College of William & Mary Law School William & Mary Law School Scholarship Repository

Student Newspaper (Amicus, Advocate...)

Archives and Law School History

2003

The Amicus Curiae (Vol. 13, Issue 7)

Repository Citation

"The Amicus Curiae (Vol. 13, Issue 7)" (2003). *Student Newspaper (Amicus, Advocate...)*. 116. https://scholarship.law.wm.edu/newspapers/116

 $Copyright\ c\ 2003\ by\ the\ authors.\ This\ article\ is\ brought\ to\ you\ by\ the\ William\ \&\ Mary\ Law\ School\ Scholarship\ Repository.$ https://scholarship.law.wm.edu/newspapers



Dean Revely Speaks, Page 4



Announcements & Letters, Page 12



Pete's Oscar Picks, Page 18

The Amicus Curiae

VOLUME XIII, ISSUESEVEN

THURSDAY, FEBRUARY 27, 2003

WILLIAM & MARY SCHOOL OF LAW

Anthony Lewis Delivers Cutler Lecture

by Marie Siesseger

Speaking before a capacity crowd of students, faculty, and admirers, esteemed writer Anthony Lewis delivered the annual James Gould Cutler lecture on civil liberties in the United States since 9/11. "In uneasy times, we find solace in history," said Lewis. The former reporter and two-time Pulitzer Price winner should know-having covered the Supreme Court extensively in his capacity as a journalist for The New York Times, Lewis has lived through, and recorded, some of the most profound moments in Court history.

Known by law students everywhere as the author of Gideon's Trumpet, the renowned chronicle of James Earl Gideon's struggle for the right to counsel, Lewis has been a prolific contributor to legal literature. Lewis has stood at the forefront of public political and judicial discourse for over 50 years. He began his tenure at The New York Times in 1948. His unfaltering commitment to his ideals and strong opinions have earned him the distinction of being lauded as a "national treasure" and criticized as a "national disaster," quipped Professor Paul Marcus during his introduction of Lewis Wednesday.

Lewis began his day at William & Mary Law School at a breakfast discussion with students. He spoke about his time as a reporter covering the Court, relating but a few of the wealth of anecdotal stories he accumulated during his time in Washington. Lewis' tales ranged from lunch with Justice Hugo Black in the Supreme Court cafeteria to

Lewis Continued p. 3



Law students danced the night away at the Barrister's Ball this February 14.

Photograph by Nicholas Heydenrych

Courtroom 21 Hosts Digital Evidence Trial

Mock trial simulates use of electronic evidence in federal court

by Petra LaFountain

On February 13th & 14th, the Courtroom 21 Project was host to the National Institute of Justice and the Computer Crimes & Intellectual Property Section of the Department of Justice (NIJ/CCIPS) digital evidence mock trial. The Courtroom 21 Project and the McGlothlin Courtroom were chosen as the ideal location for the trial due to the courtroom's vast array of cutting-edge technology and the Project's staff. Participants arrived from a variety of agencies across the United States; from the King County Prosecutor's Office in Seattle, WA to

the FBI in Washington D.C., to contribute their specialized skills for the mock trial. The case was *United States v. Moe Syzlak* in which the government prosecuted Mr. Syzlak, a disgruntled employee who was tried for crashing the company's computer network after a failed extortion attempt.

Mr. Syzlak was accused of anonymously sending a menacing e-mail, which threatened to damage the company's computer network if payment of \$500,000 was not met. Computer crime investigation led to Mr. Syzlak, who had recently been fired. Law enforcement officers arrested Mr. Syzlak after following leads that included e-mail account tracking and IP tracking. The mock trial began with a review of the docket entries

Courtroom Continued p. 4

Inside

Interview with Dean Jacksonp. 2
Black History Monthp. 5
Bias in media
coverage of Koffi
Annanp. 7
Paul Rush lambasts the
Frenchp. 8
A Taste of Indiap. 10
Letters to the editorp. 12
AngelatLawp. 14
Jeremy Eglen, Piratep. 15
Spedale v. Stern on
Title IX in College Sportsp. 19
Calendarp. 20

Meet Dean Jackson

by Marya Shahriary

- How long have you been here? Almost 15 years.
- 2) Have you always had the same job?

No, I started in Legal "I'mfrom Skills as the program Kansas, but I assistant. I was the first actually moved person in that position here from which is now held by Patty Germany Roberts. And when I because my started with Legal Skills it husband was in was only its second year, the military and so it was a pretty exciting stationed time. We were still there." building up our collection of

materials; it was a busy place. After working for Legal Skills, I was promoted to Registrar, then to Assistant Dean for Admissions and then to Associate Dean for Administration.

3) Are you from Williamsburg?

No, I'm from Kansas, but I actually moved here from Germany because my husband was in the military and stationed there. His last assignment was Fort Monroe, so I was able to begin my career in higher education here. I had always wanted to be in administration and to be a dean.

4) Have you worked at any other schools?

When I was getting my masters degree I taught speech, but I haven't worked at any other school as an

administrator.

5) What are you best known for?

Being The Queen of Rules, I think.

6) What is your most vivid memory from childhood?

My most vivid memory from childhood is watching the Wizard of Oz and, especially, the Flying Mon-

keys. The people of Kansas are forced to watch The Wizard of Oz every year- that is a little known fact!

7) When you were a child, what did you want to be when you grew up? "My

I wanted to be a dean.

8) What's your favorite
smell?

Breakfast cooking at a campsite.

9) What's your least favorite smell?

I can't top Professor

Lederer's response. (Said response wasthe smell of children becoming violently ill-ed.)

10) What's your favorite word or saying?

"... we just

desperately need

to find our own

funding to be

the academic

experience for

our students."

able to advance

Can do. Easy.

11) Least favorite word or saying?

"That's the way it's always been done." 12) What other profession

would you like to try?
An archaeologist.

13) Not like to try?

Being a long distance truck driver.

14) If you have a tattoo, what does it say (or depict)...if youdon't have one, and decided to get one, what would it say (or depict)?

I just couldn't ever have a tattoo.

"My most vivid memory from childhood is watching the Wizard of Oz and, especially, the Flying Monkeys."

15) What's the best thing about your job?

The best thing about my job is working with you, the students.

16) What's the worse thing about your job?

The heating and air conditioning system.

17) If you could talk to one person living or dead, who would itbe?

I guess it would be St. Peter. I

have a lot of questions to ask him;in my family we have always talked about the questions we would pose to St. Peter.

18) Professor Tortorice's Question: What one most important thing should be done to improve this lawschool?

Well, it's the same thing that Professor Lederer said . . . we justdesperately need to find our own funding to be able to advance the academic experience for our students.

Questions borrowed heavily from Bravo's Inside the Actor's Studio's Bernard Pivot Questionnaire and the National Journal's Media Monitor spotlight questionnaire. A few actually conceived by William and Mary law students.

Russian Professors to Visit Marshall-Wythe

Four professors will study American law at Marshall-Wythe

by Tim Peltier

The International Division of Courtroom 21 brings judges, lawyers, and professors from around the world to The College of William and Mary to teach them about the American Legal System and about American Law schools. After spring break, from March 8 to March 16, Courtroom 21 and the Library of Congress' Open World Program will bring four Russian Professors and a facilitator to the Law School. From all over the Russian Federation, these Professors will be sitting in on classes, meeting with Professors and Deans and visiting local courts and attrac-

tions

Stanislav Ivanovich Kirillov,
Professor, Moscow University under
RF Ministry of Internal Affairs,
Criminal Law Department; Viktor
Mikhaylovich Stepashin, Associate
Professor, Omsk State University,
Department of Criminal Procedure;
Tatyana Petrovna Suspitsyna,
Director, Magadan City Branch of
Moscow State Law Academy;
Anna Timofeyevna Tumurova,

Department Chair, Legal Department, State & Law Theory & History Department; Olga Rashidovna Tekuyeva, Facilitator Profile from Moscow, will be around the school for the week.

If you would like to get involved with the International Division of the Courtroom 21 or to help to with the visit by the Russian Professors please contact Professor Christie Warren or Tim Peltier.

THE AMICUS CURIAE

William & Mary School of Law

P. O. Box 8795 Williamsburg, Virginia 23187 (757) 221-3582
"Dedicated to the complete and objective reporting of student news and opinion"

Executive Editor: Managing Editor: Features Editor: News Editor: Copy Editor: Business Editor:

Lavout Editor:

Special Projects:

Brooke Heilborn Michael R. Thompson Nicholas Heydenrych Adrienne Griffin Gary Abbott

S. L. Rundle Nicholas Heydenrych Shannon Hadeed Writers:
Susan Billheimer
Andrea D'Ambra
Jeremy Eglen
Peter Flanigan
Adrienne Griffin
Shannon Hadeed
Brooke Heilborn
Suzanna Henshon
Petra LaFountain

Todd Muldrew
Tim Peltier
Daymen Robinson
Seth L. Rundle
Paul Rush
Desh G. Sekhri
Marie Siesseger
Marya Shahriary
Brad Spedale
David Stern

Editorial Policy

The letters and opinion pages of *The Amicus* are dedicated to all student opinion regardless of form or content. *The Amicus* reserves the right to edit for spelling and grammar, but not content.

Letters to the Editor may not necessarily reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m.on the Thursday prior to publication. *The Amicus* will not print a letter without confirmation of the author's name. We may, however, withhold the name on request. Letters over 500 words may be returned to the writer with a request that the letter be edited for the sake of space.

Lewis: Rights violations threaten democracy

"Too many freedoms have been eroded since 9/11."

Continued from p. 1

quips about Lewis made by President Lyndon Baines Johnson. Of his early impression of the Supreme Court, Lewis said that there was a "certain romantic sense about the Court," and that the justices of yesteryear were "greater [figures] than today." He pronounced Justice Black to be one of the most interesting figures on the Court in recent history, a great devotee of free speech, and the most civil-liberties oriented of the justices who served on the Court during Lewis' tenure. Lewis described Black's tumultuous first days on the Court, a period plagued by accusations of KKK membership and rancorous editorial criticism from Lewis' own publication. However, in Lewis' estimation, Black's response to the allegations of racism in Chambers v. Florida was illustrative of his dignified

Of his professional interaction with the justices, Lewis noted that the Court didn't pay much attention to what was written about it in the press, a feature of the Supreme Court that he felt was highly conducive to the equal administration of justice. However, Lewis further commented that the "blatantly political character of decisions today" has diluted the public's respect for the Court, and that this loss of respect is most apparent in the general public apathy towards most of the business of the Court today.

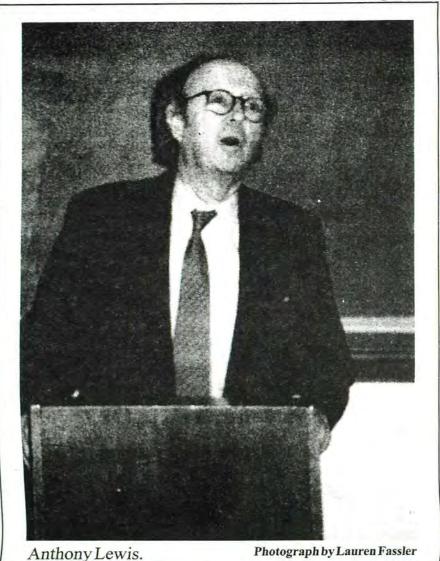
At a roundtable luncheon Lewis continued to entertain students and faculty with firsthand stories about the Supreme Court. He told about the unusual and fortuitous origins of Gideon's Trumpet-he had an agreement with a publishing company to write a children's book about the Supreme Court and had been searching the in forma pauperis case files when he happened upon Gideon's penciled pages. He followed the case from inception to opinion, ultimately producing Gideon's Trumpet, not the contracted-for children's book.

