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STUDENT FELLOWSHIP FUND STARTS SUCCESSFULLY

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, presented October 3 in McNally Amphitheater, to vote 60-14 to reject the Constitution of the United States.

Professor Blecker introduced the play by asking the audience to transport themselves back to the year 1788, when Federalists and anti-Federalists battled over the adoption of the Constitution. The audience was asked to play the role of a town meeting, which was electing a representative to go to the legislature to decide the fate of the Constitution.

Dressed in Revolutionary War era clothes, actor Thomas Schall played the role of an anti-Federalist, and enthralled the audience with the urgency with which he pleaded his case. The effect of the intellectual arguments and the rousing performance kept the crowd rapt throughout.

After the play, Dean Feerick and Professor Blecker led a panel discussion and made valuable comments on the anti-Federalist positions. The discussion and question and answer session presented interesting historical information but served to undo the excitement caused by the vote against the Constitution. It is not that ignorance is bliss, but that the discussion drained this wonderfully performed play of its wit and charm.

A luncheon reception followed the presentation. This interesting afternoon of history and theatre was presented by the Stein Institute of Law and Ethics.

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 untouched 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 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 live 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 unraveled as follows:

The family alleged that the woman had said outrightly that she should 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 patient of fact to hold for them if she 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 her 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 on 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 is 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- (continued on page 3)
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Blinded By Abortion...

(continued from page 1)

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 the 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 accept their family member in a condition
 that could not
 be viewed as a unique one; many con­
tinue to suffer because of ambiguous or
 non-existent legislation. The right to live
 and the right to die are issues that our Con­
gress should consider thoroughly. These is­
 sues 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.

There exists the Society for the Right to
 Die which assists people who find them­
selves in similarly tragic situations. The name
 may be slightly misleading, especially in the
 case presented. The issue is the right to live
 through natural means and die through
 natural means, i.e. to deny unwanted medici­
tal treatment—not the right to arbitrarily
 choose to die, i.e. euthanasia. Although abor­tion is a fundamental issue confronting our
 nation today, we can not forget, as often occurs, the rights and needs
 of those people already pursuing inde­
pendent lives. The case presented should
 not be viewed as a unique one; many con­
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LETTERS TO THE EDITOR:

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

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 we 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

OCTOBER 1988
practical note, the extension of the summer fall semester, moving as it did from August the way, it is interesting to note some of the Fordham. It is also interesting to note some the joys of summers past. That joy was all back then, and other changes which did not take place. aspiring attorney.) asked why registration for the fall semester and it was 27th time since first year Mets games can really take a toll on an these endeavors to travel to Lincoln Center and fill those long lunches weeks of much-needed vacation. (AU of the 1988-89 school year gets fully un­ extra weeks of exorbitant pay, or two of those in the community who remember the necessity to interrupt the 'necessity to interrupt and the administration, the theory of add-drop is to allow students to before formally deciding which class to Finally, while on the subject of classes and the administration, the ADVOCATE asks what the purpose is of the "Days to Change Electives Without Charge?" If the myth of add-drop is to allow students to sit in on one or two conflicting classes before formally deciding which class to elect, then there is a problem. This year, classes started on a Tuesday, and the last day to add-drop was the following Tuesday. Thus, if a student wished to compare two classes which meet both once a week and at the same time, he would be out of luck. There is no doubt that the sooner everyone settles on a firm schedule, the easier it is for the administration to run the school smoothly and efficiently. On the other hand, since Fordham goes to the school smoothly and efficiently. On the other hand, since Fordham goes to the end of the debate, since he spent the entire evening standing on a hill hidden 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 term 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 Giiper 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 the Duke's right arm is attached to his body by the elbow. (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.) 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, he since he spent the entire week before classes are to resume, have a two or three day registration period when people are at least beginning to think about school? This would not only enable students to return their bodies to the area and their thoughts to torts, but it would also give the administration more time to conquer their unavoidable task of putting together a workable schedule. In addition, the school's always chancy Tentative Schedule which appears at registration time is only marginally likely to prove accurate once classes start five weeks later. Would it be so difficult to have a two or three day registration period the week before classes are to resume, when people are at least beginning to think about school? This would not only enable students to return their bodies to the area and their thoughts to torts, but it would also give the administration more time to conquer their unavoidable task of putting together a workable schedule. Finally, on the other side of the coin, it must be asked why registration for the fall semester and sign up for classes need take place in mid-August? At that time, students are busily working away in law firms and courthouses, and the necessity to interrupt these endeavors to travel to Lincoln Center and fill out name and address cards for the 27th time since first year is a mystery. And what is but a minor inconvenience for most of Fordham's New York based populace taken on a significantly greater import for those who either live or are working out of town.
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Date: SAT. NOV 5TH
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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 cloud. One day, he saw a fat, prosperous angel drift by in a mansion on an enormous cloud and he asked the Lord 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 as 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—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 lawyers—take their business.

(continued on page 7)
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 believe 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:

"That the dunces are all in a confederacy with the plight of the farmer.

Some concern for the Middle West, what with the plight of the farmer.

Dear Mr. X,

For Ronzo. "You would play a senile, ex-

jects, men who have sought to destroy my name

and reputation and keep me under lock and

key."

Mr. X

Dear Mr. X,

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?

Bob

Dear Bob,

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,

Poor David Lettennan and Jim Hensen.

Oliver

Dear Oliver,

What is your favorite joke? I've got some jokes— 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)

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 another special coming up and I need some help.

Bob Hopeless

Dear Bob,

The one that has always worked for me is this: Why can't 'Daisy Queen have children? Because she married Mr. Soffere.

Mr. X

If any of my other fans are interested in having Mr. X answer any questions, please write to the following address.

Dear Mr. X

Cell 138

Federal Prison

Joliet, Illinois 60609

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,

What are your views on the Middle East?

Moammar Gadaffi (Even I don't really know how to spell it)

Dear Mo,

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.
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