



DADT Panel Agrees, Challenges Lie Ahead

By ELIZABETH DeGORI '14
CONTRIBUTING WRITER

On October 10, the Leaders in Public Interest Series hosted a panel discussion on "Celebrating Equality: The Repeal of 'Don't Ask, Don't Tell' in Military Hiring." The panelists included Emily Sussman, Government Affairs Co-Director of the Servicemembers Legal Defense Network; Sue Fulton, West Point Graduate and Executive Director of Knights Out; Jonathan Lee, Special Assistant to the Deputy Secretary of Defense; Joshua Rosenkranz, Partner at Orrick, Herrington & Sutcliffe LLP; and Professor Kenji Yoshino as moderator.

On September 20, the "Don't Ask, Don't Tell" policy was formally repealed. Professor Yoshino gave opening remarks on this momentous event, noting both its significance and how far there's left to go. "Obstacles still remain to full equality," he said, pointing to a lack of a military policy forbidding discrimination, and the fact that transgender people are still barred from service.

Emily Sussman opened, conveying a basic history of the DADT policy and detailing the lobbying efforts performed by the Servicemembers Legal Defense Network to disestablish the policy. "There have always been LGBT people in the military," she noted, while speaking of the formalized regulations from during World War II and the

compromises of the Clinton Era. She stressed the confusion of the service members arising from the nature of the policy, which covered homosexual conduct, statements, and any attempts to marry.

Joshua Rosenkranz discussed the litigation brought by law schools to challenge the Solomon Amendment, which said that schools could not prevent the military from recruiting on campus without losing federal funding. The amendment led to a collision between the policy and law schools because of the subsequent violation of schools' policies of non-discrimination. As Rosenkranz said, "NYU was ground zero for a particular front of this war against DADT." Noting that the debate was tearing apart schools, he described this legal front which finally created a secret society of law schools to challenge the law under the name of the Forum for Academic and Institutional Rights (FAIR).

Jonathan Lee brought the panel discussion into the present to talk about the process through which the repeal is being researched and effectuated in the military today, relying on his previous work for the General Counsel of the Department of Defense. Lee served on the Comprehensive Review Working Group, which assessed the impacts of repeal on the military, and developed recommendations of policies to put in place. The surveys done



Commentator Candid: The Occupy Wall Street protest continues to grow, with NYU Law students joining the effort. The Law Students for Equal Justice invited members to a Student Teach-In titled "Why Should Students Occupy Wall Street?". Here, one student spotted a particularly clever sign while attending the protests on October 8.

by this group essentially "gave the department and the military an opportunity for a conversation itself" on the policy and its effects.

Sue Fulton then spoke to the past and continuing effects of the discrimination, drawing on her experience as part of the first West Point class to admit women and her service as an Army Captain. She noted that before the policy, "there were two armies: ... one army where bosses didn't care who you loved" and the other army "where you're always looking over your shoulder" waiting for your career to fall down around

you. Speaking about the repeal and the support LGBT members have felt from fellow service members, she said, "it has been really exciting to see those two armies become one."

Fulton finished by noting the work still to be done, citing the re-accession of those kicked out under DADT; the dishonorable discharges many had faced; the challenges to LGBT partners who don't receive the military benefits that other spouses do; and the fact that transgendered members are not included in DADT. The question and answer session added to this task list by not-

ing that right now there is no military policy of non-discrimination based on sexual orientation.

The panelists ended on a question of how other countries and militaries could apply the lessons of this movement. There was general consensus that multidimensional advocacy was the real strength of the movement, including working within the institution for change and finding support among the American people. Professor Yoshino finished by noting, "Change happens by leaning on many of these different levers at once."

Guarini Summer Series Exposes Students to High-Powered Alums

By LYNN EISENBERG '12
CONTRIBUTING WRITER

This summer, the numerous NYU Law students working and interning in Washington D.C. had the opportunity to meet and mingle with New York University School of Law alumni from various fields of the United States government through the Frank J. Guarini Government Summer Series. The series, named for former Congressman Frank J. Guarini, NYU Class of 1950, was created in 2009 for NYU Law students spending their summers in Washington, D.C. in order to nurture their interest in working with the federal government.

