

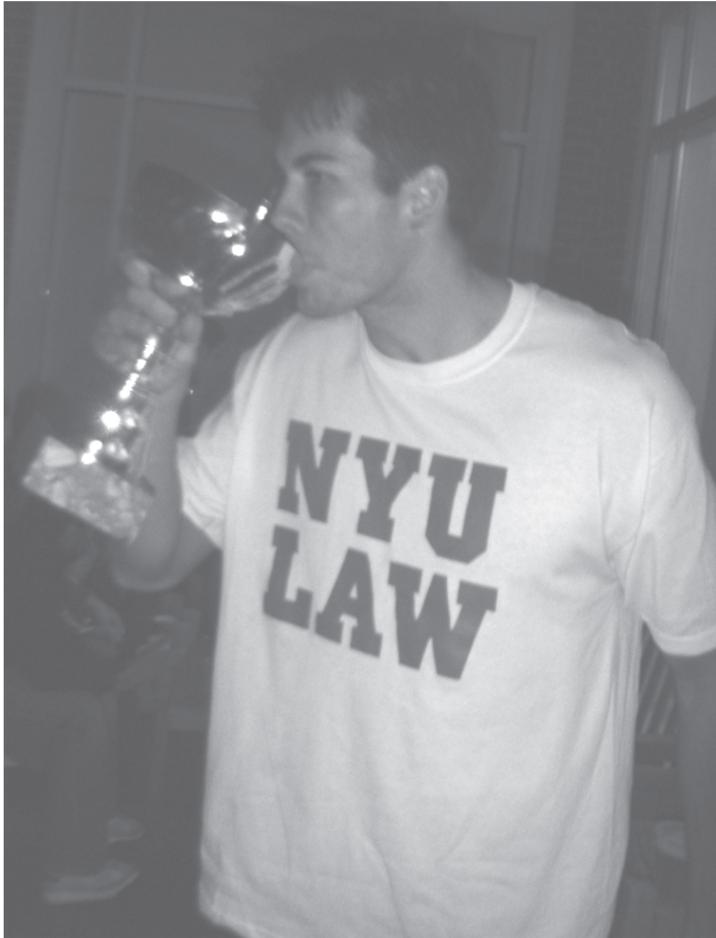


# THE COMMENTATOR

Vol. XL, No. 10

The Student Newspaper of the New York University School of Law

February 22, 2006



Team Law School dominated the annual All-University Games. Brandon Chock '06 celebrated by raising the SLAP Football Goblet in victory. Conor French has a full article on the night's action in Sports on page 8.

## Dean Revesz Criticizes "Despicable" Union; Is "Horrified" by Pentagon

BOBBIE ANDELSON '08

There were so many students packed into Vanderbilt Hall's Room 214 on Valentine's Day for Dean Ricky Revesz's Town Hall Meeting that there were hardly enough seats to go around.

The meeting, which was only supposed to last from 4 pm until 5 pm, went considerably longer, and when Revesz had to leave at some point half way into the second hour, there were still plenty of student hands left waving, seeking to further the dialogue between the students and the administration.

Revesz was pleased with the turnout and the exchange with students, mentioning the steps he takes to stay in tune with students, including meeting once a month with the SBA, scheduling student drop-in hours once a week, and personally responding to all of his email each night. Starting with this semester, Town Hall Meetings with Dean Revesz will occur twice every semester.

The first issue Revesz chose to address was faculty hiring, which includes both entry-level hiring and lateral hiring. NYU Law recently extended six job offers of tenured professorships. Robert Sitkoff, Associate Professor of Law at Northwestern University, has already accepted NYU's offer and will be teaching Trusts and Estates here this Fall, before spending the two semesters of 2007 as a Visiting Professor at Harvard and Yale, respectively.

Offers of tenured professorship have also been extended to Jeremy Waldron, a professor of Law and Politics at Columbia; Roderick (Rick) Hills, a constitutional law scholar from the University of Michigan; Cynthia Estlund, a labor law scholar at Columbia and Heather Gerken, a Professor of Election law at Harvard, among others.

Revesz stated that NYU was likely to make one or two more offers of tenured professorship this semester. He also encouraged students interested in having more input in the faculty hiring process to consider involvement with the Student Advisory Committee on faculty hiring. Interested students may contact SBA president Oliver Carter for more information.

The second issue Revesz chose to address was the Fall 2005 experiment in teaching Professional Responsibility as a large seminar, with an enrollment of 350 students. Revesz stated that by all accounts, including those of the students and the professor, the experiment was a failure. "It

was well-intentioned. It just did not work, and we will not be doing it again," Revesz said.

Revesz also addressed rumors that the student group, OUTLaw, was being monitored by the Pentagon. "We are horrified by these reports," Revesz said. "We hope to proceed quickly in filing a report and we will go forward and litigate if necessary."

When the floor was opened to student questions, the first student inquiry was why NYU, unlike some other institutions, does not offer any credit for internships, including judicial internships.

Revesz replied that NYU has chosen not to offer credits toward graduation for judicial internships "because of the issue of supervision. We have an excellent clinical program where we know that the right level of supervision will take place. Eight-to-one is the typical student-to-faculty ratio in our clinic. If we did not have the resources of our clinical program, we might consider going the way of other schools and offering credit for internships, but that is not an issue."

The student responded with his belief that NYU students' representation among the ranks of post-graduation federal judicial clerks was suffering as a result of this policy because of lack of student experience working for judges harming NYU students

during the application process for these positions.

Revesz, who spent two years chairing NYU's Clerkship Committee, disagreed with students who felt that lack of credit resulting in lack of exposure to work in the judiciary was hurting NYU in the clerkship application process. He stated that NYU was well-represented with clerkships, citing the fact that last year Justice O'Connor had two clerks from NYU, making it the first time that any Supreme Court Justice had more than one NYU clerk in a single year. "Ultimately, our decision on credit is an educational one, despite students' practical concerns."

Revesz chose not to mention the elephant in the room: the controversial proposed all-ALSA space, but it was not long before a student asked Revesz to address the subject. Revesz said: "This issue has been going on for months. There have probably been more meetings on this issue than any other student issue this year."

In response to the student-written all-ALSA proposal, Revesz said that he will be making his decision in the next few weeks. He will comply with student requests to make his decision available in writing. Revesz declared that the substance of the request and not logistical considerations will be the deciding factor in determining

*Continued on page 2*

## Where Do We Go From Here? Middle East Scholars Discuss Stunning Election

CHRIS MOON '06

Quick, what is the Spanish word for never? No, not *nunca*. That's right, *jamás*! Pronounced, coincidentally, like the name of the group that won the recent Palestinian elections. If you speak Spanish, or even if you don't, it's a fitting name: everybody *jamás* would think that Hamas could actually win an election.

On February 7, 2006, three preeminent scholars on the Middle East convened in Vanderbilt Hall before a standing-room only crowd of over 100 students to discuss the startling Hamas victory. The three speakers included Noah Feldman, professor of law at New York University School of Law, whose scholarly work includes "After Jihad," a study of Democracy in Muslim countries; Sami Zubaida, an NYU Global Visiting Professor of Law who currently teaches a seminar on Law and Power in the Islamic World; and Zachary Lockman, a professor of Middle Eastern Studies at New York University.

Coming up to bat in leadoff spot was Professor Feldman, who began his remarks by discussing the dichotomy of Islam and De-

mocracy. Within the past 15 years, most of the successful political parties in the Muslim world have been both "Islamic and Democratic," according to Feldman. These parties comes forward with the message that, "Islam is the answer." Asking why Islamic parties have been so successful, Feldman posited that secular alternatives are seen to have been tried and failed. Furthermore, with the profound corruption of govern-

Hamas? Jamás.  
Si, they won. And  
for good reasons.

ments in the Middle East, Islamic parties are perceived to be less corrupt, even if that perception isn't always reality.

Professor Feldman then moved on to the specific example of the recent Hamas victory. He felt that, in his view, the vote for Hamas was "perfectly rational under the circumstances," as a response to the corrupt regime of the PA. Hoping for peace in the region, Feldman feels that Hamas will continue to implement a two-tiered

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Professor Sitkoff, who visited last semester at the Law School, has agreed to leave Northwestern for NYU Law



Dean Revesz answered questions in front of a packed house at a V-Day Town Hall Meeting

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## Stunning Hamas Victory

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strategy of no violence now, but keeping open violence as a last resort alternative.