Lewis' Cutler address focused on the erosion of civil liberties in the U.S. since the terrorist attacks on the World Trade Center, the Penta-

gon, and Flight 93. The "elusive adversary has made us feel vulnerable as never before," said Lewis, emphasizing that the claim of power made [by the current administration] is the most radical assertion of executive power in history." He pointed to the imprisonment without trial or counsel of Jose Padilla and Yasser Hamdi as symptomatic of a dangerous retreat from the advanced democracy that not long ago commanded international respect and admiration to an America that disregards basic human freedoms. "The government is arguing a Constitutional sleight of hand by not having a criminal trial [for Padilla and Hamdi]," said Lewis. This is a "conviction by presidential decree," he said, adding also that such unilateral governmental action was "once thought to be the hallmark of a totalitarian regime." "Too many freedoms have been eroded since 9/ 11," said Lewis, citing an article in The New York Times which he felt gave a fair assessment of the state of liberty in the US today.

Noting that the indefiniteness of the threat America now confronts makes the threat more profound, Lewis called for a higher scrutiny of the government's legal claims to ensure that the fear instilled by 9/11 does not become so paralyzing as to infect our national devotion to civil liberties. "Freedom for the comfortable depends on freedom for the uncomfortable," said Lewis, reminding the audience that perhaps the most challenging question to come out of this national tragedy is how enduring our commitment to freedom really is. Lewis noted that unquestioning deference to government authority in times of unrest leads to a particular danger, and strikes a "subtle blow to liberty." He further cautioned that "if terrorism leads us to shut down, the terrorists will have won."

Before leaving the law school,
Lewis offered some words of advice
to the aspiring citizen lawyers at
William & Mary: "Remember that
client commitment is the bottom line,
and never try to argue too much,"
(a mistake he'd seen committed too
many times before the Supreme
Court) "but rather focus on discrete
arguments." Lewis emphasized the
extreme importance of lawyers'
public duties, and suggested that
students should take the sentiments
of the Marshall-Wythe's founders to
heart.



WINE SELLER OMERNE UTHER CritiCHESS

Wines from Around the World,
Fantastic Selection of Imported and Domestic Beer,
Artisan and Farmstead Cheeses,
Cigars and Unique Gifts.

Tasting Bar Open Friday and Saturday 4-7pm. Wine Classes held the 2nd Wednesday of most months.

Conveniently Located in Monticello Marketplace
Williamsburg, Va
757-564-4400
Open Monday-Saturday 10-9
Visit us on the Web at www.grapesbythecrate.com

Courtroom: Animation central to prosecution

Continued from p. 1

(CourtLink) and a brief voir dire of the jury. The defense then argued a motion in limine to suppress the prosecution's key animation. The motion was argued using a hyperlinked CD-ROM brief (CD provided by RealLegal) to showcase precedents relied on by the prosecution. Mr. Syzlak argued that the probative value of the animation was substantially outweighed by the risk of prejudicial impact on the jury. The motion was denied by the sitting judge, the Honorable Susan Bucklew, United States District Judge for the Middle District of Florida in Tampa, and the prosecution's case proceeded using the animation as the cornerstone of its

In addition to the animations, the prosecution presented its case using a

diverse array of technologies including: specialized evidence presentation software by Sanction II and Power-Point; document cameras located throughout the courtroom by Wolf Vision, DOAR Communicator 21, NEC and Samsung; a videotape of the defendant at a public computer terminal and video-conferenced testimony by a remote witness (who was actually next door at the National Center for State Courts) by Tandberg. Counsel for Mr. Syzlak used much of the same technology in addition to a CD-ROM brief. The trial was broadcast live on a password protected website available to the parties of the case and various associated agencies.

Interestingly, those law students in Technology Augmented Trial Advocacy are learning these litigation technologies and more.



A mock trial prosecutor presenting animated evidence.

Photographer Unknown

Dean Reveley on funding, grade curves

"There is much

to be said for

grades. But

most of the

leading law

days."

schools don't go

that route these

stringent

New law school library plans will depend upon a minimum goal of \$5M in donations

by Shannon Hadeed

1)Last semester The Flat Hat ran an article about the ABA accreditation process's concern over

"It's also

importantto

keep in mind

that there has

never been any

concern about

the indispens-

able aspects of

caliber of its

our library: the

staff, collection,

and capacity to

support sophis-

ticated legal

research."

physical aspects of our library. What is being done to correct this problem? When will library improvements be funded? When will construction begin?

We need torenovate our existing library completely and add a significant wing to it (at least the sizeof the new North Wing). Funds for the renovation and addition (\$11.8 million) were included in the bond issue passed by the Virginia voters last November.

Based on preliminary design work, we estimate the project will actually cost \$16.8 million, which means we need to raise the missing \$5 million from non-taxpayer sources.

It's not clear when the state will let us hire an architect and get started. Once started, we will travel a long road ofdesign, regulatory approval, and construc-

Best case, it will be five years before the new library is ours to enjoy. Recall that the North Wing had the gestation period of a mastodon.

Because it's now clear the library project will go forward, the ABA

accreditation people are satisfied to let the process run its course.

Lt's also important to keep in mind that there has never been any concern about the indispensable aspects of our library: the caliber of its staff, collection, and capacity to support sophisticated legal research. On these scores, the Law School's library continues to perform splendidly.

2) In light of the upward

2) In light of the upward adjustment to the grade curve and the downward

adjustment to the number of credits required to graduate, I wonder if these changes will weaken the reputation of the Law School. What are your thoughts on this matter?

In my view, these changes move us more into the headwaters of American legal education. If anything, they will improve our reputation.

As to credit hours for graduation, here are examples of whatsome other schoolsrequired in 2000/01 (the last year for which thedata have been compiled): Berkeley (85), Columbia (83), Cornell (84), Duke(84), Georgetown (83), Harvard (80), Stanford (85), Texas (86),

UVa(86), Yale (82).

Before the modest relaxation of our curve, I believe (a) we were grading more stringently than most other law schools with students as able as W&M Law School's, and (b) this was putting our students at a competitive disadvantage in the job market, when their grades were compared to those of students of like ability and accomplishment from other excellent schools.

There is much to be said for stringent grades. But most of the leading law schools don't go that route these days.

3) There is a large fundraising campaign occurring on the undergraduate campus. How much of a cut is the Law School going to see of the proposed 500 million dollars?

William & Mary's \$500 million campaign officially kicked off on Charter Day, February 8th, amid much sounding of trumpets and celebration.

The Law School's official share of this half billion is about \$50 million. This is going to be an "eat whatyou kill" campaign (this is customary for university campaigns nationally).

If the Law School can raise

\$250 million from alumni and friends during the campaign, we'll keep it all and Marshall-Wythe will be adequately funded at last (this would take help from Santa Claus). If we raise \$15 million during the campaign, that'll be what ends up in our larder.

"The Law School's official share of this half billion is about \$50 million. This is going to be an "eatwhatyou kill" campaign (this is customary for university campaigns nationally)."

If you have any questions you would like addressed by Dean Reveley in the next edition, please e-mail them to slhade@wm.edu.

Black History Month

Why February?

by Brooke Heilborn

Have you ever wondered why February is Black History Month? We owe the celebration of Black History Month to Dr. Carter G. Woodson. Born to illiterate parents who had once been slaves, he spent his childhood working in the Kentucky coal mines and enrolled in high school at age twenty, later going on to earn a Ph.D. from Harvard.

Woodson became a high school teacher and upon finding that history books largely ignored the black American population, he subsequently decided to take on the challenge of writing black Americans into the nation's history. He established the Association for the Study of Negro Life and History (now called the Association for the Study of Afro-American Life and History) in 1915, and a year later founded the Journal of Negro History. On February 19, 1926, he launched Negro History Week, which later became Black History Month, as an initiative to bring national attention to the accomplishments of black people throughout American history.

Woodson chose the second week of February for Negro History Week because it marks the birthdays of two men who greatly impacted the American black population, Frederick Douglass and Abraham Lincoln. However, February marks several events of significance in African American History:

- February 23, 1868:
 W.E.B. DuBois, important civil rights leader and cofounder of the NAACP, was born.
- February 3, 1870:
 The Fifteenth Amendment was passed, granting blacks the right to vote.
- February 25, 1870:
 The first black U.S. senator,
 Hiram R. Revels, (1822-1901), took his oath of office.
- February 12, 1909: The National Association for the Advancement of Colored People (NAACP) was founded by a group of concerned citizens in New York City.
- February 1, 1960:
 In what would become a civil-rights movement milestone, a group of black Greensboro, N.C., college students began a sit-in at a segregated Woolworth's lunch counter.
- February 21, 1965:
 Malcolm X, the militant
 leader who promoted Black
 Nationalism, was shot to
 death by three Black
 Muslims.

Kevin Duffman and Paul Eubanks contributed to writing this article.

Upcoming Events

by Brooke Heilborn

The William and Mary Black
Law Student's Association is
sponsoring several events to celebrate Black History Month. On
Sunday, Feb. 23 BLSA co-sponsored a performance of the Nuwabi
African Dancers at the Williamsburg
Public Library.

BLSA is also doing a Book Club with Lafayette High School, which will have meetings continuing into March. On Wednesday, February 26th, the book club will be kicked off with a speech by an LSAC representative, and then a showing of the movie "A Lesson Before Dying" followed by a discussion. This begins at 10am at Lafayette High School.

BLSA members plan to return to the school for two dates in March to discuss the book (Earnest Gaines' A Lesson Before Dying) with the kids.

Another upcoming event in March will be a storyteller, Sylvia Tab-Lee, who is coming in to do a story reading program for young children. The dates for these events have not yet been established, but be sure to check your email for more information.

Finally, BLSA has been having a weekly Black History Month trivia contest among the law school students. The first person to get all six questions right will receive a \$15 Chili's gift certificate!

BLSA's Black History Month Trivia Questions

- Who was the first African
 American to receive a P.H.D. in biology and from what institution?
- Name the African American founder and organization created to furnish food and other aid to thousands of impoverished blacks during the Great Depression.
- 3. Who was the first African American U.S. Senator?
- 4. Who was the first African American female to be appointed to the Board of Education (in D.C.)?
- 5. Who was our nation's first black poet laureate?
- 6. Who chose February as Black History Month, and why did that individual choose this month? Short answer on the why please, no essays.

Send your answers to Kevin Duffan (kmduff@wm.edu).

Symposium Held on Future of Affirmative Action

by Todd Muldrew

If you've been too busy studying law school and not keeping up with the world of law, you might have missed the fact that the U.S. Supreme Court granted certiorari in December on a case out of the 6th Circuit Court of Appeals, Grutter v. Bollinger. The case is a challenge to the affirmative action policies used in admissions to the University of Michigan School of Law. On a recent cold and icy Monday, the Institute of Bill of Rights Law Student Division hosted its twentieth annual symposium to discuss the future of affirmative action.

The University of Michigan Law School considers the number of underrepresented minority students in its admission process, with the goal of seeking a "critical mass" of those

under-represented minority students among the admitted students. This"critical mass" has been defined by the law school as the point at which under-represented minority students do not feel isolated or like spokespersons for their race, and do not feel uncomfortable discussing issues freely based on their personal experiences. The school will admit students with lower combined GPA and LSAT scores if that student "may help achieve that diversity which has the potential to enrich everyone's education and thus make a law school class stronger than the sum of its parts." According to the law school, the factors that might create diversity are not limited to race.