The centerpiece of the Summer Series is a reception for students and alumni. For the second summer in a row, alumni Eric Koening '84 welcomed alumni and current students into his home to rub elbows on a gorgeous D.C. evening. This summer, the reception featured speakers including Amb Miriam Sapiro '85 and Spencer Boyer '95. As Martha Roberts '12 described it, "The reception was a wonderful opportunity to tap into the extensive NYU alumni community in DC. I met alumni who had just found their first job as well as others who are well-established in their field. It was terrific to have

access to so many different perspectives on careers in DC., all in one evening and in one room."

Through the program, NYU Law Students also had the opportunity to participate in a breakfast discussion with Meredith Fuchs '93,

the Department of Treasury, Judy Harvey '08 of the Department of Justice's Environmental and Natural Resources Division, and Josh Karenty '05 of Senator Sheldon Whitehouse's policy staff.

Although she had a very busy

summer working at the National Security Division of the Department of Justice, Samantha Schott '12 was able to attend the breakfast discussion with Meredith Fuchs. "It was interesting and exciting to get an inside look at the inner-workings of a brand-new government agency," Samantha said of her experience at the breakfast.

Avi Zevin '12 agreed. He found that, "the Guarini program provided me the opportunity to meet interesting policymakers, such as Meredith Fuchs, who discussed legal and professional complications of starting a new federal agency. Hearing about how Washington works, and how to find work there, was a great addition to my summer experience."

The Public Interest Law Center began the program in 2009 with an eye toward expanding the law school's public interest reach in Washington D.C. "It is exciting to

see so many students interested in government," said Sara Rakita, Associate Director of PILC and organizer of the series. "And I am thrilled with how the Guarini series has connected NYU students and alumni in DC. to help nurture the next generation of leaders." Each year, increasing numbers of NYU students go to the nation's capital pursuing public interest internships and private sector summer jobs. The summer speaker series allows these students to remain connected with the public interest community at NYU, to meet one another, and to network with alumni working in diverse legal jobs in Washington, DC.

The Guarini Government Summer Speaker Series has featured, among others, speakers from the White House, the Department of Justice, the Consumer Financial Protection Bureau, the Hill, the Supreme Court, and the State Department.



Courtesy of Lynn Eisenberg '12
Students in Washington D.C. this summer met with NYU alums working in federal government through the Guarini program.

Principal Deputy General Counsel of the new Consumer Financial Protection Bureau and enjoy a Supreme Court tour and discussion with Kevin Arlyck '08, who has just completed his clerkship with Justice Sotomayor. In addition, students attended a panel of young attorneys working in the federal government, including Zack Goldman '09 from

Infra	In Memoriam: Steve Jobs	page 2
	Sex Column	page 3
	The Lens Turns Systematic	page 4

Everything is Bigger in Texas, Including the Fried Bubblegum

By LEIGHTON DELLINGER '12
EDITOR-IN-CHIEF

I love New York. I moved up here from my home state of Texas to attend NYU Law; even after two and a half years, I am still amazed by the city. Sure, I had a few lingering questions when I moved here: how was I supposed to get all my groceries home without a car? (Answer: At first, I bought only an arm's worth of food. Then I discovered FreshDirect. And, more recently, SeamlessWeb has basically eliminated my need for groceries at all. Oh, hello, Happy Taco Burrito delivery. Again.) How do I pick up friends from the airport when they visit? (Answer: I don't.)