Professor Zubaida began his remarks by indicating that he would look at the current elections from the point of view of a sociologist. He felt that the victory of Hamas, when looked at from the day to day perspective, "hasn't really altered much." The major problem in Gaza remains. There is a large population on a very small area, poorly educated without enough jobs for its citizens. In Zubaida's estimation, this huge demographic problem is why Israel jettisoned the Gaza Strip, granting it a certain level of autonomy.

Zubaida indicated that current conditions are highly favorable to the rise of religion. Indeed, Islamism at the social level has thrived. Frequently, bad social conditions leads to the rise of religious social movements. Professor Zubaida ended his remarks by asking, "where do we go from here." And, like the old punch line to the joke goes, Zubaida stated, "oh, I wouldn't start from here."

After the lawyer and the so-

ciologist came the historian, Professor Lockman. He views the victory of Hamas as a failure of Oslo. First of all, the Oslo Treaty left difficult issues on the table, such as final borders, the fate of Jewish settlements, and the question of what to do with Jerusalem, a holy city to three of the world's major religions. Commenting on the build-up to the elections, Lockman condemned the use of suicide bombers by Hamas, labeling them "morally repugnant and politically stupid."

Lockman, like the two men before him and most people in the world, hope that the Middle East can stabilize. He feels that the best way to do this is to give Hamas a reason to have hope by giving them incentive to move towards a national movement. According to Lockman, "brandishing the stick won't work." The two sides must, "move forward or things fall apart."

Hopefully, throughout the weeks and months to come, leaders of Israel and Palestine can follow the advice of all three of the panelists, avoiding violence and turning the year-long ceasefire into a lasting peace.

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## Town Hall Meeting

*Continued from page 1*

whether an all-ALSA space will be provided.

Revesz also did not mention another divisive issue on campus: the GSOC strike. Law students are not eligible for membership in GSOC Union. Recently, however, the Union has targeted Public Interest Law Center speaker events and job fairs. The views of students on the propriety of targeting law school public interest employers and getting them to move their interviews from NYU's campus is mixed. Some students support the striking GSOC students while others do not and are upset to have missed their interviews for summer employment when the location of the interview was moved off campus and they were not informed until the last minute.

When students finally asked Revesz for the Law School's position on the strike, Revesz stated: "The union has actually acted, in my view, in a reprehensible way."

Revesz said that he worked to arrange a memorial service at the law school for a former employee who recently died leaving behind young children. The family of the employee felt compelled to find another location when they were contacted by the Union and told that the memorial service would be picketed.

The meeting closed with a

### Hiring profs and firing at GSOC & the government

student comment about the length of NYU Law's graduation ceremony. Revesz agreed with students that the ceremony was too long but feels it is important that every name is read. Revesz said: "We strongly feel that [the length] is a bad thing, but I'm not sure how we would go about fixing it. If anyone has any ideas, I am open to suggestions."

## Annual Public Service

### Auction Draws on Unprecedented Support

JOHN INFRANCA '07

The Annual Public Service Auction is just over a week away. This year's auction will be held in Vanderbilt Hall on Thursday, March 2<sup>nd</sup> at 6:00 pm.

The 2006 auction has benefited from unprecedented involvement by NYU Law alumni. Led by Jay and Arlene Neveloff, the Public Service Auction Alumni Committee has motivated alumni to donate to the auction and to attend the event in what are expected to be record numbers.

The donations acquired by the Alumni Committee include Night of Tournament Poker Instruction, Yankees Tickets, Knicks Tickets, a vintage framed photograph of Babe Ruth and Lou Gehrig, a boat cruise of NY harbor, a round of golf at the Trump National Golf Club, Giants Tickets, and a weekend in Miami.

Alumni involvement, which

will hopefully allow the auction to raise even more money than in the past, is increasingly important given an expected decrease in the availability of federal funding of PIC grants next year.

In the future the auction may play an even greater role in guaranteeing a PIC grant to any stu-

**Faculty really stepped up: mountain bike with Adler, dine with C-Rod, or win back your tuition at the poker table.**

dent pursuing public interest work for the summer.

Involvement by professors has also increased this year, as

nearly twice as many professors have donated an item to the auction as did last year. Items donated by professors include a weekend at Dean Ricky Revesz and Prof. Vicki Been's Connecticut Home, a single-track mountain biking trip in Montauk with Vice-Dean Barry Adler, a wine and cheese tasting with Vice-Dean Clayton Gillette, a homemade Cuban dinner with Prof. Cristina Rodriguez, poker with Profs. Samuel Issacharoff and Cynthia Estlund, and a Chocolate Tasting with Profs. Rachel Barkow, Jennifer Arlen, Cristina Rodriguez and Lily Batchelder.

Other items donated by professors include autographed books, dinners, walking tours, and Broadway tickets.

The auction has also benefited from the special platinum and gold sponsors. Platinum sponsors include BarBri and the law firm of Kramer Levin. Skadden and LeBoeuf Lamb are supporting the auction as gold sponsors.

This year's auction features so many great items that the silent auction has been separated into two rooms. Featured items will be in Vanderbilt Hall Room 110 from 6:00 to 7:50 and the general silent auction will be in Greenberg Hall from 6:00 to 10:00 pm.

The highlight of the night, the Live Auction, will run from 8:00 to 9:30 pm in Tishman Auditorium. Rumor has it that a special celebrity guest auctioneer might be appearing to help out with the live auction. Sources cannot confirm this.

The auction will feature items suitable for every price range and promises to be a wonderful time for all who attend. For more information and a list of auction items visit the auction online at [www.law.nyu.edu/studentorgs/psa/](http://www.law.nyu.edu/studentorgs/psa/).

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THE COMMENTATOR  
135 MacDougal Street #4G  
New York, NY 10012  
e-mail: [chrismoon@nyu.edu](mailto:chrismoon@nyu.edu)

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This week's Crossword Answers: try your skills out on page 6 with the weekly Commie Crossword courtesy of Jessica Gonzalez

## The Republican War on Liberty

CRAIG WINTERS, '07

Food for thought: "We are committed to the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be." Here's another: "Every day, we strive to fulfill Lincoln's vision: a country united and free, in which all people are guaranteed equal rights and the opportunity to pursue their dreams."

Are these quotes from the ACLU's governing principles? Or, perhaps, from the campaign pledge of an aspiring Democratic Congressional candidate? No, my friends – not by a mile. The first quote is the mission statement of the Federalist Society. The second is from the 2004 Republican Party national platform.

And herein lies the dilemma. How can two organizations (or one organization, since they overlap and feed off each other) rhetorically committed to broad "liberty" interests pursue an agenda explicitly antithetical to those interests? How can intelligent folks mouth the above words and maintain a straight face as they pulp those very principles more effectively than an Arthur Anderson shredder?

Let's take the separation of powers argument first. It's in the Constitution; there's no denying it. Even Originalists will have a heard time ignoring that one. But what has the Republico-Federalist Party done lately with regard to our cherished Separation? Two things. First, Bush's Federalist cronies (including now-Justice Alito) are pushing a far-out theory called the "unitary Executive." One implication is that independent federal agencies housed in the executive branch (think of the

SEC, the FCC, and the NLRB) would have any independence obliterated. The President could order those agencies to do the Administration's dirty work by fiat.

You may think that this accurately portrays the present state of affairs; not so. These agencies are run by Presidentially-appointed commissioners. Congress must consent on the appoint-

With this budget deficit, you'd think Bush would crack down on uber-wealthy deadbeats. You'd be wrong.

ments. If Bush desired to shut down the SEC's work on Enron as a favor to his Pioneer-class fundraiser Kenny-boy, for instance, he couldn't order it – only a majority of the SEC's commissioners could. Hence, the SEC is an independent agency.

The unitary executive says adios to independence. It's not clear exactly how this would work, but that's just a measure of how radical this idea is – it's never been tried during our long experiment with democracy. And there's more. The President's nasty habit of attaching "signing statements" to bills passed by Congress is meant to constrain those duly passed laws (a practice advocated by the younger, Reagan Administration-version of Alito). The signing statements are meant to rival the text of the bills and the authority of legislative history when interpreted by courts. If you thought that the President's only role in the legislative process was adding his (or her, maybe soon) John Hancock, you'd be

right, if you read the Constitution. But the Federalists don't think so.

