite wastes in Washington State with the agreement of the large ITT-Rayonier complex to install upwards of \$20 million of pollution control equipment.

We have also vigorously enforced the Refuse Act against companies that discharge toxic and hazardous substances such as cyanide, phenol, chromes and lead into rivers and streams. The first case to go to trial involving such discharges was against the Armco Steel Corporation on the Houston Ship Channel in Texas. In that case the District Court held, in September, 1971, that the Company's toxic discharges should be stopped forthwith.

Injunctions issued

Therefore, in March 1970, we adopted a second approach to stop pollution by asking the courts to issue civil injunctions. The relief requested in an injunction suit is that the company be ordered to stop discharging its wastes into the tributary of navigable water.

Generally, an attempt is made to negotiate a settlement which specifies treatment facilities to render the wastes harmless to the receiving waters. In the event a settlement cannot be reached, the Court is asked to totally stop the discharge.

Since the beginning of 1969, the

Justice Department has filed more than 300 criminal cases seeking fines against polluters. In addition, we have filed more than 65 civil actions for injunctions.

The first civil injunction suit brought under the Refuse Act to abate pollution was filed against the Florida Power and Light Company to halt the discharge of heated water from its power generating plants into Biscayne Bay.

After the federal judge ruled that the discharge of thermal waste is a violation of the Refuse Act, the utility company agreed to undertake a \$30 million construction program to lower the temperature of its water discharge to a biologically accepted level.

Voluntary compliance

This case has resulted in voluntary compliance by promises of additional improvements to many power plants in operation or to be built throughout the United States.

The three United States Attorneys whose districts cover the New York waterfront are also using the Refuse Act to clean up the New York Harbor and other waterways in their areas.

Of special interest to citizens is the provision of the Refuse Act authorizing payment of half of the fines imposed on polluters to persons who provide information leading to a conviction. Courts have authorized such payments in recent years.

And through the use of still another federal law, the Justice Department prosecuted several oil

companies for failing to install safety devices on wells located in the Gulf of Mexico, which resulted in the leakage of thousands of barrels of oil off the coast of Louisiana. The companies paid fines totaling more than \$2.5 million.

The Department of Justice will continue and intensify its efforts to enforce federal anti-pollution laws, but every segment of our society must share in the responsibility for improving the quality of our water and air.

The full resources of states and localities must be brought to bear on this problem. And, in a nation where governmental power is conferred by the people, the interest and enthusiasm of young people will continue to be a primary factor in our campaign for a clean environment.

Graduation Fees

It was learned yesterday from sources within the Commencement Committee that the \$25 graduation fee for seniors would not be paid to the University with the spring tuition fees. Payment of the graduation fee is to be directed to the Commencement Committee. Checks should be made payable to "Student Bar Association." The regular tuition, \$600 for night students in 4-E, and \$950 for day students in 3-A and 3-B, will be collected by the University, and checks for tuition should be made payable to "Fordham University."

READ FASTER \$50

5 weeks guaranteed course
DOUBLE or TRIPLE your speed
Understand more, retain more
Nationally known professor
Class forming now
READING SKILLS 864-5112

JOBS AVAILABLE

One block from Fordham

DALK SERVICE CORP.

248 WEST 60th STREET

Tel. CO 5-5015

DAYS - EVENINGS - WEEKENDS

Make your own schedule

Drive a Medallion Taxicab

Must ask for Roger Daly

Bring this ad with you

MANY FORDHAM MEN NOW WORKING