Even as my logistical questions fade, my amusement by this great city of ours is as vibrant as ever. This summer, I walked from work to see a Broadway show. Out of the theater at 11 pm, we wandered into a Cajun restaurant for a delicious dinner of jambalaya and pulled pork. I took the train back to my apartment a little after midnight and arrived home to discover my wash-and-fold laundry had been delivered while I was gone for the day. It was one of many magical New York days. I didn't worry about parking, whether or not restaurants would be closed when we were finished with our show, or even about making time to do my own laundry —

in the city that never sleeps, there is a 24-hour online delivery service for just about everything. I try not to forget to look at the buildings when I walk down the street and I thank my lucky stars (and you should, too) that I don't have to get behind a wheel to get to class every morning. (Ed. Note: I am a terrible driver. My dad nicknamed my high school car "Piñata.")

The one thing that I really miss about Texas is football (and you too, Mom). I am not a football player — my SLAP team can vouch for that — but I love watching the game and there's just nothing better than a crisp autumn day with friends and barbecue, cheering on a winning team, and bellying a fight song I've known for half my life.

So far this season, I have been to see two astonishing games. I saw the first-ever night game in the Big House when the University of Michigan Wolverines prevailed over the Notre Dame Fighting Irish 31-28 with 2 seconds left on the clock. It was the most fun game I have ever seen live. More than one Michigan fan has called that game the best night of his life. We spent the whole day

preparing for the game — ESPN's College Game Day was in Ann Arbor and the college students were throwing the party of the year — everywhere except the sidewalk which is, apparently, the only place that college students in Ann Arbor aren't allowed to party.

Then, last weekend, I watched live as the University of Oklahoma Sooners crushed my beloved

fried okra; nachos; and buffalo chicken in a flapjack, the winner of this year's Best Taste award. As the name suggests, this was buffalo chicken on a stick, dipped in pancake batter, deep-fried, rolled in jalapeno bread crumbs, and served with warm syrup. (The afternoon topped out above 90 degrees, so warm syrup was ... exactly what I was craving.) We didn't make it over to try the Most Creative winner, Fried Bubblegum, though I have it from a good source that the treat was "weird."

So for my taste, the only thing New York is really missing is

college football and fried foods. (I can't cheer for Columbia's football team. I just can't. It would compromise my dignity at Dean's Cup.) I checked out the San Gennaro festival this year and was thrilled to find Frito pie, but what I'm really looking for is a matter of scale. My plea to the SLAP Commissioner — let's set up an NYU Fair at the playoffs this year (and maybe SBA would even pay for it?). We should arrange for all the best — chili and hot dogs and Frito pie and maybe even one of those delicious buffalo-chicken-in-a-flapjacks!



The Sooners throttled the Longhorns in this year's Red River Rivalry.

thecommentator

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Comment

The Eager Reader

Texas Longhorns 55-17 at the Red River Rivalry in Dallas, Texas. The game itself was terrible. Freshman quarterback Case McCoy, younger brother and protégé of former Longhorn quarterback Colt McCoy, threw beautiful passes ... directly into the hands of defenders.

We didn't let the poor showings by Coach Mack Brown and his team ruin the day. The game is held every year at the Cotton Bowl in the middle of the Texas State Fair, famous for fried food and carnival rides. This year I enjoyed a Fletcher's corn dog; a bowl of

Remembering Steve Jobs: Brilliant Technician, Master Communicator

By JUAN BUSTAMANTE '12
CONTRIBUTING WRITER

Last week the cable and internet in our apartment went out for three days. The cable company said it was an area outage but I'd like to think that the passing of Steve Jobs sent shockwaves through the network that overwhelmed TimeWarner's limited capacity. Like many I was sad to hear that Steve Jobs passed away, but unlike TimeWarner I was not incapacitated for days on end. Instead I thought about how he changed our world and influenced my life.

A few years ago, Jobs gave a commencement address at Stanford University in which he was surprisingly open, sharing many personal details of his life and three keys to success. It was a good speech and I still keep a hard copy of it in my desk.

His first point was about drawing. This man that revolutionized how we communicate grew up as a kid raised by adoptive parents without college educations in Silicon Valley. He made it to college but dropped out to save his parents' money. That gave him the freedom to drop in on calligraphy classes and learn the subtleties of design that influenced all of Apple's later innovations. By trusting his gut he found a path that worked for

him and only by looking back and connecting the dots did it finally make sense to him. It's something we've all heard — trust that things will work out for the best. I try to remember this whenever I think about my roommate beating me out on ABRA for the last bid for a seminar I really wanted to take. He'll get his. And maybe I'll end up leading a movement to reform national tax codes.