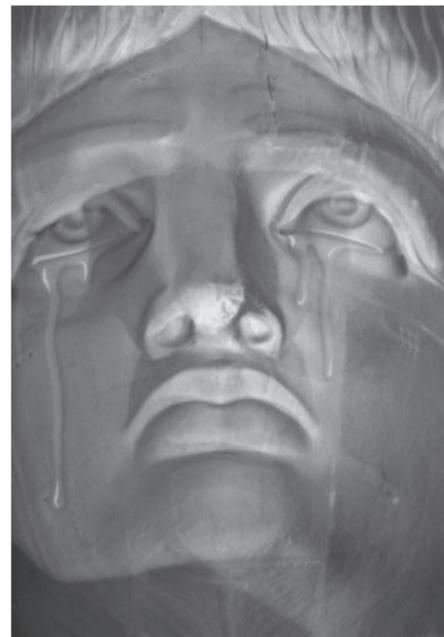
What's this have to do with liberty? Liberty has a couple of meanings, and I won't bore you with Webster's take. Simply, the separation of powers is meant to protect us (i.e., Americans) from untrammelled power, like that swung about by George III. As a conceptual proposition, it's noble. Multiple, parallel pillars of elected representatives duke it out for political supremacy. In the process, one hopes, little guys like you and me aren't crushed.

But the Republico-Federalists now control both (some would say all three) branches of government. With ideologues in control of the White House and Congress, these wanna-be Machiavellis are tearing up our historic liberty protections faster than a snowmobile in Yellowstone.

Witness Bush's blatant refusal to adhere to the FISA, which protects Americans from domestic eavesdropping without a warrant. Examine the President's "enemy combatant" rationale for detaining American citizens arrested on U.S. soil in military brigades, with or without a trial. Notice how this Administration classifies *everything*, even routine government documents explicitly made public under FOIA laws (can you say, "Hello, Nixon?"). Note how the President's DOJ attempts to curtail the press's freedom to report on the historic blunders and epic mismanagement engineered, perhaps, by the least competent Administration since Grant.

Of course, that's the obvious stuff. Peel back another layer of the White House onion and you see an even more cynical and invidious process that directly impacts on the *fairness* of our society. The IRS reported this week that tax evasion has hit record highs – over \$350 billion dollars in

2001, the most recent year for which records are available. That's larger than the GDPs of Sweden, Belgium, Greece and Chile. Analysts project that more up-to-date figures would project an even larger gap. And who's not



Another victim of the Right's War on Liberty

paying? Take one guess. (Answer: the rich.) That means that wage-earning Americans are footing a larger share of the bill for the give-backs, tax-breaks and corporate welfare spread nice and fat by the President. The right to a fair and equitable society is a liberty interest – the liberty to work and live in a society that imposes fair burdens.

With the exploding budget deficit (telegram to fiscally-conservative Republicans: where have you gone?), you'd think Bush would want to crack-down on uber-wealthy deadbeats. Unfortunately, you'd be wrong. IRS enforcement was slashed under Clinton, at the behest of the Republican Congress, and the President hasn't sought to plug this obvious loophole. Ditto with the SEC: after a rise in funding immediately following Enron, Karl Rove's corporate contributors succeeded in freezing the SEC's budget, even though all evidence suggests that the markets continue to be riddled with fraud and deceit. Will the next Eliot Spitzer

please stand up? Embarrassing the SEC has become a Democratic rite of passage.

The same goes with nearly all the various enforcement agencies overseen by Bush's inept henchmen. O S H A doesn't protect workers,

the FDA doesn't test beef, the Mine Safety agency is on an extended holiday, and we can only pray that someone at the Nuclear Regulatory Commission knows what they're doing. What about the liberty interests of the workers who die unnecessarily because Bush wouldn't enforce our workplace safety laws?

While those agencies wither on the vine, we *do* know that there's money in the budget to

The sad reality of Bush's tenure is that the principles that he purports to hold dear aren't freedom, opportunity, or separation of powers

hire a 24 year-old, unqualified right-wing hack to staff the NASA press office and muzzle career scientists on global warming. The press aide in question had one qualification for his job at NASA: he was an intern in the Bush-Cheney 2004 campaign "war room." I'm only surprised he wasn't appointed to the Federal Reserve. How about using his salary to hire someone to actually enforce clean-drinking water requirements?

The ugly, and sad, reality of Bush's tenure is that the principles it purports to hold dear aren't the "freedom," "opportunity," and "separation of powers" principles – in other words, liberty – but rather the antipode of those stated ideals. And with very few exceptions, the entire Republican Party has signed on to his festival of fear-mongering, secrecy and the retrograde application of our laws.

Good people can be fooled by well-crafted words. Here's hoping that sensible Republicans can see the light. Not collecting tax owed, spoiling our environment, violating the specific dictates of Congress, chasing muckraking journalists and inviting corrupt powerbrokers like Abramoff into White House staff meetings isn't good for anyone, including honest members of the GOP.

Young conservatives, is this the legacy you'd like to inherit?

### Craig's Weekly Shout-Outs

BY CRAIG WINTERS, '07

To Vice-President "Shooter" Cheney:

Only sissies apologize when they shoot a friend in the face with a 28-gauge shotgun. And you didn't! Heck of a job!

After all, anyone can mistake a clearly marked, orange-clad septuagenarian for a quail. It's really quite easy. Let's see: a quail is the size of a human head, and you shot Whittington in the face. That makes sense. If you had riddled his lower torso with pellets, we'd cry fowl (ha!).

But seriously, Shooter, you amaze us. You are the most mysterious public figure of the last hundred years. You were too busy to serve in the Vietnam War, yet you crave the opportunity to send America's youth into harm's way. You received two D.U.I.'s, yet you impale your enemies on the lance of moral turpitude. You ran Halliburton, and now you lead an Administration that awards that very company truckloads of no-bid contracts. You cavort with Scalia, and then you rely on him to

keep your energy task-force meetings secret.

You pack a shotgun-sized blast of oomph that keeps everyone guessing. Gold star for you!

To Senator Pat Roberts:

Many in my illustrious readership may not know who you are. Let me introduce: you're the guy who's making sure that the U.S. Senate doesn't investigate Bush's domestic spying program. With fondest memories of our departed former leader of the FBI, I'd like to bestow upon you the J. Edgar Hoover Award for Complete Fecklessness! Congratulations!

While J. Edgar may have been busy bugging Martin Luther King, Jr., other civil rights activists and the Democratic Party, you're one-upping that ethical oblivion by playing party stooge. You've successfully flushed any remaining shred of Congressional Republican independence down the political Porta-Potty. It's not everyday that Senators get a chance to stand in favor of willful law-breaking (aside from everyday dealings with Jack Abramoff and

his ilk), but you've done it!

Not even a *single* hearing, Senator? Your Senate colleagues passed a law in 1978 that said the President couldn't spy on U.S. citizens on U.S. soil without a warrant. But Bush did it! It takes guts to stand up to your better self. Why ask questions when the answers might result in your political paymasters spending time in jail? I'd award you a gold star, but Shooter Cheney may classify it. So let's just extend hearty congratulations.

(Post-production note: As this article went to press, Roberts apparently partly balked and may order hearings. Stay tuned for more on Robert's miraculous spine-growing surgery!)

To Bush's Empty Promise on Oil Independence:

Mr. President, this Shout-Out properly belongs to your speechwriters. Your team shamelessly swiped a move from Billy Flynn's playbook in the musical *Chicago* – "give 'em the ol' razzle-dazzle," and keep 'em guessing. You told the nation that we are

"addicted to oil," then you proposed absolutely nothing to combat that addiction! Wow! If that's not chutzpah, I don't know what is.

You even have me confused. On one hand, we have record-high oil prices, which is a regressive tax on those who can least afford it. We're in Iraq for a generation, a war largely fought by lower-income groups and minorities. You haven't proposed a single significant energy efficiency bill that wasn't tied to ANWAR or increased offshore oil drilling and subsidies for Big Oil (forcing Democrats to spike it). And on the other hand, you offer...nothing! Tax cuts for the rich and for investing professionals! The end of the estate tax! You've actually cut the amount the federal government is spending on alternative energy research!

You win the *razzle-dazzle* award for hypocrisy and half-truths. I'll mail you a hard copy. Please place it near Teddy Roosevelt's Nobel Peace Prize.