Barbara Grutter is a white female who was denied admission to the law school, despite the fact that her composite scores were the same as minority students who were admitted to the law school. She sued, claiming racial discrimination.

The Sixth Circuit Court of Appeals upheld the policy by a 5-4 vote. The majority relied upon Justice Powell's Supreme Court opinion in the 1978 Bakke case. Powell's opinion held that racial diversity was a compelling state interest, and thus constitutionally permissible, if done in such a way as to avoid using quotas. The minority opinion disagreed, asserting that Powell's Bakke opinion was not controlling, and that even if it was, Michigan's policy was too close to a quota system to be constitutional.

This year's symposium, "The Future of Affirmative Action," brought

together four distinguished panelists to discuss the issues of the case and affirmative action policies in general. The panel consisted of Democratic Congressman and Judiciary Committee Member Robert C. Scott of Virginia, Dr. Michael S. Greve, John G. Searle Scholar at the American Enterprise Institute for Public Policy Research and Founder of the Center for Individual Rights, Norma Cantu, Professor of Education and Law at the University of Texas School of Law and former head of the Department of Education's Office of Civil Rights, and William Van Alstyne, William R. Perkins and Thomas C. Perkins Professor of Law at Duke University School of Law. The panel was moderated by Zeke Ross (3L), Chief Jus-

Affirmative Action Continued p. 6

Affirmative Action Debated in Moot Court

Jennifer Maki successfully defends policy

Continued from p.5 tice of the William & Mary Moot Court Board.

The symposium began with the finals of the annual 1L Moot Court Tournament. Finalist Virginia Vile, with the assistance of her co-counsel, Jason Miyares, argued the case for Barbara Grutter. Finalist Jennifer Maki, with the assistance of her co-counsel, Elizabeth Peiffer, argued the case for the law school. Both counsel fielded tough questions from the panelists, who were serving as justices for the finals, but managed to maintain their composure. T

he justices concurred that the advocacy by both presenters was excellent. In the end, the Court found for the respondent, Jennifer Maki.

The panelists then discussed their thoughts on the case and affirmative action in general. The arguments against affirmative action were built on notions of having an official policy of racial color blindness by government institutions. The arguments in favor of affirmative action rested upon the importance of diversity in education and the lack of alternatives to affirmative action.

Congressman Scott emphasized that racial inequality is still an issue in America today, and that using race as a tool to help admissions offices create diversity is one of the best ways to get the diverse campuses that are sought. He also pointed out that schools use a lot of other non-merit based "plus factors" besides race. He felt it was unfair to single out race as the sole problem in admissions processes.

Dr. Greve did not believe that ending the affirmative action systems at Michigan would stop universities from finding ways to create diversity. He cited the Texas Top Ten Percent programs as race neutral ways to create diversity. (The programs allow the top ten percent of the class from any high school in Texas to get into Texas colleges.) He preferred this method to what he sees as racial classification by the government. Dr. Greve also said he had no problem with private institutions using affirmative action programs.

Professor Cantu urged us to look at the issue from the perspective of

educators, not just lawyers, and the difficulty the lack of affirmative action programs creates for trying to provide effective education. Schools are admitting students based on who they are going to be, not what they've done. The factors considered in admission reflect that interest in the future roles those students will play in society. She advocated leaving such decisions to administrators. She also pointed out that the Texas program would not help diversity in the Michigan situation, because the Texas programs apply only to undergraduate admissions and the Texas high school situation is unique. in that the schools arestill relatively segregated.

Professor Van Alstyne expressed concern over the government's attempt to turn admissions programs into a "Baskin-Robbins" of racial categories. He felt that no racial box was satisfactory for identifying a person, and expressed considerable dismay at the number of cultures lumped under "Asian American." On the other hand, he pointed out the difficulty public institutions will have in creating diversity if private institutions continue to use affirmative action policies when public institutions cannot. He argued that candidates from under-represented minorities sought by the public institutions would instead go to a higher tier private institution.

Courtroom 21 technology had a chance to shine when Professor Cantu's flight was canceled due to the snow piled up in Richmond. Petra LaFountain and the staff of Courtroom 21 worked quickly to set up a teleconference with Professor Cantu in Texas. She was able to fully participate in the discussion, despite a few minorhiccups.

The Institute of Bill of Rights Law Student Division is designed to provide students at the School of Law with the opportunity to plan and participate in activities relating to the Constitution and Bill of Rights. The 1L Moot Court Tournament was organized and administered by Peter Allen (2L). This year's symposium was organized by Todd Muldrew (2L). The symposium was held in the McGlothlin Courtroom from 11:00 am until 1:30pm on February 17, 2003.

The U.S. Supreme Court will hear oral arguments on *Grutter v. Bollinger*, and a companion case, *Gratz v. Bollinger* (challenging the undergraduate policy), April 1, 2003.

Courtroom Hosts Mock French Trial

The Honorable Jean
Pierre Pica and Jean
Marc Baissus
introduce MarshallWythe Students to
French Criminal
Procedure

by Marya Shahriary

The McGlothlin Courtroom hosted its first French Mock Trial on February 8th. The case was simple and entertaining. And the procedure that we experienced was fascinating. Did you know that in France it is the defendant's absolute right to lie? Apparently Jim Boykin did, because, in his role as Monsieur Frederic Smith, he plead not guilty all the way through the trial, in front of three judges, on the record, and with the assistance of his attorney(played by the Honorable Jean Pierre Pica, a former judge and prosecutor). Then, right before the typical three judge panel consisting of the President Judge (played by a real French judge- the Honorable Jean Marc Baissus) and the First and Second Assesor Judges (played by our own up on a bench at the same level as the three judge panel and the Senior Registrar, while the defendant and the defense attorney stand in front of the judges, looking up at them, with only a bar to lean on. Witnesses stand in the same spot as a defendant when they testify.

At the Mock Trial the Senior Registrar (played by Madame Catherine Thony), was the only person that resembled a courtroom reporter. We were told that Registrars are very important players in the French System who are referred to as "Judges of the Proceedings." They ensure that all the proceedings are proper and they make note of anything they personally find important, or that the Judges instruct them to record. But, they do NOT record every word that is spoken at trial, by any means. The Senior Registrars have such an important role because if they believe a procedural violation has occurred, they have the power to refuse the judgment handed down by the judges.

Another really different (very cool) aspect about French procedure is their uniforms. Not only does every major player in the courtroom wear one of those black robes we, in America, reserve for judges, but they also add the extra "je ne sais quoi," which in this case were black tassels hanging over their shoulders, hemmed with white fur! The way the French deal with expert witnesses is different too. Experts come from a list compiled of people who are pre-approved by the Court of Appeals to testify. The court provides the experts and the defendant only hires his own expert if he does not agree with the pre-approved expert. French criminal defendants start out their trial by stating their name, occupation, job status, income, and housing situation for the record. Then the court proceeds to read, for the record, a list of all of the defendant's prior convictions before they consider the case at bar.

In a French criminal trial, the most important person, as far as the defendant is concerned, is the President Judge, not the defense attorney. This is because in France the judge asks all the questions and is one of the primary decision makers. There are no sentencing guidelines, and no plea bargaining. In fact, the idea of plea bargaining seemed to unilaterally baffle the members of the French Judiciary who are all now living and working in Northern Virginia and Maryland. Monsieur Thony was a prosecutor and a judge at the Appeals Court of Versailles; he is now the head of his unit at IMF in Washington D.C.. Monsieur Baissus was President Judge of a District Court in France, but he has now spent five years at the World Bank in charge of judicial reform programs in Washington. Monsieur Picca is an International Judge for French people who are accused of committing crimes in America, as well as being the Official Representative to the French Judiciary at the Department of Justice.

William and Mary and the Courtroom 21 Project were very fortunate to have these prestigious and entertaining visitors. They were all very good actors and obviously had a lot of fun portraying a French trial for us.

U.N. Secretary General Annan Addresses Charter Day Crowd

by S. L. Rundle

In his essay to the Virginia Gazette (2/12/2003 at A13), the Rev. Dr. Randolph W.B. Becker, chairman of the Williamsburg Community of Faith for Peace wrote, "I listened with eager expectation to what [Kofi Annan] said. I wanted to hear him talk about peace. At first, I felt let down."

After U.N. Secretary General Kofi Annan finished his address to the crowd at the celebration of the 310th anniversary of the royal charter, I guessed that many who came expecting Kofi Annan to criticize President Bush, denounce "unilateralism," and plead for bloodthirsty America to lay down the sword did indeed feel badly let down. Among the disappointed were the protestors who had lined the sidewalk outside William & Mary Hall beforehand, walking the fine line of treason bearing posters proclaiming such witticisms as "Kofi: Save Us From Our Leader." A handful of undergraduate and graduate professors mingled with the hodgepodge of dissenters, peaceniks, malcontents, do-gooders, prayerofferors, and anarchists. The four anarchists did not identify themselves per se, but their late arrival, conformation to the universal dress code of their breed, and black flag gave them away. (Query: Why would anarchists want a standard and a uniform?) When President Nixon ended the draft in 1973, the student anti-war movement ended virtually overnight. Although a mere shadow of the college anti-war crowds of the 1960s, at least these few Charter Day protestors came pure in heart, free from the selfserving motives of their card burning predecessors in interest.

In his first major address to the world since Colin Powell presented evidence of Iraqi noncompliance with UN Security Council Resolution 1441, the Secretary General gave his balanced, cautious opinion on the course the world's nations should take. Although he underlined the potential threat posed by Iraq to world security by at one point usingthe phrase "Weapons of Mass Destruction" four times in less than one minute, he did not range far

from his usual implorations for international consensus and the exhaustion of all possible alternatives before resorting to force.

In a veiled reference to White House spokesman Ari Fleischer's recent comment that President Bush would not rule out the use of any particular kinds of weapons, Annan said,"Nothing would undermine the goal [of making the world a safer place] more fatally than the actual use of weapons of mass destruction. I must therefore solemnly warn all parties to forswear any use of such weapons, in Iraq or anywhere else. Any person who ordered or took part in their use would incur the gravest responsibility." This was also the nearest Annan came to mentioning North Korea. He did, however, mention other global hotspots. "The broader our consensus on Iraq, the better the chance that we can come together again and deal effectively with other burning conflicts in the world, which you heard recited earlier this morning. These conflicts cause untold suffering and urgently need our attention: from Israel and Palestine to Congo and Côte d'Ivoire, not to mention our efforts to stabilize Afghanistan."

The likes of the Rev. Dr.
Randolph W.B. Becker must have cringed in their seats as Annan reminded the crowd, "Our [U.N.] founders were not pacifists. They knew there would be times when force must be met with force."
Later in his address, he added that "if Iraq fails to make use of this last chance, and continues its defiance, the Council will have to make another grim choice . . . And when that time comes, the Council must face up to its responsibilities."

It was statements such as this that deflated the Rev. Dr. Randolph W.B. Becker and his kind. He could have spared himself the agony by staying home and reading about the speech in the New York Times or Washington Post. Except for a few papers such as the Richmond Times Dispatch, the American press carefully excerpted from Annan's speech to create an anti-Administration, peace-at-all-costs ("Peace in our time"?) overtone. For instance, out of the dozens of

major newspapers covering the speech, only the *Richmond Time Dispatch* reported Annan's reminder that "Our founders were not pacifists."