The second point was about love. Jobs told stories about his 1985 firing from Apple and how he continued to innovate while he was on the outs for ten years. He loved what he did and kept on working. He didn't settle. Again it's simple advice but he phrased it well: "The only way to be truly satisfied is to do what you believe is great work. And the only way to do great work is to love what you do." That's hard advice to follow for law students. For those of us with the itch to do other things that don't involve law firms, there is a big risk in steering off the path. I've never understood that, especially living in a city that thrives from the energy of millions of people and their creativity and willingness to take risks. But I guess the world must have its worriers and maybe someday we'll be ready to make a left turn. This led into his last point: death. Steve Jobs was afraid of dying,

and wasting life doing work he didn't love. In an odd way, death animated his life.

Looking back on his speech now makes me appreciate another dimension of Steve Jobs. It was a simple speech, lessons we've heard before, but somehow it rang clearer than so many other speeches I'd heard and read. This was his competitive advantage. Steve Jobs was not just a brilliant technician and innovator; he was a master communicator that knew the value of good, elegant design. Even his name is simple and workmanlike.

Personally, I'm not an Apple fanatic or a techie. I don't keep track of the latest product releases and don't have the latest gadgets. I'm a late adopter — got my first MacBook at the start of law school, have an iPod I don't use, just got internet on my hand-me-down Blackberry last month. I'm not like my close childhood friend whose family swore by Macs from the beginning, even when their stock price was below \$2. I'm on board with Apple now, but more importantly, I can relate to Steve Jobs as an idea man and admire his ability to turn an idea he loved into a successful design and his life's work. So whether you're a PC or Mac person, I hope you'll join me in pouring one out for my boy, Steve Jobs.

Helping Out Without Hurting and Making Out Without Permission

By TRUTH BADER GINSBERG

Dear Truth,

I can't think of a way to put this delicately, so I'm just going to come right out and say it: my current sexual partner is doing... something wrong in bed. He's just not — quite — there — with regard to my, um, oral satisfaction. He's trying really hard, but it's just not quite right. I think I could help him out a little bit and get things on track, but I'm afraid of hurting his feelings, critiquing him too harshly, etc. I really like him; what do I do?

this situation is to utilize a few tools. First: enthusiasm. Reinforce, reinforce, reinforce. When he's headed in a particularly good direction, let him know it. [Side tip: Enthusiasm is the number-one-most-important-supreme-ultimate path to Being Good In Bed. Sex is not a time to play it cool. You are naked and look much more awkward than they make it look in movies. So make the most of it and be happy and let your partner know it.] Second, and related to enthusiasm: physical

advice I can give is to do your best to employ some grace, humor, and sense of fun throughout — both with yourself and with your partner. Keep it light; sex is rarely perfect. But having fun with trying to make it better can uncover some real intimacy.

The best and most general advice I can give is to do your best to employ some grace, humor, and sense of fun throughout — both with yourself and with your partner. Keep it light; sex is rarely perfect. But having fun with trying to make it better can uncover some real intimacy.

we speak volumes with what we don't say. We say it (inadvertently or on purpose) with our faces, and our eyes in particular. If our facial expressions are a monologue, eye contact is a two-way conversation; and it can be the wittiest banter, the boldest dare, the most enticing of flirtations, or any other number of exchanges.