## Getting Beyond the Myth: The Truth About the Proposed All-ALSA Space

JOHNATHAN SMITH '07

When the idea of an "All-ALSA Space" was first developed and circulated, its lead organizers and proponents did not think it was a controversial idea. Sure, we expected resistance from the administration (then again, what student organizer doesn't expect resistance from the administration?).

What has been most shocking and unexpected is the resistance we have encountered from our fellow students. We were under the assumption that a space dedicated to the unique needs, challenges, and history of people of color — spaces that no doubt existed at most, if not all, of our respective undergraduate institutions — would be viewed as a welcome addition to the NYU Law community by our classmates and peers. And when a prominent, international law firm dedicated \$25,000 to the ALSAs after several racist episodes occurred within the firm and were then leaked out to the public, we thought this was the perfect way to use the funds that were earmarked for "diversity programming."

And so, for one week last October, each ALSA came together to put on "The Commons." That name was chosen to signify that it was a space that was open to everyone — we hoped to hark back to the image of the commons in the middle of town where everyone gathered together. The week's goals were twofold: first, it was meant to demonstrate to the administration that students of color would use a space like The Commons. Second, it was an opportunity for students of color (and those white students who also wanted to join in) to come together and unite in our common sense of purpose. Throughout the week,

the ALSAs put on a plethora of programming — there were movie screenings, academic panels, exam preparation workshops, even a knitting circle. Throughout the week, current students, alumni, professors, undergraduates, even a judge, came by to express their support for the space.

I remember walking into the Edgar Allen Poe room during that week and just smiling — it was so amazing. Even though everyone had different phenotypic complexions, we all could unite around our commitment to fighting racism and discrimination. And quite honestly, it was refreshing to walk into a room packed with people of color, all who, in the not-too-distant future, will be lawyers. In light of the anemically-low levels of diversity within our "noble profession," it is not a sight I will see too frequently during my professional career. So, was The Commons/"All-ALSA Space" designed to highlight and address the needs of students of color? Yes. Was it designed to be exclusive? No.

Like many of you, I was drawn to NYU for its commitment to diversity. Unfortunately, as I have progressed throughout this institution, I have found that commitment to not always be manifest in my day-to-day reality. As a black male, I look around my classes and see far too few people who look like me. When the topic of race is discussed in class, people of color are much too often reduced to caricatures and stereotypes. Instead of finding the law school classroom to be a place committed to diversity and productively dialogue, it has far too often disintegrated into a mosh pit of ignorance and intolerance.

Unfortunately, many of my fellow students, far from sharing

my sense of outrage and distress, either explicitly agree or apathetically support the status quo. In recounting this, I don't claim to speak for all black students, much less all students of color — there are many who may feel differently, and in no way is my experience more legitimate than theirs. However, I also know there are many who do share my sense of alienation; there are many people of color who felt The Commons was a welcomed reprieve from their daily experiences at NYU. As one student observed: "I didn't know I was homeless until I went into The Commons for the first time. After I took off my bag and my jacket, the rest of the weight I had been carrying seemed to fold to the floor. For several days, I studied, chatted, joked, and respectfully disagreed in a space that was designed to make me feel safe."

During the week of The Commons, students, from all different racial and ethnic backgrounds, came together and shared testimonials about the struggles they have had to endure while at this school. But the beauty of The Commons was that those gatherings were not just about anger and airing frustrations; rather they were about coming together to develop concrete strategies to confront these challenges and develop creative solutions to address these problems that will unfortunately exist beyond law school.

Are we, as organizers and proponents of the All-ALSA Space, under the belief that one room could change everything? Of course not. The long and painful history of racism both in this country and around the world reveal that the racial divide cannot be so easily fixed. In fact, it is because

of that shared history of oppression that it has been a collection of students and ALSAs standing in solidarity, lobbying for the creation of this space. While our cultural experiences are not identical, there is a sense of history that unites us. As one student remarked, there is "a unified culture that bridges communities of color, that identifies and articulates our common experience of colonization and racial oppression..."

Again, while the creation of the All-ALSA Space would not solve all the problems, it would accomplish a few tangible goals. First, it would serve as an acknowledgment from the administration that while racism remains a problem, our institution is committed to addressing it. The presence of a physical space will send a clear message that NYU truly is a "private university in the public interest," and it is endeavoring to ensure that there are safe spaces on its campus for all students, regardless of their racial/ethnic background. Second, it would serve as a centralized location for ALSA activism and organization. Many may not know this, but the ALSAs—APALSA, BALSAs, LALSAs, MELSAs, and SALSAs—are responsible for a significant amount of programming at this school, and this space could serve as a location where they could come and work together to program more efficiently and effectively. The ALSAs frequently sponsor panels on a plethora of issues, including the job application process, preparing for finals, dealing with incidents of bias and harassment in the workplace. Additionally, the ALSAs are called upon by the administration to do significant outreach throughout the admissions cycle. A space where the ALSAs can come together will lead to better programming and will make collaboration much simpler.

Third, the space will serve as a safe space for students who feel alienated or marginalized during the course of their interactions with professors, administrators, or other students — it will be a space where they can talk about their experiences without fear of being further ostracized. Several students noted that being in The Commons was the most comfort-

able they had felt since coming to NYU.

I cannot begin to do The Commons/All-ALSA Space justice within the confines of a few hundred words. If you have questions, stop one of the proponents in the hall and ask — I always welcome e-mail if it is meant to be truly honest and productive. During the week of The Commons, I appreciated my friends who, having questions about the space, stopped me and asked me to explain, rather than those who just made assumptions about what the space was supposed to be.

During my time here at NYU, I have had the privilege of being involved with the student group, the Coalition for Legal Recruiting (CoLR). CoLR is a collection of students, from all racial and ethnic backgrounds who come together to lobby for more diversity within our school and legal community — and diversity in all its many forms, including along lines of race, class, gender, and sexual orientation. What CoLR has realized is that we do not end discrimination by ignoring it and pretending that it does not exist. We can only end it by acknowledging it and then working together to find creative and long-lasting solutions. That is what The Commons/All-ALSA Space is about — addressing the presence of racism within our profession, and within our law school, and trying to find creative solutions to confronting it. We hope you will join us in our efforts. At the very least, please do not hinder us.

*If you have any questions or comments about the proposed All-ALSA Space, you can email the author Johnathan Smith at [Johnathan@nyu.edu](mailto:Johnathan@nyu.edu).*

*Other organizers of the All-ALSA Space also welcome comments and questions. Included are their email addresses:*

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The honor of your presence is requested at  
 Six o'clock in the Evening  
 Thursday, the Second of March  
 Vanderbilt Hall  
 New York University School of Law  
 Premier Silent Auction 6:00 – 7:50 p.m.  
 Live Auction 8:00 – 9:30 p.m.  
 General Silent Auction 6:00 – 10:00 or 30 mins.  
 after close of Live Auction (whichever is later)

### Public Service Auction Ticket Sales

Buy your tickets in Golding Lounge beginning February 21<sup>st</sup> and in Furman Hall beginning February 27<sup>th</sup>

Student tickets are \$5 in advance and \$10 at the door day of the auction  
 Each ticket holder is entitled to three alcoholic drinks  
 Save money on your bar review! When you buy your ticket (in Golding only) you can also bid in a pre-silent auction for Bar/Bri Coupons (Bar/Bri auction ends March 1<sup>st</sup>).  
 Guest tickets are \$15

Dinner with a professor

Walking tour

Salon treatment

Visit our website at [www.law.nyu.edu/studentorgs/psa](http://www.law.nyu.edu/studentorgs/psa) for an exciting list of items to bid on!





LSHR Presents its 2005-2006 Spring Symposium:

### Human Rights and Governmental Obligations in the Wake of Natural Disasters

*Panel One: Cathy Albisa, Nat'l Ec. Soc. and Cultural Rights Initiative; Jane Bullock, former FEMA chief of staff; Ajamu Baraka, Executive Director, U.S. Human Rights Network; Claudine Haenni Dale, Adviser to the Rep. of the UN Sec.-Gen. on the Human Rights of Internally Displaced Persons*

*Panel Two: Gloria Browne-Marshall, John Jay College of Criminal Justice; Vanita Gupta, NAACP LDF; Smita Narula, Executive Director, Center for Human Rights and Global Justice*

*Panel Three: Mark Geistfeld, NYU School of Law; Kenneth Feinberg, Former Special Master of the 9/11 Victim Compensation Fund; Martha Davis, Northeastern University School of Law*

Recent and ongoing humanitarian catastrophes highlight the need for dialogue on the applicability of human rights principles to governments' obligations in this context. An enormous amount of aid has been pledged to victims of the Iranian earthquake in Bam, the Indian Ocean Tsunami, and Hurricanes Katrina and Rita. One hopes that victims of the earthquake in Kashmir and the mudslides in Guatemala will not be neglected. Yet critics charge that much of the suffering that followed these natural disasters was preventable. Misery and death were exacerbated by a lack of preventative planning and construction, by inadequate evacuations, by bureaucratic inefficiency in distributing aid, by discrimination in aid delivery, and by "reconstruction" efforts that displace those left homeless even further.