Stressing the gravity and horror of war, Annan expressed his belief that weapons inspections can work, "as we know from the experience of the early 1990s. Then, United Nations inspectors destroyed many more weapons and facilities than all the bombing had done. Today, it is thanks in large part to the firm challenge issued by President Bush and the pressure that followed it that inspectors are back in Iraq." This remark was somewhat disingenuous, insofar as the inspectors after the Gulf War moved freely through the lands of a conquered nation, whereas the United States Air Force had to contend with one of the best ground based air defense systems in the world. But it does not do to judge Annan too harshly He is a diplomat. A diplomat's job is to be slow, cautious, respectful, boring, employing every ploy of appeasement and negotiation to avoid the execution of his task, as von Clausewitz said, by the horror and misery of other means. And yet, as Neville Chamberlain could say if he were alive, sometimes appeasement makes one look quite the fool. Or worse.

In the buildup to the first Gulf War, the "aluminum bridge" of aircraft landed troops and hardware in Saudi Arabia every ten minutes. The bridge is again in place and will soon unload the All American 82nd Airborne division, not a division known to sit around twiddling its thumbs. Whether inspections or war ultimately disarm Iraq, Iraq will be disarmed. If it comes to war, let it be with the sanction of the United Nations Security Council, or, as Kofi Annan called it, that mantle of "unique legitimacy".

The entire transcript of the Secretary General's speech is available on the William & Mary homepage and from several wire services in the Lexis-Nexis news database.

Jackson: Upgrades Planned for Scheduling, Room 119

by Adrienne Griffin

Dean Jackson reports that the College as a whole is planning to implement a new registration system for Fall 2003.

The College has been working on this for about two years now and has spent time recently transferring current students' data into the system. The new "Banner" registration system will be web-based and accessible from any computer with internet access (no more time needs to be spent downloading software).

The program will allow students to register and also access their Bursar's office accounts. Dean Jackson also indicated that Banner will make it easier for students to print out their entire transcripts at once (ratherthan a semester at a time) and allow students to see the holds on their accounts and immediately erase them upon payment.

Students here at the law school have tested the program recently, as have all the Registrars at the various schools that make up William and Mary. The current plan calls for the law school to retain its own separate registration period and its wait-list system.

As of now, Dean Jackson plans for rising 3Ls to register on March 31st, in their previously determined registration windows. Rising 2Ls should be registering on April 1st and Dean Jackson anticipates that the entire class will be able to register simultaneously.

Dean Jackson also reports that the renovation of Room 119 will be a major project for this summer. The renovation will include new desks, new carpeting and new chairs – say goodbye to the green upholstery while you still can!

Demos of the proposed tables and chairs were tested by students in the lobby of the law school earlier this year in order to avoid the problems found in many of the new wing classrooms.

The new 119 will also feature popup electrical outlets that will be fed by underground cables to eliminate the added-on look of wires or cables running down the walls.

Pass the Caviar and Cut the Cheese

Remember that slogan, "It's the economy, stupid"? I couldn't agree more. Oui, oui, mon ami – the green stuff is center stage once again.



by Paul Rush

Only this time, the forum is the indebted and oil-rich nation of Iraq.

Of late, Germany, France, and Russia have led the anti-war movement on the international stage. Of particular interest are France and Russia. What, indeed, are their motives for promoting such an agenda with regard to Iraq? Is it true pacifism, or is it something else? Could it be a coincidence that the French company TotalFinaElf has several massive oil contracts with the Demented Dictator which are worth 65-80 billion dollars? Coincidence also that Russia's company Lukoil has oil contracts with Iraq worth 20 billion dollars? Coincidence also that Iraq still owes Russia some 7 billion dollars for weapons purchased during the cold war? That's a lot of billions. And also a lot of coincidences.

Exactly how blind do they think we are? Pretending issues of morality and principle, France and Russia have adamantly refused to offer their oil-soaked itching palms in assisting the growing number of countries who have come to realize that the Mustachioed Madman of Iraq is, indeed, a threat to peace and human rights in the Middle East.

Having prostituted the lives of the people of Iraq for Oil Contracts and Loan Repayments, France and Russia have shown their true colors. They don't stand on principles of peace, but rather on the throats of those that the Dictator and his minions have and will torture, rape, and murder. And by doing so, they have cheapened the notion of Human Rights so as to render it virtually unrecognizable. What, exactly, is the acceptable quotient of raped children to barrels of oil

Pacifism Continued p. 10



Affirmative Action More Than Race

Now
more than
eyer, affirmative action is
at the forefront of the
American
conscience
largely due to
the Supreme
Court's



by Daymen Robinson

granting of certiorari on the University of Michigan case.

For whatever reason, whenever the topic of affirmative action arises, more so than not, it is focused on race-based affirmative action. What people fail to realize is that there are other types of affirmative action. What about gender-based affirmative action? For decades women, in addition to racial minorities, have received preferences in education and employment. Many opponents of affirmative action will not make the connection between both groups that benefit from affirmative action plans. They fear that women and

racial minorities will form coalitions. Acknowledgement that affirmative action programs are for the most part, race and gender-based would largely increase the amount of support for such programs.

While attending the symposium on affirmative action, I had the opportunity to notice first hand just how reluctant opponents of affirmative action are to acknowledge the fact that both women and racial minorities benefit from affirmative action. When a question relating to women and racial minorities was raised both anti-affirmative action panelists skillfully dodged the question. OnlyProfessor Cantu dared to connect the idea of racial minorities and women to affirmative action.

The Michigan case is an example of efforts by affirmative action opponents to keep society from associating women with racial minorities in relation to affirmative action. Legal scholars have suggested that the plaintiffs in the Michigan case purposely sought

women to join the litigation in hopes that coalitions would not be formed.

Nowhere can we see this failure to connect gender and race with the concept of affirmative action clearer than in the Supreme Court's approach to Equal Protection claims. When the Supreme Court devised its current three-tier approach to analyzing claims that arise under the Equal Protection Clause of the 14th amendment, it decided that race was a suspect class because the Court found racial discrimination to be more invidious than gender discrimination; based on this same reasoning the court made gender a quasisuspect class. Race as a suspect class is subject to strict scrutiny while gender as a quasi-suspect class is subject to a less exacting standard of analysis. Consequently, the less exacting standard of analysis for gender based discrimination could arguably allow the Court to uphold gender-based affirmative action while striking down race-

Women Continued p. 10

America's Invisible Minority

I am an American Arab (Syrian to be exact) but I can pass.

What does that mean? That means I do not look so visibly different from the



by Shannon Hadeed

majority that I draw attention to myself. No, instead I get "subtle" questions like "What are you?" or "Where are you from?" I say subtle because the speaker must think that they are simply being inquisitive, they aren't saying "Well you look different from the rest of us and you have a slightly funny accent so you must be half something besides white." Because that is what those questions really say. You are different. You don't quite fit in. What is it that gives me away? Are my eyes too brown, too almond shaped, are my lashes too long, is my hair too dark? Are my facial features just a little too different? Or is it as basic as the olive tint to my skin? Whatever it is the subtle message is clear. I am different. And right now in the United States I have never felt it so

What do I mean by the invisible minority? Well, in the Arab world there is a great deal of difference between both the appearance in facial features and the skin tones. Someone from Egypt may not look the same as someone from Jordan. The Middle East is not just a big borderless blob, the people have different traditions, history, and backgrounds depending on the country. It's the same for other minority groups as well, Latinos, Asians, African Americans they are lumped together in one generalization when the countries and regions they originate from are extremely varied Not all Arabs fit the American stereotype of a hairy dark skinned terrorist. Not all the women are oppressed and forced to wear veils. Therefore, we are often mistaken for white, Latino, Greek, or even Italian. So, in short, often times many Arabs can "pass." What does that mean? Well, unless I tell you I am from Syrian descent, you might not ever guess. So I have the immense privilege of hearing ignorant remarks from both the majority and the minority. Because let's face it, white people think we aren't white, and minorities think we are. So where does that leave us? In the invisible minority. Because even though I can choose to speak up or not, I always know that I am an American Arab. I know that my family came from the "Axis of Evil." I remember the Gulf

War. I remember being taken out of school with my brothers and sisters because we were fighting with the other kids who were abusing us with not only words but fists too. I remember being made to feel different by the other kids. It is not a coincidence that a majority of Arab American kids are friends with other immigrant families or minority groups. Because as an Arab American you know that you are only part of the majority until they decide that you are not. Right now, we are definitely not.

Let me tell you about the airport. I may be able to pass, but my last name certainly cannot. So all those regulations that most people don't have to follow, like showing up two hours in advance, actually do apply to me. Why? Well, because my last name says "random search" which means both when I check my bags and at the door to the airplane. The flight attendants look at me like I am crazy when I walk to board the plane with my shoes in one hand. Then they get it when the red light pops up. But that is not the worst part. The worst part is the fear. Fear of what? I am luckily not a male, but my father, my brothers, cousins, and uncles all fear the same thing. Getting kicked off the plane because someone who finds out that they are Arab think they are sufficiently suspicious for that fact alone to take them off the plane. Do you have any idea of how people look at you on a plane when they know that you are an Arab? I do. And it is then that it is made clear to me more than ever that I am not part of the majority.

Subltly offensive comments like "Come on now Shannon, is it really such an inconvenience to you? Isn't national security worth it to you?" anger me. Basically what they are saying is take one for the team. Not only that, they know that it's not them that the public, police, and the media are coming after. It's us, my family, my brothers, my cousins. And the answer is yes; it is really such an inconvenience to me. Why? It just nails home the message that my family and "my kind" are not welcome in this country anymore. And in the words of my uncle "This is home to me. I do not belong in Syria. But I am made to fell not wanted here." It's personal. It's not just an inconvenience it's a message. You are not a person; you are a stereotype, immediately saddled with a thousand misconceptions that no one Arab fits. It's profiling at its worst. Think of an African American who is pulled over for no other reason than they were driving an expensive car. Would you say to them that statistics (and stereotypes and prejudice) prove

African Americans are more likely to be driving a stolen Mercedes than actually owning it and therefore is it really such an inconvenience to them to be pulled over for community security? Don't they want us to have a safer city? Does the rub become more obvious if I explain it in other contexts? Because during the "war on drugs" and still today, everyday, I am sure it goes down like that. Shall I continue with examples? Japanese war camps were also deemed necessary for national security during WWII after Pearl Harbor. Japanese-Americans were enemies of the state. And does that seem like such a great idea now? California passed laws to limit health care, welfare, and education to Latinos. Why? To "protect" the economy from collapse. Really what it boils down to is fear. Fear of people who are different. Who look different. Who come from different cultures, have different traditions, and may look at things differently.

And it is not always my turn to speak in class when the terrorist issue or Arabs come up in the discussion. I am not the voice of "my people." I resent it just as much as any other minority. I am just me. I am Shannon Lee Elizabeth Hadeed. Daughter of Anthony and Rose Marie Hadeed. Older sister to Sabrina, Jameal, and Jowed Hadeed. Don't ask me to give up my liberties and that of my family for the sake of national security. Profiling is not safer; it is just another hoop for any groups interested in committing violent acts to get around. There are blond Arabs with Anglo names. America is merely reacting to a perceived threat as it has historically always done, with fear and ignorance.

A final word; the United States still assimilates immigrants and people of different races and ethnicities better than most other countries in the world. It is not easy to adjust to having different ethnicities, cultures, and races in the quantity that the United States has received. Change is always a shock to both people and a nation. But the United States has a quicker rebound to massive amounts of diverse immigration than anywhere else in the world. And I am a product of that diverse immigration. My father is Syrian, but my mother is an Irish-German-Cherokee. However, just because the United States does a better job than most other countries that does not mean it can't be improved upon. It can. Let me leave you with a quote from Winston Churchill "Democracy is the worst government on earth, except for all the others." I feel the same way about the United States reaction to differences within its own population.

