

COLUMBIA SPECTATOR ARCHIVE

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[ARTICLE+ILLUSTRATION]

200 sit in at Law School to protest AIDS clinic cutback

By Sarah Haines

Chanting “Dean Black, hear our cry; please don’t let our clinic die,” over 200 Columbia Law students staged a “study-in” yesterday to protest alleged attempts by the Law School administration to close the school’s AIDS Law Clinic.

The protest began at 10 a.m. yesterday morning and lasted past 5 p.m.

The AIDS Law Clinic enables upperclass law students to act as legal advocates in discriminatory cases on behalf of people infected with AIDS or the HIV virus.

The clinic, which opened in September 1988, is threatened by the failure of the school’s clinical faculty to recommend reappointing Lecturer Mark Barnes, the clinic’s advisor, to a three-year teaching term, according to a statement issued by Concerned Students for a Responsible Columbia (CSRC), an organization of students who participate in the clinic.

Students sat in front of the elevators on the first floor during the morning and moved to the lobby of Law School Dean Barbara Black’s

office in the afternoon, chanting slogans and holding signs reading "When you get AIDS, where will you turn?" and "Columbia Law School: umbilical cord to Wall Street?"

Study-in organizers issued a statement of student demands which include making a long-term commit-

ment to the AIDS Law Clinic, appointing Barnes to a three-year term, committing to a minimum of three client-based clinics in the law school each semester, expanding student input in faculty appointments, and increasing ethnic and gender diversity on the law school's appointments committee and faculty as a whole.

The appointments committee, the body which makes the final decision in faculty appointments and which will ultimately decide whether Barnes retains his position at the Law School, is composed of Black, and Law Professors John Coffee, Jr., Eben Moglen, Henry Monaghan, Michael Young, and William Young, Jr.

Many students are concerned that all five professors on the appointments committee are white males, CSRC member and third year law student Maya Wiley said.

"As a black student at this school, I am distressed to see such a homogeneous body in charge of faculty appointments," Wiley said.

"There is a conflict in the faculty between professors who think that the clinical program is good and those who think that it shouldn't even exist. As a compromise, they capped the clinical faculty at six faculty members. One member [of the clinical faculty] is already leaving at the end of the year, so if Mark leaves, there will be two vacancies," she said.

Barnes would not comment on his status on the law school faculty, but said that at the AIDS Law Clinic, academics were combined with the practical experience of legal advocacy.

"There can be a healthy balance between academic and clinical approaches. We do a good deal of academic teaching in the clinic about what the law of discrimination is, what public policy on AIDS is, and what AIDS itself is," Barnes said.

Barnes also said that institutions like Columbia have a responsibility to address the AIDS issue.

"There is a completely unfilled demand in this city, which is in the middle of an epidemic, for people with legal experience to help victims of discrimination. Every institution, including Columbia University, has an obligation to help out,

however they can," Barnes said.

"As far as our clients are concerned, if they did not have us, they would have no legal help at all," he added.

A meeting of the appointments committee was held in Black's office at 2 p.m. to interview a candidate for a position on the school's clinical faculty, although not necessarily to replace Barnes, Wiley said.

University Senator Russell Paul, a third year law student, said the continuation of Barnes at the law school is crucial to the future of the AIDS Law Clinic.

"Mark Barnes is what this clinic is all about. He has knowledge and connections with city agencies that you can't get from most other people," Paul said.

Many students said the real issue behind Barnes' reappointment is a conflict within the faculty about whether legal education should take an exclusively academic approach or one that incorporates clinical experience.

"In general, the professors who favor a conservative, academic approach don't really take the clinical program too seriously. There are definitely professors here who would not be upset if the clinical program disappeared tomorrow," a third year law student, Rob Kushen, said.

Second year law student Michele McNichol said that the clinical approach is particularly valuable in educating law students about social issues, like AIDS.

"The fact that a lot of the professors at this school are from the old school of legal education which opposes the clinical approach, even when it's something like the AIDS Law Clinic which addresses the major concerns of today, shows you that there is a conservative approach at this school," McNichol said.

Second year law student Erik Johnson, who worked at the clinic with a prison inmate who had been discriminated against by a hospital which required inmates to submit to an HIV antibody test before they could be treated, said that in addition to providing a better educational experience, law clinics also help the community.

"The students here feel that you can learn a lot more by actually working with people than you can in simulated cases, which is the approach Columbia has always emphasized. Just as importantly, clinics can also be a way of reaching our community—simulation doesn't do anything for that," Johnson said.

First year law student Marcelo Halpern said that many prospective law students choose to attend Columbia because of programs like the AIDS Law Clinic.

"This is certainly a question of Columbia's relations with the community. With New York City, which is the only

the community with New York City having the number one AIDS problem in the country, law school students here are almost obliged to make a real contribution to dealing with this problem and the legal ramifications that go along with it," Halpern said.

"At NYU Law School, one of the biggest draws for prospectives is their committment to public interest law. Columbia professes to have that commitment, but issues like this raise questions," Halpern said.

Three student representatives were permitted to attend the appointments committee meeting, which is generally closed to students despite previous agreements that student input would be an active part of the appintments process, according to Paul.

According to Wiley, the three students allowed to attend the meeting were Law School Senate member George Canellos, a third year law student and the Class of 1989's representative to the appointments committee, and CSRC members Amanda Friedman, a first year law student, and Ted Piccone, a second year law student.

"Three student representatives from the law school senate are theoretically connected with the appointments committee, but the professors don't let them attend the committee meetings because they don't want students to hear negative opinions from them about someone who might end up getting hired," Paul said.

"The net result is that they're not getting our feedback," he added.

Students want to expand the responsibilities of the current student advisory committee to the appointments committee, according to Law School Senate president Robin Goldstein, a third year law student.

"We recognize that there's a question of confidentiality in certain aspects of the process," Goldstein said. She said students should get to attend the luncheon with prospective candidates and the lecture that these candidates give to the faculty, and to interview the candidates.

After the appointments committee meeting, Black came out into the lobby to answer questions from the students, but made no commitment about the future of the AIDS Law Clinic.

"I would like you all to understand that a school that is capable of offering an educationally sound AIDS clinic is a very fortunate school. I don't want to talk about [the AIDS Law Clinic] in terms of commitment at this point," Black said.

Black would not say whether she considers the AIDS Law Clinic to be educationally unsound or when an examination of its educational soundness will take place.

"I am not in a position to say whether this clinic is a good one or not."

I am not in a position to approach this and be certain that I can offer you the precision of someone who is an expert in clinical law. I am not sure that I want to be the one making a statement and answering the very natural questions that arise," Black said, suggesting that the students address their questions to her when Harriet Rabb, director of the clinical faculty, could be present.

Rabb, who also attended the meeting, was unavailable for comment.

Although Black agreed that "there is certainly insufficient student involvement in the faculty appointment process, clinical and otherwise," Black declined to say in what specific ways student input could be incorporated into the procedure of the appointments committee.

Blacks denied that faculty infighting or homophobia has played a part in the issue, and responded angrily to the suggestion that delaying final decision on the future of Barnes and the AIDS Law Clinic would benefit the administration because students would be involved in finals and would not have the time to protest in such large numbers.

"I don't appreciate it being suggested that I would string this out so that a decision would occur during exams in order to avoid having a professional, intelligent dialogue with you," Black said.

Black said that a final decision about Barnes and the AIDS Law Clinic will be made before the end of this month, because current first year students need to apply for positions in any clinics in which they'd like to participate before the end of the year.



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Barbara Black