This Symposium seeks to bring these threads together and to clarify the terms of the debate by focusing on the human rights laws and norms that could guide governmental action and define governmental responsibility following natural disasters. To advance the argument on these contentious issues, we have selected a group of speakers ranging from local and national civil rights advocates, to scholars and international experts on internal displacement and refugee issues, to governmental aid administrators.

Tuesday, February 28, 2006  
 Greenberg Lounge, Vanderbilt Hall  
 9:45 a.m. to 4:15 p.m.  
 Open to the Public  
 Schedule of the Day's Events

9:45-11:30 - Natural Disasters and Human Rights: How Do We Respond?  
 12:30-2:15 - Race, Class, Caste, and Status: Discrimination in Disaster Relief.  
 2:25-4:10 - In Search of Accountability: Litigation and Alternative Remedies.  
 4:10-4:15 - Closing Remarks.

## The Proposed All-ALSA Space. Deferring the Dream Once More

DINO LAVERGHETTA '06

Roughly half a century ago, the leaders of the Civil Rights movement began a fight to realize the foundational ideals of our nation. They urged the American people to recognize that classifications based upon race and ethnicity had no place in a free society. So long as the color of our skin was allowed to divide us and obscure our common humanity, the American dream was to remain just that.

America was slow to reach this understanding, but once it did, the abhorrence for segregation became an inexorable part of the national fabric. It is thus shocking that certain students in the Law School have proposed the creation of a segregated lounge. Unlike in the past, the segregation has been called for by minorities themselves; nevertheless, the rationale for opposing segregation remains as compelling and urgent as ever.

Everyday during my undergraduate years at Boston University, I would pass by a memorial to B.U.'s greatest alumnus, Dr. Martin Luther King, Jr. Written on the memorial were several quotations from Dr. King. Perhaps my favorite was one that read, "We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience. And that will be a day not of the white man, not of the black man. That will be the day of man as man."

He urged us to create a society in which we would no longer see one another as different racial beings, but as human beings, one and all. Dr. King, however, knew that the realization of this dream would be impossible where the color of our skin was allowed to determine where we lived, where we ate, and where we congregated. It would still be impossible today. Interracial harmony and understanding cannot coexist with seg-

regation. The creation of the All-ALSA space would only lend credence to those who believe that race and ethnicity matter—that our differences are what should govern our interactions rather than our common humanity.

Many of us came to NYU Law, in part, because of its reputation for fostering a diverse and tolerant academic community in which students of all creeds, colors, and backgrounds could freely interact and learn from one another. We came here for that community envisioned by Dr. King where true understanding and harmony could be developed.

It is a community that is still sadly rare in modern America, but one that should be cherished and applauded, not abandoned. And, make no mistake, the proposed All-ALSA Space in an abandonment of that ideal.

Now, achieving understanding and tolerance is not an easy task. It entails discussion and debate, both of which may often elicit passion, animus, and emotional strain. It can be a painful process, one that may make many people very uncomfortable, but it is a necessary one should we wish to ever achieve a truly integrated and harmonious society.

It is necessary that we talk with one another; it is vital that we teach one another; and, yes, it is necessary that we sometimes collide with one another. But, this interaction cannot just take place in the classroom. How can we expect to understand one another when after our lectures end we escape to our respective lounges and live our social lives in seclusion? This is, after all, the inevitable result once we begin the process of segregation. There are many groups who may feel uncomfortable in the surroundings of an elite law school such as NYU. Why not a Jewish lounge, or a lounge for people from low-socio-economic backgrounds, or a women's lounge, or even a lounge

for disenfranchised conservatives? It is this destructive balkanization of the student body for which the proposed All-ALSA Space will stand as a precedent. Self-imposed balkanization certainly may provide us with greater comfort, but it entails a cost too high for any of us to pay.

In response to the arguments I have made thus far, my opponents have responded that my concern for maintaining the benefits of diversity and interracial understanding are misguided. They argue that the only reason any of us are here is to train to become attorneys and that the quality of this preparation should be our only concern.

While I must disagree that this is the sole reason for attending a school such as ours, I do admit that it is the primary functional goal. Unfortunately, however, the creation of the All-ALSA space would undoubtedly undermine our preparation for entering the legal profession. We are entering a profession in which most of us will not have the luxury of choosing our clients or the causes which we advocate. Sometimes these clients and causes may implicate racial positions with which we strongly disagree.

If one does not learn to confront the discomfort in law school, they will not be prepared to confront the inevitable discomfort of practice. This is applicable as well to those who decide to advocate on behalf of racial causes with which they wholeheartedly agree, for, after all, their opponents will certainly be equally passionate and devoted to their cause. When their adversaries telephone or stand up in court and vocalize positions that the attorney would spend a lifetime opposing, he or she will not have the luxury of gaining a respite in a racially-favorable lounge.

When we graduate, we will enter a world in which we will face racially-charged hostilities, dis-

comforts, and dilemmas far greater than those we must face here at NYU, and segregating ourselves during our law school years would only be a disservice to us and our profession.

Having outlined my reasons for opposing the creation of the All-ALSA Space, I now turn to addressing the proponents' arguments. First, I must confront the argument made by those who insist that the lounge would not constitute segregation.

These individuals argue that white students would not be officially excluded from the lounge and that the lounge is therefore not segregative. This logic, however, is wholly disingenuous. Proponents have openly advocated for the creation of a space where, for lack of a better phrasing, racial minorities would be in the majority. This lounge, they insist, would allow students of color to interact with one another without the pressures and burdens associated with attending a predominantly white institution.

In essence, the proponents have called for the establishment of a lounge with the very purpose of creating an artificial racial imbalance that excludes the vast majority of students attending the Law School. To be blunt, anyone who insists that the All-ALSA Space does not constitute racial segregation is either a fool or a liar. If we are going to have a fruitful debate on the issue, let's at least be honest. Call the All-ALSA Space movement what it truly is: an attempt to take away public space paid for by all students and devote it to the use of exclusive racial conglomerate.

Next, I must briefly address the (absurd) argument that white students do not have cause to complain about the proposed All-ALSA Space, because minority students are forced to face an unfavorable racial balance each day at school. While disproportionate under-representation of minorities at the Law School is unfortunate, it is not the result of intentional gerrymandering. Intentional segregation is far more invidious, both practically and historically, and is much easier to prevent than unintentional racial imbalance. Furthermore, it is clearly neither responsible nor effective to counter one form of racial imbalance by purposefully creating another.

Undoubtedly, the All-ALSA proponents only have pure and noble motivations in pursuing the creation of the lounge. They argue that the proposed All-ALSA Space is necessary to provide a safe-harbor to minorities in the sometimes hostile environment of a predominantly white and elite law school. They argue that discrimination, subtle as it may be, still exists in our halls and classrooms. They discuss the fact that minority students are forced to bear the great pressure of representing their races and cultures in class discussions and debates. Indeed, since

I first announced my opposition to the lounge, I have heard many personal anecdotes from dear friends in which they have detailed the pressures and hardships that students face at the Law School everyday. I have listened to their stories and pleas for a respite with a heavy heart.

However, my opposition to the proposed All-ALSA space does not spring from a failure to acknowledge the existence of a problem. I do not deny the existence of a problem nor the need for a solution, but I firmly believe that segregation in any form is not an effective or responsible remedy. The proposed medicine, if you will, would be more destructive than the disease itself.

Segregation would only further racial tensions and misunderstanding. That is not to say, however, that there are not other less destructive and invidious remedies. For example, the creation of a race-relations center under the auspices of Student Affairs may be helpful in relieving racial hostilities and pressures without the odious side-effects that accompany segregation.