Skating the Sunken Garden

by Susan Billheimer

Between petting CW ponies, duck watching by the dock, or sipping the best soy chai lattes in town at the Coffee Beanery, I'm generally a pretty happy camper. But when UCAB announced that ice skating was coming to town, well, my eyes litup like a Christmas tree. Aside from the occasional bout of broomball, I hadn't been on the ice since I was knee-high to a June bug.

Fortunately, I wasn't the only one with a hankering for some good ol' fashioned fun. On February 8, a group of troopers sponsored by the Gradplex Activity Committee headed out to the rink. We laughed and giggled at the thought of taking a few turns around the Sunken Garden. My compadres and I somehow imagined that the entire Sunken Garden would be filled with ice, and hundreds of people would be out and about, twirling and skating. Imagine our surprise when we stared across the vast expanse of the Sunken Garden and spied, way, way, way downatthe end, a tiny, hovelling, groveling excuse for a rink.

Our hearts sank.

Luckily, the prospect of skating put us back in high spirits as we strolled down the Garden. I say luckily, because, after donning our rental skates and strutting out onto the ice, the next hour was more fun than a bazillion barrels of monkeys.

3L Lauren Fassler sped around the ice, taking pictures and posing. I, on the other hand, started out in a wobbly sort of way. I felt stiff as a board and wondered whether my hips and knees and feet really knew what they were doing out there. While I struggled to make sense of the ice, others performed graceful sit spins and wove with ease in and out of the small crowd of 20-odd people. 2L Elle O'Flaherty and herboyfriend sailed smoothly around the circle. The momentum was contagious. Soon something in me clicked and I was skating freely.

There's nothing quite like the feeling of rememberingsomethinglong forgotten. Ismiled and smiled and enjoyed the feel of the ice underneath me and the bluesky and the sounds of the people laughing and shrieking. It was amazing and peaceful and beautiful and it felt wonderful.

Hats off to University Center Activities Board for organizing and sponsoring the event. It was made possible through support from The Campaign for William and Mary and Aramark. UCAB members staffed the entire event, while Aramark staffed the concession stand. The Ice Hockey Team acted as referees.

Katie Garypie, special events chairperson for UCAB, reported that she thought the event was extremely successful. "UCAB received a lot of wonderful feedback from students, staff, faculty members and the outside community. Approximately 800 people showed up to skate, and there was a great crowd of onlookers as well."

For those who missed the event and are in the mood for iceskating, Yorktown's IcePalace provides an indoor rink. More information is available at http://www.hriceplex.com.

A Taste of India

There are approximately three births every second in India. Complicated arithmetic would equate this to mean one hundred and eighty babies are



by Desh G. Sekhri

born every minute of every day. In just over an hour the College of William and Mary could replace its entire student body with Indians.

Diversity, yes. Llunacy, no.

In two hours, the population of Williamsburg could well be doubled, causing a catastrophe of Malthusian proportions, the chaos eclipsing even that which follows an inch of snowfall.

For a former resident of New Delhi; the capital of India, size DOES matter. The third largest city in the second most populous nation in the world, its residents number more than fifteen million. In area it spans more than fifty miles in length and thirty miles in breadth. Unlike in the UnitedStates, the phenomenon of suburban living is unknown to the average Indian, therefore the aforementioned area is entirely populated, and for the most part,

Women benefit

Continued from p.8

based affirmative action. This result does not seem logical based on the notion that racial discrimination is socially and constitutionally worse than gender discrimination. Can or will the court make this illogical leap?

Do I know how the court will decide? Honestly, no. But I do know without a doubt that, race and gender based affirmative action plans are intertwined; so much so that death to one should mean death to the other or, in the affirmative, success of one should mean success for the other. So before you take a stand on affirmative action believing that the only beneficiaries are black and brown people, know that affirmative action could also benefit your mother, sister, daughter, aunt, cousin, or niece; no matter what her color.

densely populated.

With only a tenth of the area covered by the United States and four times the population, India is a marvel in today's world. It is the world's largest democracy. The greatest heroes, the most abject villains, the idealistic martyrs, and the disbelieving pessimists, all own a share in one of the world's oldest known civilizations (which even has the honor of having an ocean named after it). Williamsburg and India have in common a vivid history, but starkly differ on the diversity of their respective citizens' backgrounds.

When I decided to enroll at the law school here, I wanted a change from what I was accustomed to. I couldn't have chosen better. With less than ten students of Indian origin enrolled at the law school and with a grand total of one Indian restaurant in the entire town, the prospect of déjà vu was but a distant dream. Having lived in Canada for a good part of my life (eh!), and also having completed an undergraduate degree in the U.S., this ought not to have posed much of a problem. The difficulty came when I looked at downtown Williamsburg.

The first day in town, I pulled out my running shoes and decided to go for a cross country run across and through my new hometown.

Choosing the tortoise as my mentor, I opted for a slow and steady pace, wanting to soak in as much of my new environment as I could in an hour long jog. Five minutes and a hundred meters into the adrenaline rush, and I came to a startling discovery; I had left the town, all ten feet of it, behind. Not wanting to accept the abrupt end to my Livingstonian quest, I injected generous doses of denial to my thought processes. Northward bound, I soon found myself surrounded by woodlands, with the roars of raccoons and thetrumpeting of squirrels in frightening harmony playing a concert for my unsettled mind. The truth, however, was a more effective reality check than my Civil Procedure grade (and believe me, the implications of the latter were extreme!) - I was to be the resident of a neighborhood (city is far too flattering and village is far too derogatory) where grocery stores close on Sunday and a restaurant which opens for dinner beyond ten at night might just be raided by the police for harboring asocial elements in the 'wee hours' of themorning.

There's a reason why there's not much diversity at William and Mary; most people never get beyond the dimensions and actually see

what a great school it is. The costbenefit analysis just isn't worth it for most of them. There are numerous merits to being in a small (ok, understatement) town, but most International students may not see them, especially if they belong to populous nations (read: India and China). I realize that law school in the U.S. isn't pursued by many international students, but I do know that most Indians whom I know personally would much rather go to a school that isn't even ranked very high, but has the advantage of being in a large town.

They say Misery loves company, but then, so do Indians. The only difference is that we Indians tend to make people around us miserable, so perhaps there is a positive correlation after all between universities in large American cities and the Indian enrollments in them. Let me conclude by affirming that I love William and Mary and am glad I chose this school. However, I'm extremely relieved to have a sister and friends in NewYork and my significant other in Philadelphia; they all claim I've become a lot more affectionate and visit them a lot more often than ever before. I tell them Williamsburg does that to me, and unfortunately that is the truth.

Thank God for small mercies.

Pacifism motivated by profit

Russia and France both have valuable business ties to Saddam's regime; Their new-found pacifism is suspect

Continued from p.8

produced these days? Whatever the magic number is, it doesn't seemed to have been affected by the fact that the parents were forced to witness the ruthless violation of their enfants before their very eyes.

Indeed, this Deceitful Dyad has made much ado of the Bush Administration's admittedly Hawkish stance against Iraq. Saber-Rattlers? Warmongers? Yes. And No. This isn't quantum physics, folks. Every petty hood, criminal mastermind, and American primetime television viewer has one thing in common – they all know the value of "good-cop, bad-cop." Barney

stands to the left of the prisoner, his trigger finger "Itchin' for Ol' Betsy." Andy, on the other side, cajoles and ribs the prisoner. Barney barks, foams, rants, raves, and threatens; while Andy coaxes, pleads, and leans in and whispers, "I don't know, but if I were you, I'd tell him what he wants to know. Barney's always been a hothead, but I've

never seen him this shade of purple before."

It really is that simple. Who can deny that if the Dictator does disarm

lover who has

left them jilted

at the brink of

war. "

deny that if the Dictator does disarm it will be because the United States stood where Barney stands, ready and willing to put a boot in the teeth of a certain mustachioed mouth. For twelve years, no one has threatened. For twelve years, the Russians and the French have wooed and spoonfed the Dictator his caviar and fromage. In return, the Dictator

"It is high time for the French and the Russians to quit bemoaning the loss of their signed oil contracts and agreed to pay back loans. How touching. But he never did love them enough to change his spots, or to disarm.

It is high time for the French and the Russians to quit bemoaning the loss of their lover who has left them jilted at the brink of

war. They can't buy his heart with reactors wrapped in ribbons, loads of loans, crude oil contracts, or all of the cheese and caviar in the world. They are quickly losing credibility on the international scene as more and more countries are realizing that the purposes behind the pacifism are really payments and profit.

Mail Order Brides

Mailorder brides are a particularly vulnerable subset of the immigrant population: women whose



by Joyce Wong

marriages to

U.S. citizens or lawful permanent residents are facilitated by an international matchmaking organization (IMO) for profit. Although extensive scholarship about the mailorder bride phenomenon exists, there is little concrete data and even less effective protection against patterns of domestic violence, marriage fraud, servitude and exploitation for those involved.

The majority of mail-order marriages involve American men and foreign women from developing nations: Latin America, Southeast Asia, and Central and Eastern Europe are the primary sources of mail-order brides. Many sources suggest these young women (on average, 15 years younger than their husbands) are searching for the proverbial 'better life.' Poverty, scarce employment and educational opportunities for women, low wages, and cultural pressure to marry before a certain age are factors that influence women in choosing the mail-order route to marriage.

The profile of the American "consumer husband" is typically Caucasian, middle-aged, well-educated, and financially sound. "-Most of the personal reports from American men who married through IMOs sought traditional values foreign women who were content in the role of homemaker, asking nothing more than husband, home, and family.

International matchmaking organizations (IMOs) are the agencies and businesses that provide

services to facilitate these international courtships. IMOs recruit women from developing countries to list themselves with their agency. Upon joining the "pen pal club" (i.e. paying a membership fee), IMOs provide male suitors with either a traditional print catalog or access to the password-protected portion of their website that features additional photos and the contact details of potential mates. The man usually conducts mass mailings to women he finds appealing and continues to write to promising prospects, hoping to "woo" one into marriage.

With the growth of the internet, the mail-order bride industry has grown rapidly both in size and sophistication. Today, entering the search term 'mail order bride' into a popular internet search engine retrieves 297,000 hits. IMOs have become multi-million dollar businesses by marketing women from developing countries as potential brides. IMOs offer an increasingly wide range of services ranging from immigration legal advice to preplanned tour packages to various Asian and Eastern European countries for personal introductions to women. These tour packages generally include airfare, hotel accommodation, and organized social events. In addition to these in-house services, IMO websites provide links to immigration lawyers, translators, international calling plans, and overseas flower delivery services.

In 1998, an INS study estimated that there were over 200 IMOs operating in the United States, annually bringing between 2,000 and 3,500 women to the United States as mail-order brides. Leading scholar in the field, Robert Scholes, estimated that the number of mail-order brides was higher - approximately 4,000 to 5,000 per year. No official method exists to distinguish mail-order brides from the pool of

immigrant spouses, but studies focused on selected categories of petitions where they were most likely to be found; including petitions for fiancé(e) visas, petitions for removal of conditional status, and self-petitions under the Violence Against Women Act

Using IMOs to find a partner has negative connotations often underpinned by race and gender issues. INS has received complaints from men who consider themselves victims of conniving mail-order brides. In these cases, after securing permanent residency / citizenship, the immigrant bride makes it clear that she has no intention of remaining in the marriage and perhaps even manipulates the spouse to take control of his assets. Conversely, media attention is drawn to stories of exploitation and abuse from mail-order brides who find themselves in abusive marriages. Growing attention to the mail-order bride phenomenon reflects the increasing concern regarding the global recruitment and transportation of women in a variety of exploitative

Like many Western countries, the United States primarily monitors the mail-order bride phenomenon through immigration law. While IMOs are considered legitimate businesses, they are almost completely unregulated. Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) § 652 seeks to protect the foreign spouse by requiring IMOs to provide recruits with information (in her native language) on immigration laws and the unregulated nature of

the mail-order bride industry. Failure to comply can result in fines of up to \$20,000 per violation. There is some implicit suggestion that IMOs may in some ways facilitate abusive and/or fraudulent marriages because the women have little or no knowledge of immigration law and procedures.