So, let's paint a picture. Wait, first: take a moment and step back. Remind yourself that you've already won most of the battle — getting her back to your apartment in the first place! You're like 90 percent there! Okay, so. You've got the girl on the couch. You both are sipping your respective glasses of wine, you're nervously rambling on and

we all watch movies where Person 1 cuts Person 2 off mid-sentence to plant one on him or her in a move of dramatic boldness, but that's just not the way it works most of the time on one's IKEA couch in Williamsburg. So. Embrace the silence. I know, I know, it hurts. Especially for talkers like us. But I promise, it's a matter of seconds, even though it feels like hours. Now: look her in the eyes. I don't care how; pick your flavor. Shy guy? Playful? Alpha male? The I'm-picturing-you-undressed-in-my-bed look? The Ryan Gosling slow smile, a la "Drive"? You choose. Guys! Everyone! Listen! Eye contact can be everything. Crucial and hot and powerful and exciting and sometimes terrifying. Ride the wave,

Comment

Habeas Coitus with Truth Bader Ginsberg

Two words, for anyone ever on the history of the planet no matter what your gender or sexual orientation: Less Teeth.

But in case my editors don't let me print that, here's the real advice, which is both less crass and more relevant to the question at hand. You obviously have a good sport on your hands. Dude knows he's not really getting it right, but damned if he's going to give up. So that's a big leap in the right direction off the bat. Second, as a male friend said, "Who doesn't like getting feedback?" Sure, you're in a somewhat sensitive situation here, but don't we live in an era of perpetual self-improvement?

My best advice for dealing with

cues. Use your body. Move this way, move that way; let him know what is working. And if it's not, demonstrate that with changing your physical response. Don't stop dead in your tracks, but also don't get afraid and fake it through; that's not doing anyone any favors. Just be sure to ramp up the enthusiasm in your response again if he gets back on course.

Third, if nonverbal cues are failing you, use the medium itself: the sensuality, the sex. If it comes to providing actual feedback and suggestions, do so lying down in bed, before things really get going. Describe what you like verbally as a means of foreplay, with whatever phone-sex-operator-type trappings

Dear Truth,

Help! I can't close! I'm a good-looking guy who sometimes successfully convinces girls to go out with him or talk to him at a bar. And sometimes I'm lucky enough that these ladies accept my invitation for a nightclub glass of wine at my apartment. Jackpot, right? Wrong. Once they're in my apartment, it's like I instantly morph into a geeky 15-year-old on his parents' basement couch trying to get to first base with Susie the clarinetist. I never know how to shift from the conversation into the whole sexy thing. A few times, I've been reduced to just asking, "So, do you want to make out now?" [I promise I'm 27.] Please advise.

Words, words, words. So much talking. So much noise. As law students, we are cursed with being some of the most verbal — not to mention nervous — people in the world. But listen, everyone: Silence can be so good. In fact, it's key. Ever hooked up with someone who just won't ... shut ... up? Yeah. That icky feeling also translates to the vertical world. Silence can be very welcome, because it often stands on its own:

Eye contact can be everything. Crucial and hot and powerful and exciting and sometimes terrifying. Ride the wave, dude. Let it burn for a second. Keep it simple and use tools we all have but often underutilize and underestimate: a second or two of quiet, a brush of her hand with yours, and those eyes. She'll probably kiss you before you can kiss her.

on about Greece's debt crisis, and you're inching — no, 64th-of-an-inch — ever closer to her as you fidget. Ready? Here comes the tough part. Shut up. Stop talking. Let it be quiet. A kiss, a move, a close generally requires silence. I know

dude. Let it burn for a second. Keep it simple and use tools we all have but often underutilize and underestimate: a second or two of quiet, a brush of her hand with yours, and those eyes. She'll probably kiss you before you can kiss her.

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The State of Cinema: "Drive" Has the Look, but "Contagion" Truly Captures Images

By THOMAS PRIETO '13
STAFF EDITOR

Nicholas Winding Refn's "Drive" is preoccupied with imagery. Everything about the film, from the "Risky Business"-esque font of the opening credits to the presence of Albert Brooks, consciously nods to the 1980s. Refn tries to create a particular "look" and he largely succeeds. The first 45 minutes of the film are icy, tense, and existential in a manner reminiscent of Michael Mann's "Thief" and Walter Hill's "The Driver." However, the preoccupation with imagery is one of the things that keep this good film from being great. Refn has yet to shift his focus from the appearance of the image, to the image itself. Michael Mann had a similar problem early in his career before becoming the extraordinary filmmaker he is today.