Additionally, it is much more suitable to address the complaint that the various ALSA group offices are in disrepair by renovating these offices. Those in the racial minority at NYU certainly have a myriad of legitimate grievances. No one challenges the fact that these gripes are matters of pressing concern that deserve expeditious attention. I am certain that everyone at the Law School is prepared to work together to minimize the hardships faced by minority students. There are many effective and responsible means of doing this, but segregation is simply not one of them.

In concluding my remarks, I would like to address the opinion of some students who I have spoken with over the course of the last week. Many people have informed me that while they oppose the creation of the All-ALSA Space, the issue is not worth active opposition. Some are afraid of being labeled a racist, some worry about creating tensions with their peers, and others simply believe that the implications of limited segregation are too small to deserve their full attention.

As you may have gathered by my preceding commentary, I could not disagree more. How we structure our community and govern our interactions defines who we are. A community which divides itself based upon racial or ethnic classifications is one that has given up on Dr. King's dream. It is a community that has allowed the burdens of racial interaction to cause it to give up on the benefits of diversity and integration. It is a place where a desire for comfort has forced it to give up on traveling the difficult road toward progress and maturity. I, for one, am not prepared to allow NYU Law give up just yet. I hope not many of you are either.

The Asian Pacific American Law Students' Association (APALSA), South Asian Law Students' Association (SALSA), and Latino/a Law Students' Association (LaLSA) at New York University School of Law are proud to present

### ACCESS AND INVISIBILITY: UNDOCUMENTED IMMIGRANTS IN AMERICA

Wednesday, March 8, 2006  
Vanderbilt Hall, Greenberg Lounge  
40 Washington Square South

10:45 AM **Panel One**  
**UNDOCUMENTED IMMIGRANT ACCESS TO SERVICES AFTER SEPTEMBER 11<sup>TH</sup>**

**Moderator: Annie Lai ('06), NYU SCHOOL OF LAW**  
**Christopher Nugent, Community Services Team Administrator and Senior Counsel, HOLLAND & KNIGHT LLP**  
**Maria Pabon Lopez, Assistant Professor of Law, INDIANA UNIVERSITY SCHOOL OF LAW—INDIANAPOLIS**  
**Tushar Sheth, Staff Attorney, ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND (AALDEF)**

1:00 PM **Panel Two**  
**UNDOCUMENTED IMMIGRANTS AND LICENSING: THE AFTERMATH OF THE REAL ID ACT**

**Joan Friedland, Policy Attorney, NATIONAL IMMIGRATION LAW CENTER**  
**Michael Wishnie, Professor of Clinical Law, NYU SCHOOL OF LAW**  
**Frank W. Munger, Professor of Law, NEW YORK LAW SCHOOL**

## Bob Dylan was Here (and by here, we mean the village.)

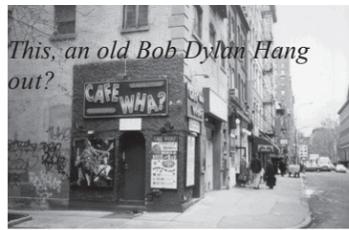
NICHOLAS KANT '06

"No woman really loves Bob Dylan. His music is something that women pretend to enjoy to please men, like camping or golf," said Alessandra Stanley, the tv critic for the New York Times. She said this in a review the now canceled CBS tv show "Love Monkey" but it came across more as a bitter diatribe on the New York dating scene for women.

Ms. Stanley's assessment of Dylan is dead wrong, and more bitter than anything else. So in honor of her, here are some of the Dylan landmarks that are right here in the Village, steps from the law school buildings.

- MacDougal Street – This was apparently a major thoroughfare for the folk music scene back in the early 1960s.

- Café Wha? – 115 MacDougal Street – This club is possibly where Dylan played his first New York show, back in January 1961, depending on which biography you read. It still features live music.



This, an old Bob Dylan Hang out?

- Fat Black Pussycat – The current location of this bar is 130 West 3<sup>rd</sup> Street. But it actually used to be located where Panchito's Mexican Restaurant is now, at 103 MacDougal. If you go around to the back side of Panchitos, on Minetta Street, you can see "FAT BLACK PUSSYCAT" in black paint on the building, above the Panchito's signs. This is where Dylan wrote the song "Blowin' in the Wind," according to the article "Positively 4<sup>th</sup> Street" from the May 1995 issue of "Q Magazine." Before it was Fat Black Pussycat, it was called "The Commons," and Dylan played there.

- The Gaslight – 116 MacDougal – There are two entrances to the basement, one is boarded up, the other leads to "Alibi" night club. Back in the day, Dylan and a lot of other folk musicians used to play here.

- Jones Street – About two blocks on the other side of 6<sup>th</sup> Avenue from the law school, Jones Street runs between Bleecker and 4<sup>th</sup> Street. This is where the cover of "The Freewheelin' Bob Dylan" was shot. In the photo, Bob Dylan

- The Bitter End – 147 Bleecker Street – Dylan also played here.

is walking with his then-girlfriend Suze Rotolo down Jones in the direction of 4<sup>th</sup> Street and away from Bleecker. This album cover also played a role in the Tom Cruise movie "Vanilla Sky."

- John's Pizzeria – 278 Bleecker – This pizzeria, on the other side of 6<sup>th</sup> Avenue, doesn't sell any slices, just whole pies. In my opinion, it is some of the best pizza you can get. This is where Tracy (Mariel Hemingway) told Isaac (Woody Allen) that she was planning to study abroad in London in the Woody Allen movie "Manhattan."

A couple of my other favorites:

- Riverview Terrace on Sutton Square – Just beneath the 59th Street/Queensboro Bridge on the east side of Manhattan is where the famous scene with Woody Allen and Diane Keaton sitting on the bench looking toward the bridge was shot for the movie "Manhattan."

- Minetta Tavern – 113 MacDougal – Expensive Italian restaurant where Jack Kerouac, William Burroughs and other beats

used to eat.



Bob Dylan walking with his girlfriend near NYU. He used to hang out here alot. Maybe had we gone to NYU law back then we would have seen him.

- Café Reggio – 121 MacDougal – Coffeeshop where the beats used to go. John F. Kennedy gave a speech out front. Parts of "Godfather II" and the original "Shaft" were filmed here.

The information in this article was culled from various

books, magazines, films, photographs and Internet sources. If the information doesn't relate to something in a movie or photo, I wasn't there and I didn't see it, so I can't guarantee it is correct. However, most of what I said is pretty well accepted as true if you look into some of the literature on the topic.

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| Across              | 17. invalid                 | 5. passionate          |
| 1. wise men         | 18. leave in a hurry        | 6. circle portion      |
| 5. Stefani's line   | Down                        | 7. New Zealand natives |
| 9. Somalian model   | 1. friend for Rover or Spot | 8. flower              |
| 13. very excited    | 2. water, in Oaxaca         | 20. schnoz             |
| 14. Russian range   | 3. Sutter's Mill find       | 21. take as one's own  |
| 15. ___-toothed cat | 4. icy home                 | 23. fish eggs          |

### BY JESSICA GONZALES '06

- |   |                                     |
|---|-------------------------------------|
| 24. needless attention                  | 9. exists                           |
| 25. clod                                | 10. faithful attendant              |
| 26. pass on                             | 11. here and there                  |
| 28. "What, me worry?"                   | 12. Eliot or Loch                   |
| magazine                                | 16. thing, legally                  |
| 31. toupee                              | 19. early tent                      |
| 33. ___ Whitney                         | 22. average score (for Tiger)       |
| 34. MD neighbor                         | 27. "unfortunately . . ."           |
| 36. Bugs's most prominent features      | 28. Muslim prayer direction         |
| 38. target audience (non-professional)  | 29. Copland or Burr                 |
| 42. mean                                | 30. tap (your fingers)              |
| 44. flower ring                         | 32. strong wind                     |
| 45. Star Wars and The Lord of the Rings | 34. male duck                       |
| 46. level of skills necessary           | 35. Eastern England county          |
| 49. plane steerer                       | 37. burial chamber                  |
| 50. vowel preceeder                     | 39. desire                          |
| 51. non-standard card game              | 40. Casablanca hero, with 55 across |
| 52. Mary ___                            | 41. one of Freud's concerns         |
| 54. Kinsey's interest                   | 43. ___ Horne                       |
| 55. see 40 down                         | 47. works long and hard             |
| 58. shaft                               | 48. lawnmower company               |
| 60. Deb Ellis's dep't                   | 53. not me                          |
| 62. on the ___ (escaped)                | 55. play loudly                     |
| 63. sword fights                        | 56. relating to birth               |
| 66. The Beehive State                   | 57. Carter Center partner           |
| 67. a Nor'easter, e.g.                  | 59. thickheaded                     |
| 69. Saag Panir partner                  | 60. where one goes for a pint       |
| 71. baseball's Yogi                     | 61. dating couple                   |
| 73. diva's specialty                    | 64. praise                          |
| 74. "okay, yes"                         | 65. Indian garment                  |
| 75. come together                       | 68. Brazillian beach town           |
| 76. 3rd largest city in France          | 70. catch                           |
| 77. correct                             | 72. ___ it (arguing again)          |

write for the commie. we love you.