On March 26, 2002, the Washington State Senate enacted WA S.B. 6412 'The Mail-Order Bride Bill' in response to several mailorder bride murders. WA S.B. 6412 became effective on September 1, 2002, becoming the first substantive state legislation to regulate IMOs. The bill requires IMOs conducting business in Washington to provide prospective foreign spouses with both state patrol criminal background checks and marital history information regarding their customers. At present, there is no indication that a Federal version of SB 6412 will be considered.

Mail order brides are women who are disproportionately affected by poverty, the lack of access to education, discrimination, and the lack of economic opportunities in their countries of origin. Given their socioeconomic situation, these women are at risk of exploitation by IMOs and their recruiters that glamorize the mail order marriage. The fundamentally inequitable power distribution in the marriage is exacerbated by a statutory framework that gives control of immigration status to the citizen-spouse which makes these women even more vulnerable to exploitation by their consumer husbands who can threaten them with deportation.

Apartment for Rent

An efficiency apartment will be available in July to a quiet, mature, female student. The apartment is located right across from the main campus. Please call 229-3311 from 6 to 8 pm for information.



Letters to the Editor

Wesolowski: SBA has achieved much

Colleagues,

At the request of the Amicus
Staff, I write to report on the state
of the Marshall-Wythe Law School
and our Student Bar Association. It
is my hope that a tradition may be
established in which our elected
student government weighs its
accomplishments at a time when
elections signal the transition from
one administration to the next. This
is an opportune time to look back at
what we have achieved, but more
importantly, an appropriate time to
look forward for ways to improve.

The state of Marshall-Wythe is strong. Yet with the vision and courage of next year's student body, it can be stronger still. Working together and with the faculty and administration at Marshall-Wythe, we have made great strides in advancing the interests of law students. Here are but a few of advances we made this year:

Organization Funding: We've made significant progress in terms of how organizations receive money from Main Campus. Instead of the old process, in which every organization had to trek all the way to Main Campus to deal with administrators there, we've established a much more flexible. streamlined process. Instead of dealing with a distant bureaucracy, we've brought much more local control over finances back to the law school. In the process, we're doing what we can to support new groups like American Constitutional Society, while also helping previously unfunded groups like Christian Legal Society. Meanwhile, we continue to support well established groups, such as Black Law Students Association. which put on quality programs year after year. During Valentine's Weekend, SBA defended the law school's budget to Main Campus' Finance Committee, and we are guardedly optimistic.

Parking: Last year, when rumors of a parking decal price over \$200 began circulating, SBA leapt into action. We met with various administrators on the Main Campus and, through our commitment to student interests, were able to place two law students on the College's Parking Advisory Committee. The Parking Advisory Committee

advises main campus administration on all of the big picture issues of parking, ranging from the fixing of a decal price to allocation of spaces. By working with active undergrads on Main Campus, we gradually increased student representation on the Committee from zero to two law students out of a total of six students. Although we may not yet be in a position to force an overhaul of parking as we know it, we can at least be comforted in the fact that all students, especially law students, have a voice at the table. As of the Committee's most recent meeting, it looks like the proposed construction of a parking deck on main campus will be postponed and decal prices frozen for a year and perhaps

Students on Main Campus: Beyond parking, we have made great strides in coordinating with students on Main Campus when shared interests are at stake. For example, we worked with the incoming Student Assembly President, Brian Cannon, in mobilizing support for the Higher Education Bond Act (which brings about \$11 million to the law school for library renovations). The law school also led the way for greater representation of graduate student interests in the Student Senate and, indeed, the College as a whole. When our interests align, we've made valuable student allies across the campus.

Fall From Grace and Barrister's Ball: As SBA takes on new projects, we always try to improve upon the events that SBA has organized since the beginning of memory. This fall, we significantly expanded Fall From Grace, both in terms of attendance (fire codes were undoubtedly broken) and in terms of stations serving refreshments (from one to three). For Barrister's Ball, Ford's Colony was one of the classier settings that we've used recently. Meanwhile, our maiden attempt at providing a shuttle bus service to and from Barrister's allowed many to enjoy the evening without worrying about the drive home. Kudos to Kendra Arnold (2L) and to Nicole Spain (3L) for their efforts on both events.

Skydiving, Ski Trip and Spring
Break: Last fall, SBA put on its first
ever skydiving trip, thanks to the
efforts of William Lamberth (2L).
With the help of our 1L SBA
Representatives, we brought back

the annual ski trip. Over 50 students and guests took to the slopes in what has been, by far, the largest, most successful ski trip in known history. The 1Ls are at it again for Spring Break, taking the lead in organizing a trip to the Bahamas.

Law School Administration: Perhaps most importantly, we've enjoyed a wonderful working relationship with the administration at the law school. One can easily point to Monday lunches with the Dean, at which all are invited to join Dean Reveley in conversation over anything and everything pertaining to Marshall-Wythe. The administration is helping us significantly as we try to cope with simultaneous tuition increases and print quota decreases. On the admissions front, Dean Shealy has made extensive use of current students in the process of enticing prospective students to come to William & Mary. It also seems as if each passing year brings greater integration of technology into the classroom and exam-taking experience, and administrators such as Dean Jackson and Adam Gutterman have played integral roles in making it happen. It is clear that we have an administration that is keenly attuned to student needs and interests

All told, this past year has been a great one for the Student Bar Association and, indeed, for Marshall-Wythe as a whole. The above items are but a few of the things that SBA made possible this past year. Of course, there is much more to be done. I have every confidence that the incoming administration will build on the foundation we laid this year, and continue to promote and protect the interests of all law students. On behalf of this year's SBA Officers and Representatives, it has been a pleasure for all of us to serve this past year. From the bottom of our hearts, we thank you for the trust you placed in us and the opportunity you gave us.

Best wishes always,

Keith R. Wesolowski J.D. Class of 2003 Outgoing SBAPresident

Lamberth: New goals for SBA

Dear Friends,

I am very happy to have been chosen as your SBA President. During the past two years, I have been involved in every aspect of our student government. I feel these experiences have prepared me for the leadership role that you have chosen me to fulfill. I would like to take this opportunity to let you know more about what to expect in the coming year.

It is my pledge to you that I will be available whenever you need me day or night. I would like each of you to have my private number to use whenever you may need me (757-897-6303). Please feel free to call me with ideas for events, feedback on past events or anything else that you would like to bring to my attention. I plan for next year's SBA to be accessible to each of you at your convenience.

In addition to being available, I feel that it is important for the SBA to put on even more events at less cost to you, such as: skydiving, white water rafting, golf tournaments, paintball outings, ski trips, bar reviews, formals, faculty mixers and much more. These events can be accomplished at less cost through good planning and a dedication to seek out funding from every available source. I am currently in the process of auditing last year's budget and planning spending for the coming year. With the help of the new SBA Executive Board, we are planning our expenditures down to the last dime. There are several sources of revenue that we have not previously tapped and next year I plan on utilizing as many of them as possible to benefit all of you.

I also want SBA to focus more on community and campus involvement. We are very busy, but it will mean so much to those we help, if each of us can take out just one afternoon from our schedules to do something in our community. I am researching different philanthropic events in the area right now and I am soliciting volunteers to lead these projects. If you are interested or know of a good event that SBA could help out with, please give me a call.

Finally, thank you again for electing me to serve as your SBA President in the coming year. I can guarantee you that I will pour everything I have into this position. I want to help your life here at the law school to be a little easier and whole lot more fun.

Thank you, William Lamberth II SBA President 2003-4

Career Services

by Shannon Hadeed

1 Pick You Can't Miss It Event What can you do with a law degree?

This has been a great success in the past and this year is being hosted right here in our very own lobby! Co-sponsered by the University of Richmond Law School and Regent School of Law, this career fair brings in 25-30 lawyers who are employed in something besides the law. There will be tables around the perimeters of the lobby where the featured guests will be seated in order to speak with students about job opportunities available for people who have law degrees but don't want to practice law. It's an informal meet and greet to get some great insider tips on how to break into other markets. It's a tight market, and this event is a must to find out about the wide range of options available to law students currently looking for jobs or thinking about different future options. Plus there's free pizza, beer, and soft drinks! RSVP to Dean Kaplan before you go on Spring break. The deadline to RSVP for the March 14th career fair is this Friday, February 28.

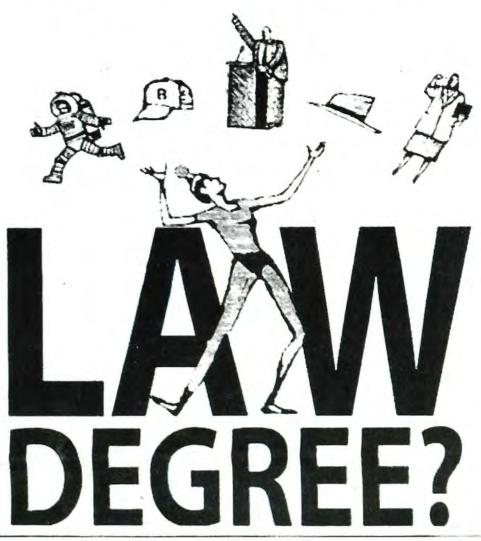
Foreign Service Exam Last Chance! This year the foreign service exam will only be given once in 2003 and there are rumors that it will not be given at all next year. So if you are interested don't pass this opportunity by it could be your only chance. For more information, see www.careers.state.gov. or check out the OCCP office.

Something You May Have Missed

Government and Public
Interest Job Fair, February 14th
This was by all accounts a huge
success! The students were
pleased, the employers were
impressed, and the refreshments
were devine. 41 students attended
this fair with employers varying
from Public Defenders, to the
Department of Commerce and the
IRS.

So keep your eyes and ears open next year around this time so that

WHAT CAN YOU DO WITH A



Find out March 14, 2:00 - 4:00 P.M., The Law School Lobby

Come speak informally with lawyers working in various fields about what they do, how they got into their fields, and suggestions for landing jobs like theirs.

RSVP BY 5:00 P.M., FRIDAY, FEBRUARY 28, WITH YOUR NAME AND CLASS YEAR.

Robert E. Kaplan, Associate Dean (757) 221-3805; (757) rekapl@wm.edu

you don't miss it twice.

Lunch with Lawyers-

Upcoming lunches include this Wednesday (February 26th) "A day in the life of a Legal Aid/Public Defender lawyer" and March 19th "Prosecution: US Attorney, Attorney General, and the Commonwealth Attorney." Still in the works: "Do you 'come out' in your legal job?" This will be a lunch with lawyers event in late March.

TOP Suggestions For the Job Search

- Don't give up! It is not too late by any means.
 Smaller to medium sized firms, government offices, and nonprofits are just now beginning the search for summer interns.
- 2. Use spring break to do informational interviews.
- Check out summer funding through the law school and Equal Justice Works (we are a member school so take advantage of it).

Angel @ Law

Dear God,

I have finally figured out the purpose of law school. It is to wipe clean the rules of conduct that people learn in



by Shannon Hadeed

kindergarten and replace them with a new code. For instance, forget about sharing. We do not share. Sharing is bad. You want your piece of the pie and your friend's piece too. If you share you will never get ahead. If we were in first grade, it would be a contest to see who could hide away the most crayons. Because as we all know access to resources is paramount to winning. If your opponent can't look it up..... well too bad.