Takashi Miike knows the power of an image. "13 Assassins" is Miike's take on the traditional samurai story. An evil lord must be stopped, so a motley crew of samurai is brought together. The images in the first half of "13 Assassins" are quiet and filled with dread as the samurai weigh the philosophical implications of their plot to assassinate the lord. Miike fills the screen with images of shadows and screens that create a tense and secretive atmosphere.

The second half of the film consists of one long, yet propulsive, action sequence. It is in this half that Miike truly explores the film's relationship with violence. In one scene a helpless and fatally injured apprentice watches his master be killed. Miike opts to shoot this from the point of view of the apprentice and the camera contorts and lunges out in a futile attempt to prevent the master's death. Violence turns these sophisticated samurai into desperate beings. Perhaps the most persistent re-



Ryan Gosling is the aptly-named Driver, in Nicholas Winding Refn's new movie "Drive."

minder of the ugliness of violence is the grey and brown muck that occupies most of the screen in the second half of the film much like The Driver's white silk jacket, which becomes increasingly tarnished by blood, grease and sweat

character's conversations do not appear in chronological order, the progression of spaces, objects and ideas are presented in a linear sequence.

In "Contagion" there is a steady progression of offices, corporations, and institutions. Characters are reduced to archetypes: the caring father, the diligent scientist, and the paranoid reporter. They are data points linked by complex information assemblages. This

cerebral style of filmmaking perfectly suits a film about a pandemic. Soderbergh is no sentimentalist, so everything and everyone that appears on the screen is at risk. A mere touch could mean the end for your favorite Hollywood movie star. Soderbergh, ever conscious of images, designs his cinematography to make your skin crawl. The unerving tilt of the camera in the casino flashbacks help create an ecosystem in which every interaction is potentially dangerous.

as the film progresses.

Unlike "Drive" and "13 Assassins," in which the images are primarily of people, the images in "Contagion" and most of Steven Soderbergh's recent films seem to be of spaces. It is almost as if the films could function even without people. In "The Girlfriend Experience," Soderbergh's camera captures not the world as we see it, but the world as it sees us through the eyes of late-period capitalism. Although the



A-Listers, including Marion Cotillard, risk horrible death in Steven Soderbergh's "Contagion."

on the image, for what is cinema at its most basic, if not moving pictures? Underpinning all of my criticisms is the auteur theory. The auteur theory, as described by the *Cahiers du Cinéma* critics, holds that a director's style is the inevitable outgrowth of their worldview. The director is credited as the primary author of a work because their role isn't clearly defined. Production designers, cinematographers, screenwriters and the crew are professionals with defined roles. Directors are amateurs that are free to do anything and be anyone. They can shoot the scenes themselves, like Soderbergh, or have a cinematographer do it for them. They can tell the actors what to do or let them make their own decisions. The substantial choices they make reflect their worldview, which is apparent in their style. These moral, political, and artistic qualities of style are of singular importance in examining film art.

This is the first in a series of columns that will attempt to examine the state of cinema. I wanted to begin this column by focusing

"Drive" and "Contagion" are in theaters. "13 Assassins" and "The Girlfriend Experience" are available for instant streaming on Netflix.



THE ENVIRONMENTAL IMPLICATIONS OF FACTORY FARMING

A Discussion Featuring

MARK BITTMAN
The New York Times

KEVIN FULTON
Fulton Farms

JONATHAN LOVVERN
Humane Society of the United States;
Georgetown University Law Center

JENNIFER SORENSON
Natural Resources Defense Council

DAVID J. WOLFSON
Milbank, Tweed, Hadley & McCloy LLP;
New York University School of Law

Moderated By
DEAN RICHARD L. REVESZ

Tuesday, October 25, 5:30 p.m.
Greenberg Lounge, Vanderbilt Hall

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