## Last Weeks Wu-Tang Concert: Totally Bananas

BRIGHAM BARNES, '06

Maybe the thing that surprised me the most about the Wu-Tang Clan's sold-out show at the Hammerstein Ballroom last Tuesday (yes, Valentine's Day) was that, when I entered the theater at 9:40, the band was already on stage. I had not expected New York's most notorious nine eight man (RIP ODB—but I'll get more into that later) rap conglomerate of kung-fu mystics to be so punctual. My ticket said the doors of the theater would open at 6:30, and to find the band already on stage three hours later strongly contradicted what I had expected of this band, especially considering that I knew the band's show in New Haven a week earlier had started at 11:00.

According to a fellow concertgoer also standing at the back of the floor, assessing the mass before him as I was, planning how to best penetrate this throng of people whose hands were held high making W's by clapping their thumbs, they had only performed a couple of songs. The band was still taking to the stage one member at a time, and I had made it there in time to catch Method Man, arguably the group's biggest star (or at least the only one to have done a Right Guard commercial) appear on stage for the first time, performing (no surprise here) the song "Method Man" from the band's first album, "Enter the Wu-Tang: 36 Chambers."

Knowing that good journalism would require me to give some background on the Wu-Tang Clan for readers who might not know anything about the band (not that I'd call myself a Wu-Tang aficionado by any means) has probably been one of the harder parts in presenting my Wu-Tang Clan concert experience, as the Wu-Tang Clan simultaneously defies and embraces typical notions of what rap is or can be and what a rap group is or can be. If Hunter S. Thompson were a rap group, he'd be the Wu-Tang Clan. If Guns 'n' Roses were a rap group, they'd be the Wu-Tang Clan. If feudal Japan were a rap group, it'd be the Wu-Tang Clan. If the Five Lions of Voltron were a rap group, they'd be the Wu-Tang Clan. And, most importantly, if the Wu-Tang Clan were a rap group, they'd be the Wu-Tang Clan.

More or less hailing from Staten Island (or "Shaolin," as it is known in the Wu-Tang Lexicon) the Wu-Tang Clan is a collective of rappers who first graced the car stereos of suburban white teens in the early-mid 90s. In the age where gangsta was king, the Clans' raps were consistent with the era in that they were mostly about how the band 1) was tough and 2) loved money but defied the trends of the day by also being about how the band 1) were sort of all ninjas (or at least hadn't realized that they weren't ninjas). Stylistically, the two things that most distinguished this band from their West Coast counterparts (not that the Wu was ever involved in any

East Coast/West Coast beef, the band has always transcended that sort of trifling, and seriously, who'd pick a fight with a band of mystical assassins?)

First, while the West Coast scene leaned on soulful g-funk beats, the Wu's sound trips along over menacing and mysterious soundscapes—music to snap necks by, as opposed to Dr. Dre's cuts to bust caps to.

Second, the Wu-Tang Clan was a super group right out of the gates, then numbering nine members strong (now just eight, RIP ODB, as I said before, I'll get more into that later) and it's one thing to have Dr. Dre and Snoop Dogg trading verses on a track, another

The Wu-Tang Clan's career has had its ups and downs, but primarily just some Ups followed by a series of Downs, the band's first two releases ("Enter the Wu-Tang: 36 Chambers" and "Wu-Tang Forever") were fairly strong, but their next two studio albums ("The W" and "Iron Flag") both fell a short and most members of the band have spent most of their time since the band's first release concentrating on solo records and side projects (also a mixed bag, to say the least), not that any of this has diminished the group's presence or cache in the minds of its fans. Prior to beginning their current tour the band hadn't performed as a complete unit for

particularly when the brooding RZA took control of the performance) and jovial and energetic, with Method Man repeatedly trying to walk on the crowd. And on this Valentine's Day the band occasionally took the tone of a spurned lover, frequently asking the crowd why New York didn't love them anymore and why the city's major rap stations didn't even announce the show (this was all news to me and a little hard to believe as I'd never been in a crowd so strongly committed to loving what was on stage before it). The show came to a near complete halt when Ghostface Killa entered something of a monologue over his disbelief that New Yorkers would rather listen to songs like "this" (and when he said "this" the DJ dropped the beat to D4L's infectious but ridiculous hit, "Laffy Taffy," which Ghostface derided with a mocking little imitation of the dance that goes to the song) instead of the Wu-Tang Clan. Moments like this left the audience shrugging its shoulders like the kid in class that didn't shoot the spit wad and wondering when the band would get back to their music.

But I don't mean to dwell on the negative or unusual. When the band did perform at full strength, and this took up most of the group's healthy 90+ minute set, it was something like Muhammad Ali fighting in his prime, and, during especially devastating moments (like when "The 4<sup>th</sup> Chamber" from GZA's solo masterpiece, "Liquid Swords," exploded from the theater's sound system), much more like Mike Tyson scoring a knock-out in the opening seconds of a fight. When the band performed "hits" like C.R.E.A.M., they surrendered most of their vocal duties to the audience, the majority of whom could shout the words (and it's something to hear a few thousand yell "I grew up on the crime side / the New York Times side / where staying alive was no jive" in unison) for them.

While no typical rap concert is without a lengthy homage to Biggie Smalls and Tupac Shakur, the Wu-Tang Clan sidestep this tradition as they have their own fallen member, Russell Jones, a.k.a. Ol' Dirty Bastard, who succumbed to a little bit of everything a year and a half ago (as opposed to the bullets that claimed the poster



boys of the East/West feud nearly a decade ago) to honor. While ODB's absence was felt throughout the show in the form of verses missing from each songs, the band paid official tribute to him halfway through the show when they brought Jones' mother onto the stage and asked that all the lights in the theater be turned off and then had the audience hold up their lighters and cell phones. The audience was happy to oblige, briefly transforming the Hammerstein Ballroom into a well-illuminated, multi-layered birthday cake before the band shook off the momentary trappings of reverence and stumbled into ODB's break out solo hit "Shimmy, Shimmy Y'all."

Another way that the Wu-Tang Clan spurns one's typical expectations for popular rap is with their trademark ghetto intellectualism. Between songs the band would comment on current events, national, international, and local, the RZA drawing the biggest cheers of the night when he quipped (and I paraphrase, of course) "You know you livin' in a messed-up world when the Vice-President shoot somebody." And, when it came time for the show to end, the band explained that the show was over because "You know New York is a union town, and that means New York is a mafia town, a Gambino town" (I think that the idea that they meant to get across was that the Wu-Tang Clan wasn't about to pay for overtime union services at the Hammerstein Ballroom—and as you may have learned from the Wu-Tang Financial Consulting sketch on Chapelle's Show, the Wu-Tang Clan is a fiscally responsible bunch).

Although the band declared their concert to be done, the band was slow to leave the stage, each member having a few additional Valentine's thoughts to share with the audience, or a street date for their next solo record to plug.



for each song to require nine verses if each Wu-member is to have his moment.

For anyone but the truly devoted, naming all the members of the Wu-Tang Clan is no easy task, like naming the Seven Dwarves, if each of the Seven Dwarves also went by a handful of additional aliases. Just off the top of my head I usually can only name six or seven members of the band—The RZA (a.k.a. Bobby Digital), the GZA (a.k.a. the Genius), Method Man (a.k.a. Johnny Blaze, Mr. Mef, the MZA, Big John Stud, Iron Lung, etc.), Old Dirty Bastard (a.k.a. the ODB, Osirus, Big Baby Jesus, Dirt McGirt, also RIP, but you know I'll get to that later), Ghostface Killa (a.k.a. Tony Starks, Pretty Tony), Inspectah Deck, Raekwon,—that's as far I can get before I break down wondering if U-God is really a member of the Clan, or just a buddy of theirs, and if the group could contain someone that's called "Master Chef," or if I'm just making that up. Naming the members of the group is hard enough for the mildly-initiated, never mind matching voices to each name on their records, let alone matching the voice (quite a bit different when being yelled live) to the face when the band is on stage.

years, and the announcement that the complete band would be playing in one of the city's largest non-arena venues brought out their hardcore fans and the curious en masse. As Ghostface boasted from the stage halfway through the show, "New York, your favorite super heroes are on stage tonight" and no statement could have been more correct that evening.