Continuing on, I am sure you have heard the expression "Don't be a tattle tale." Well, that doesn't apply here. It's actually the reverse. If you don't tell, then you will get in big trouble too. This teaches us the legal cardinal rule: Never trust anyone. Ever. And always disclose if it's a colleague but never if it's a client.

All those parents who spent years teaching their children "If you don't have anything nice to say don't say anything at all" wasted their time. In order to destroy the strength and credibility of your opponents you should start by making them look bad. What was that? What about camaraderie? I am sorry to say it lord, but we aren't in grade school anymore. Now it's every student for themselves.

"Learn to play with others."

Play? Others? Not a chance. This is everybody for themselves.

Teamwork will get you nowhere.

Law school is not a team sport. It's more like a biking race. The other bicyclists will only get in your way.

Run them over or run them off the road if you can but make it look like an accident.

Hold hands when you cross the street. No way. That means they have a better chance of getting across too. I say let them risk the walk by themselves.

"Be nice." Nice people lose.

Law school is not about nice people. It's about ruthless people. Nice people wouldn't last long in the courtroom, so the legal education is designed to weed them out now.

Really, the system is just doing us a favor. Plus it wouldn't work too well if lawyers had breakdowns in court. It's better that we find out now what they are made of.

"Nap time!" We do not sleep. In fact, law school is about perfecting how to live on as little sleep as possible without becoming clinically insane. Naps are death. If you take a Nap not only will you not wake up, you will permanently alter your sleeping pattern for the worse. Plus if you sleep you may fall behind and get stomped by your competitors.

In kindergarten everybody got candy and a Valentine on Valentine's Day. You celebrated and decorated for every holiday. There were always class parties during class time. And we got every single one of the national holidays off plus random teacher conference days and halfdays. And any little bit of snow and school was cancelled. Now I am sure we don't even know when national holidays are, unless

we find a store closed or some family member calls. As for all those other holidays like St.Patrick's Day and May Day, those have officially been eliminated from our calendars. Holidays are for people who can't hack it. If you really want to succeed badly enough you would give up your weekends and your summers too. Oh., wait...

That magic time, 3:00 on Friday, during which students forgot school even existed until about 6:00 on Sunday is gone. The thought of canceling plans because you had homework to do was unthinkable in kindergarten. And feeling guilty if you kept your plans even though you had work to do simply never happened.

The weekends lasted forever.
Now, weekends are a myth.
Thereis no joyous feeling of release when you leave your last class of the week. And nobody runs and shouts and plays on their way out the door. We simply shuffle out with our heads down and our backs bent from the weight of thebooks.

Teachers in kindergarten wrote the answer on the board and then asked you to read it. Write the answer on the board? That is law school sacrilege. Professors hide it. They would rather be tortured than give you a straight answer in plain English. What's worse is the answer is not even in the book. And once you take a class without study aids you will realize the only place you can find the answer is in your imagination. The answer should be hidden deeply in the rhetoric and prose of caselaw, like the Freudian themes in Shakespeare. Codes are designed to be calculus in words only no one is allowed to havea calculator. Forget an answer is even supposed to exist. There are none. (I just feel that dramatic professors may say in response to a direct question "Answers, you want the answer? You can't handle theanswer." Sorry, I know I just couldn't resist the bad movie reference.)

What happened to recess? What about Physical Education? Most of us have just enough time to walk from the parking lot to the law school and even then we still try to park as close as possible. There is no kickball game out on the lawn between classes. No Frisbee. No hacky sack. All of these things seem playful and fun. We are

learning to be professionals. The image will not allow for playful and fun.

Eat healthy snacks? We have the vending machine. I think the healthiest thing in there is the pretzels. And what about those lunches that always had fruits or vegetables? Microwave meals just don't seem to care as much as our parents. And neitherdo we.

So, I think I have got it now lord. I am ready to leave. I discovered the ulterior purpose of law school, to re-wire your basic code of conduct. And it's working. So before the transformation is complete I think you should get me out of here. Really soon. No, I am not exaggerating. What was that? Lawyers have a tendency to exaggerate? SEE WHAT I MEAN. I need leave this place very very soon.

Oh, and I personally don't really care lord, but there are a great deal of people down here who may be willing to sell their souls if they don't get a job soon. Just a little FYI in case you wanted to maybe do a little divine intervention.....

For my part I'm sure after I get a 4.0 this semester I will be able to get a job next year, but for right now I have been thinking of potential jobs to take this summer. Top of my list is baggage inspector at the airport. Did you know that a lot of the searching now goes on in secret? People don't even know if their bags have been searched or not. I think that it's rude and invasive. So I have decided to get a jobin airport security so I can leavecourtesy notes thanking people for the privilege of searching their bags. After a while though, I might get tired of seeing people's dirty underwear and other unsavory items. Those people would probably get a polite suggestion note- maybe somethingto the effect "Have you no pride? You should be ashamed of yourself. What would your mom say?- Thank You for your cooperation, airport security." Yeah, you're right as always, maybe it isn't such a good idea.

Well, thanks for the snow and ice lord. I know you were trying to give us a couple of days off, but apparently here at William and Mary what doesn't kill you makes you stronger.

Sleep deprived and malnourished,
- Al

The Twelfth Annual Alan Bukzin Memorial

Bone Marrow Drive

Wednesday, April 9th, 2003

Each year, more than 30,000 people in the United States are diagnosed with fatal blood diseases. Many can be cured with a bone marrow transplant. Help save a life by putting yourself into the national registry.

The Bone Marrow Drive will be held in the Law School Lobby on April 9, 2003.

If you have questions about what it means to be put on the Registry or you would like to help with the Drive - please

contact
Jeff Thurnher (2L)
jsthur@wm.edu

Arrr be my favorite letter

Comedian: It has been really cold here lately.

Audience:
How cold is it?
Comedian:
It's been so cold
that last week I
saw several lawyers with their



by Jeremy Eglen

hands in their own pockets.

I like to steal other people's jokes. It is but one of the many acts of piracy that I engage in on a day-to-day basis. I don't think the pirate lifestyle gets enough attention at the law school, or in popular culture. Where is the magazine that tells me what color eye patch is in this year? What infomercial sells a sword that can chop off a scurvy dog's head and still be sharp enough to slice tomatoes for my caesar salad? Which character in Real World: Beirut represents the peg legged community? And don't tell me you've never wanted a talking parrot of your very own: a companion who is like a perfect notebook. You can surf the Internet without taking breaks to ensure the professor won't call on you, after all, the parrot is getting it all down. Finals could be open-parrot or closed-parrot. and we could finally eliminate the pretense that the tests are more than spouting back what's been spouted at you.

Conversations between pirates are more interesting than your normal question and answer between student and professor. Now we get:

Professor: What remedy can you get for breach of a personal contract?... Anyone? Bueller? Bueller?

Law Review Candidate: Monetary damages only.

Professor: And why is that?

Student: Because an injunction would be involuntary servitude.

With immediate pirate reforms, the didactic dialogue would be more like:

Professor: ARRRR. How do ye keel haul a land-lubber?

Student: Makehim walk the plank!

Polly the Parrot: Steal his dubloons! RAAWWK < whistle>

Professor: Ye should plunder his booty.

As you can see, pirates use more colorful vocabulary in their speech. For example, the idiomatic "ARRRR" is used for emphasis. It comes from the early pirate "AR" which was elongated in the elegant poetry of the great author Shakesbeard. Shakesbeard was the originator of

such classic pirate phrases as "shiver me timbers" and "ahoy, me hardies." The precise meaning of "shiver me timbers" has been hotly debated by leading pirate scholars. It may be an expression of dismay or a lumber jack's sexual proposition. Pirate scholars do not, of course, inhabit the ivory towers preferred by mundane scholars. Instead, they live in the crow's nest of ships in search of vessels ripe for plunder. Tenure is obtained by besting the head of the department in a duel. The duel is not to the death; rather, the opposing parties line up on deck and take turns yelling pirate limericks at one another. The first pirate to use a non-offensive rhyme loses.

Shakesbeard's limericks often addressed pirate themes such as the search for booty and the drawing of treasure maps. Booty and treasure are key elements of pirate speech, and indeed of the pirate psyche. Booty is what all pirates are looking for. It's their motivation for rolling out of the hammock, and coming above deck for yet another day of staring at the ocean. Once a pirate gets booty, it's critical that he engage in the ritual burial of that booty. Pirates have to bury the booty deep, preferably inside a cave shaped like a skull or on a remote tropical island shaped like a skull. Once the treasure is safely buried where no meddling kids might find it, the pirate usually will protect it with a series of elaborate traps which will not fail with the passage of time. More important than traps is the treasure map. The treasure map allows the pirate to find the booty once he has retired (sadly, Social Security won't pay to elderly pirates), and will contain clever riddles revealing how to disarm any traps. If you should come across someone selling a treasure map, it's probably a fake unless the merchant randomly emails you offering to sell it for a small sum. Pirate merchants naturally engage in massive spam campaigns, just to keep their evil skills sharp.

I'm looking for other interested students to drop law school and sign up for a rampage on my ship, the Marshall-Wythe's Revenge. Our flag will be the skull and crossbones draped over the figure of Justice, and it will arouse fear and a new round of lawyer jokes on late night TV. I figure we can sail down to the Caribbean and rob those Carnival Cruise ships. Think about it, the ship is filled with families on vacation. They're unsuspecting and vulnerable. One minute, they're playing shuffleboard and thinking about heading to the buffet, the next minute,

they're surrounded by people who can write air tight waivers of liability for the looting and pillaging that is about to begin. We'll pass special interest pirate legislation that makes coercion legal for contracts made at sea during a boarding operation. In fact, we'll just take their cruise ship and sail it around picking up "guests." Then we'll steal from the guests and drop them off at the next port. It's how Disney's cruise line got its start, after all.

The pirate lifestyle isn't for everyone, so I have devised a five question test to determine your PQ (pirate quotient, naturally). Do you believe that extensive scarring, and missing limbs and eyes are a bold fashion statement? Do you think robbing the rich to give to the poor (i.e. you) is justifiable? Would you enjoy months at sea with swarthy men and a few hairy women? Can you use the word "ARRRRR" in any part of a sentence? Do you find the prospect of performing everyday activities with a hook for a hand (think about going to the bathroom) undaunting? If you answered yes to all of these questions, you are a sick, sick individual, and should probably seek professional

In modern English, the word pirate has taken on a different meaning. No longer is a pirate a romantic toothless adventurer, killing the innocent and stealing from the helpless. Now a pirate is a college student with a 6 gigabyte collection of MP3's. In the new paradigm, wooden ships are replaced by personal computers, and our ocean is the Internet. I admit, that I have engaged in this piracy noveau myself. Napster and its successors

have heralded the age of freedom from the album, a creature not so much of art as of marketing. Albums are a relic of packaging; people buy them for individual songs. For some reason, it's harder to think of an activity as stealing when I wouldn't have bought the album in any case and I'm not depriving anyone of anything. Still, I know I have engaged in piracy, even though it's the boring kind. To add a little excitement to my felonious behavior, with each download I would exclaim, "ARRRRR, more booty for me treasure!"