Watching the Clan perform live was like going to someone else's church, or celebrating a holiday at someone else's house—familiar in many senses, but foreign in ways you hadn't expected. I'm no stranger to stages crowded with performers, but the Wu-Tang Clan crowds a stage like no other band with its eight primary players, their DJ, an entire posse of hangers-on lingering just behind the DJ, two middle school aged boys who'd occasionally emerge with microphones and rap along with the group without any introduction or explanation, and a gentleman in a baseball cap and worn out jacket who looked like he was probably some member of the group's grandfather (or the grandfather to several, as I think a few of the Wu-Tang Clan are cousins) on stage throughout the show. The band's attitude fluctuated between serious and menacing (par-

**Thursday, February 23, 3:00 PM**  
**Vanderbilt Hall, Greenberg Lounge**

### *Election Reform: Voter ID and Section 5 of the Voting Rights Act*

• **Panel I – Real Voters: Requiring Voter Identification Using the Real ID**

• **Panel II – To Reauthorize or Not to Reauthorize: Section 5 of the Voting Rights Act**

A Symposium sponsored by the Journal of Legislation and Public Policy

*There will be a reception immediately following the event.*

## All U, All The Time: Law School Reps Dominate All-University Games!

CONOR FRENCH '06

*The All-University Games consist of representative participants from each school within New York University competing in events ranging from rock climbing to sumo wrestling to rock-paper-scissors. As part of a Dollar Wars Program, the victorious school earns the right to designate a charity to which all proceeds of the Games are donated.*

So much for our intra-university image as bookish or aloof or hermitic or enervated. All of these quips about the law school's spirit, its dynamism and its vitality (not to mention its athleticism) were answered, and answered with vigor, on last Thursday night at the Jerome S. Coles gymnasium during the 2006 All-University Games. Bringing blissful delirium and swelling pride to the austere corridors of Vanderbilt and Furman Halls, this year's NYU Law entry took home the coveted accolade of All-University Games Champs in a year when many believed we just could not do it.

In many ways, Thursday's Games seemed initially to mirror previous year's disappointments.

We donned exultant t-shirts that read "Making NYU Look Good Since 1835" or "at least we're not on strike."

We crafted a boastful banner that hung from the rafters displaying names of illustrious alumni such as former city mayors' Rudy Giuliani and Fiorello LaGuardia (as well as well-placed fakes such as Perry Mason and Ally McBeal).

We stomped and cheered as our fabled three-on-three basketball once again surged to victory in the night's first feature event. But then, something jaw-dropping and wholly unprecedented occurred. For the first time ever, we just kept winning.

Event after event, NYU Law competitors out-balled, out-tugged, out-wrestled, out-climbed, out-dodged, and out-RoShamBoed the competition.

Remarkably, NYU Law swept all four team events: basketball, volleyball, dodgeball, and tug of war. In basketball, some early scoring from Shauna Burgess ('06) and a furious rally engineered by Justin Houghton ('06) from down 14-10 against the School of Medicine in the finals ensured that NYU Law once again prevailed on the parquet. Drawing from the pool of Dean's Cup basketball talent including Paige Ammons, Matt



*After beating down the competition, victory in the tug-of-war sealed it for NYU Law students at the All-University Games.*

Jackson, and Steve Cephas (all '07), our much ballyhooed heroes of the hardwood set the early tone.

The first major surprise of the night, however, arrived with volleyball. Building upon a platform of fall intramural success and equipped with a deep and able bench, our volleyball team led by Ari Lustbader ('06), Joe Alonzo ('06), Vin Taurassi ('07), and Matt Bruckner ('06) emerged from virtual bump-set-and-spike wilderness to notch NYU Law a spectacular and unexpected victory.

Another first followed in the turnout for the tug-of-war where NYU Law's elusive giants finally joined together for a decisive win.

The tug-of-war tie between Stern Undergrad and our closest competition, the Dental School,

also became an occasion for bribery or, perhaps better put, incentivizing, as diplomatic law students promised to purchase delicious beverages for their more entrepreneurial Stern brethren if they could just eke out a win over the future dentists.

The greatest individual achievement of the night and likely of this 2006 iteration of the All-University Games belonged to Andrew Butville ('07).

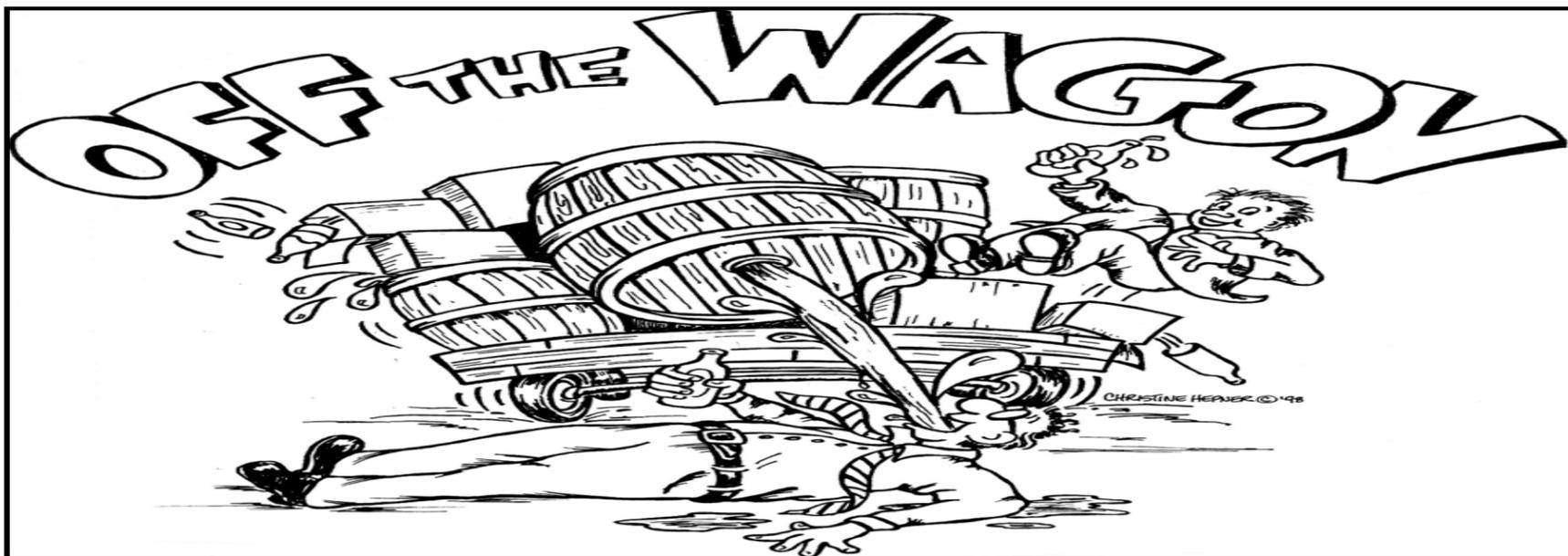
Other notable achievements during the Games included a daring second-place finish by the flexible and fluid Steve Hong ('07) in the limbo as well as a well-deserved second-place ranking in the category of team spirit. For this and much more, we tip our hats to that diligent two-headed dragon that

drives the Student Lawyer's Athletic Program, Gillian Burgess ('06) and Jim Medek ('07).

On a night when the spoils belong to charity, but where the freewheeling individuality of each school and student is allowed to flourish amidst a communal atmosphere of good-natured and good-hearted competition, NYU Law did itself emphatically proud.

As my roommate, Doug Heitner ('06) said, "sometimes you gotta put away the casebooks and bring out the pompoms." I wish he said something a bit tougher, but the sentiment is still there.

Keep it lively and vibrant around Washington Square Park and especially come Dean's Cup time in April, remember that we all bleed violet.



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