It's sad to see the classic pirate fall by the way side in the 21st century. There's just no room in the world for the simple sailor searching for ships carrying chests of treasure. Next time you're in class, inject a little pirate attitude into the discussion: answer questions with "ARRRRR" and leave it at that; address your friends as "me hardies"; lose your hand to an alligator and wear a hook with pride; break open the soda machine and loot your bottled water; when you pick up the phone, answer with "ahoy, matey"; instead of cursing the slow driver in front of you, ram his car and make him walk the plank. Enjoy life, the pirate's way, by taking that which doesn't belong to you, but should. Or remember this truism: when the pirate gets caught, she's going to need a good lawyer, and the one who takes from the pirate is the most feared pirate of

Ye can seek me sailing the seven seas, or send your treasure maps to jieglen@alum.darmtouth.org, ARRRR!

LeClair Ryan

1L Reception

Thursday, April 3, 2003 6:00 until 8:00pm

The Green Leafe Café 765 Scotland Street

RSVP to Andrea McClellan at amcclellan@leclairryan.com 804.783.7513

Business Casual Dress

PSF Summer Spent Working for Homeless and Runaway Youth

"In the end, I

found that the

and the more

more rights

available to

unaccompa-

nied youth,

services

The Public Service Fund sponsored my internship with the National Law Center on Homelessness



and Poverty and the Network for Youth. Under the guidance of these two organizations, I worked on the Unaccompanied Youth Law Project. The goal of this project is to create a comprehensive and analytical reference guide to state laws that affect runaway and homeless youth. The end product, which is being released in February, will be a CD-Rom

entitled "Alone without a Home: A State-By-State Review of Laws Affecting Unaccompanied Youth." It will hopefully assist homeless and youth advocates in their efforts to change the laws in each state that affect homeless and runaway youth. As one of the better.." two interns working on the

project, my duties included project planning, research, and writing and analysis.

My project planning responsibilities involved contact with homeless advocates and youth advocates throughout the country. These discussions helped guide the direction of the study, as the advocates with whom I spoke told me the questions they would like answered by our guide and the different ways that they would be able to use the guide to further their advocacy efforts. From these interactions, we were able to determine the relevant topics that had to be addressed by the project and the presentation style that would be most beneficial to those who would be using the guide.

My research responsibilities consisted of a thorough look through each state's and territory's statutes for laws that affect runaway and homeless youth. Some of the topics we focused on were emergency shelter licensing and regulations, status offenses, classifications of runaway and homeless youth, contracting rights of minors, and

emancipation. By the end of this process, I had become more familiar than I ever wanted to be with Lexis, as most of the research was conducted on line. I also logged a lot of time at the library sifting though each state's statutes.

The writing and analysis stage of the project involved summarizing each state's laws in each of the topic areas and then analyzing the different approaches taken by states in each topic area. Transforming the awkward language of state statutes into something readable was certainly a challenging task. Analyzing the laws also proved difficult, as it was difficult for me, a law student who has never faced anything close to the adversity that runaway and

> homeless youth face on a regular, to decide which approach to each issue was preferable. In the end, I found that the more rights and the more services available to unaccompanied youth, the better.

Overall, the experience was extremely beneficial to my legal education and

training. The project required a great deal of independent work. The process of struggling through challenges on my own created many learning opportunities. In particular, I developed stronger research skills, as I was required to develop my own research method. While this involved a frustrating period of trialand-error, my research method became significantly more thorough and efficient. My legal analysis also benefited from the independent work structure. I was asked to consider the research we had gathered and extract the most relevant issues. Only after I spent time thoroughly analyzing the research did my supervisors become involved in this stage of the project. The project was a constant learning experience.

As I look forward to my career as a lawyer, I hope I can be involved in many projects, such as this one, that have the potential to have a positive impact on how our legislatures approach issues that affect youth.

Interning Against Fraud and Corruption

During the summer of 2002, I was afforded the opportunity to work as an intern at the U.S. Attorney's Office in Washington,



by Natasha Robinson

"From Con-

Criminal Law,

every course

the summer."

came into play at

one point during

positive experi-

negative, there

things that most

were not pleased

with (including

of the interns

ences out-

weighed the

were a few

myself)."

tracts to

Being that I am a long time resident of the Washington metro-

politan area, I was accustomed to the typical hustle-and-bustle of life in the beltway. After a brief orientation, I was placed in the "Office of Fraud and Public Corruption," which proved to be interesting in many respects.

First, the assignments were very challenging and alas provided an opportunity for me to obtain "handson" experience with certain aspects of the law. One of my assignments, for instance, pertained to an individual that engaged in deceptive practices to collect large sums of money from insurance companies. I was begrudgingly forced to sweep away those "first-year of law school cobwebs" that "Although the had collected in my head!

From Contracts to Criminal Law, every course came into play at one point during the summer. Once I completed the task of getting rid of the cobwebs, I learned that the complex analytical issues that I learned about in law school really did have relevance in the real world.

On a more serious note. I witnessed how certain residents in Washington, D.C. were benefited by the efforts of the U.S. Attorney's Office. In one lawsuit, a large group of poor residents who lost their homes because of various fires were defrauded by an individual who claimed to be an insurance agent. In many cases, these residents ended up homeless because of these deceptive practices. The U.S. Attorney's Office was committed to ensuring that justice was served and

that these residents were provided with shelter.

For the most part, attorneys and auditors assigned me research and writing tasks. I spent many hours either in the library or on the computer typing memos or researching online.

I was most impressed with the prompt feedback that I received after completing every assignment. The attorneys were always willing to answer any questions that I may have had about the assignments, law

school, and life as an attorney in general.

Moreover, the attorneys spoke from a variety of experiences.

Some attorneys worked with the U.S. Attorney's Office since they graduated from law school while others

decided to work their after spending a number of years at large law firms. Although over 150 legal and undergraduate interns worked at the U.S. Attorney's Office during the summer of 2002, I rarely saw or worked with any of the other students throughout the entire summer. I worked independently for the most part.

Although the positive experiences outweighed the negative, there were a few things that most of the interns were not pleased with (including myself).

First, the intern program started later than expected due to numerous difficulties surrounding the security clearance process. Also, because so many interns were hired, there

were very few places to work on assignments.

Second, it was difficult to obtain access to computers because the demand was so great. These obstacles did not prevent me from taking away the many valuable experiences that I gained at the U.S. Attorney's Office-and for that, I am grateful.

Working for a D.C. Public Defender

When I arrived for my first day of work at the Public Defender Service for the District of Columbia, Mental



by Denise L. Tennant

"The MHD

seven attor-

social work-

ers, two staff

investigators,

and the office

manager. A

better group

hope to find."

of people I

could not

office con-

sisted of

neys, two

Health Division, last summer, I understood immediately why they hired me with only a phone interview. Had I seen the office before then, I might have run away screaming and missed a truly wonderful experience.

While the downtown office of PDS was in a lovely building down by the courthouse, the MHD was located on the grounds of St. Elizabeth's Hospital. This was done simply for convenience, because the vast majority of our clients were patients there.

The office was located in a house that used to be occupied by doctors and their families, back when doctors lived at their

hospitals. The summer interns had long since been relegated to the basement where beetles, bugs, and spiders of all varieties thrived.

Before long there developed an unspoken battle between the interns to see who would claim the one empty desk upstairs for the day. Fortunately though, the less than ideal working conditions were the only downside to the job, and I believe that the office has since moved to better quarters.

The MHD office consisted of seven attorneys, two social workers, two staff investigators, and the office manager. A better group of people I could not hope to find. Although our numbers fluctuated throughout the summer, there were approximately nine intern investigators (of which I was one) and a law clerk.

While Mark the law clerk was usually confined to the tiny, airconditioner-less library, the investigators did a number of different things. Our main job was to interview all new civil clients. Anyone who was brought to SEH involuntarily was given a lawyer if they couldn't afford one. But really, anyone who could afford a lawyer

didn't come to SEH.

One thing some people have a hard time realizing is that the job isn't about getting dangerous people out of the hospital, but about holding the government accountable. If the patient wants to challenge being held, the government has the burden of proving that he is mentally ill, and dangerous to himself or others because of that mental illness.

The Public Defender Service does nothing more than assist the client in making sure the government can prove its case at the initial probable cause hearing, and at the later commitment hearing if the

client is still being held.

Our civil clients were people who were brought in for treatment but were not charged with any crimes. A number of these clients were homeless, although a roughly equal number had loving, supportive families.

My job was to briefly find out the facts of their case, explain their rights, and help their attorney prepare if the client wanted a probable cause hearing. If they did request a hearing, I had to find out

"... it was not

uncommon

to decide

they didn't

want a hear-

ing after all

heard all of

when they

what the

judge was

going to

consider.

for someone

exactly what had happened to bring them to SEH, any history of mental illness, their financial situation, etc.

Not everyone liked being asked such personal questions, and it was not uncommon for someone to decide they didn't want a hearing after all when they heard all of what the judge was going to consider. Not that it really mattered, I don't think that any of our clients won their probable cause hearing, although a number of them had shown no signs of dangerousness toward themselves or others. Too many judges seem to

believe that being mentally ill in and of itself makes a person dangerous.

I dealt with a wide variety of cases over the summer. It nearly broke my heart when I met with an 8 year old boy at the Psychiatric Institute of Washington, a private hospital where all children in the system are sent. On another trip there, the woman I was interviewing began speaking in tongues in the middle of our conversation. Back at SEH I met with those who claimed to be working on clandestine military

operations, who said they were messengers of God, and those who had simply given up on life. In one memorable week we had a shocking number of people brought in for being found naked in various churches. The clients who were brought in but were not mentally ill were usually released quickly. Generally these were people who had exhibited symptoms of delusion or paranoia when high on drugs, and they were released when they came down. I met with one client who was so severely retarded she could not communicate. Thankfully she was quickly moved to a more appropriate facility.

No matter what the problem, another important part of my job was acting as a go-between with the clients and their doctors and social workers. The doctors were all good people, but they didn't have the warmest feelings for us since, as they perceived it, we were trying to force them to release the people they were trying to help. The doctors were not always good about telling their

patients what was happening with their treatment plan even when asked, but we were not so easy to ignore. On the whole, I found the

> hospital social workers very agreeable to work with. Sometimes a client was ready to be released, but they had not yet been able to find a place for them to go. The social workers were always grateful for any help we were able to offer, minimal though it may be.

> One of the attorneys I was assigned to had recently been transferred from the downtown office, so I found myself at the John Howard

Pavilion more than most of the other interns. All the forensic (criminal) patients are housed on wards there. I never was able to determine the difference between the maximum, medium, and minimum security wards. Most of the clients I saw had been there for some time. Usually I was there because they had called their attorney with a question, or had a hearing coming up and their attorney needed some information. Armed with only a legal pad, I had to wait while

security called someone to escort me to the ward. I met with child molesters, rapists, murderers, and armed robbers, among others. While most were obviously anxious to be released, they weren't all willing to do what it would take. Telling a man he is going to have to start showering every once in a while is one thing, but how do you tell your criminally insane client that if he ever wants to be released he has to stop having sex on his allmale ward? Not an easy thing to do, I assure you.

When meeting with clients there. we usually sat in a room with the

"I was on the

wards visiting

a client when

describe as a

impersonator

doctor and a

a patient I

can only

female

Michael

Jackson

attacked a

staff mem-

ber."

door closed for confidentiality purposes. The wall facing the staff was all windows, but the staff was in an office a good 30 feet away. I always wondered how long it would take them to reach me if the client became violent. Thankfully, I never had to find out. Most of the clients I met with there were actually very respectful, and one client even chastised a fellow patient when he made inappropriate comments toward me.

Not everyone was so kind. I was yelled at, cursed at, and had clients get up and leave when they saw me coming. Even doctors were known to be oh-so-conveniently unavailable when they knew we coming to talk to them.

My most memorable experience came only a few days before I left. I was on the wards visiting a client when a patient I can only describe as a female Michael Jackson impersonator attacked a doctor and a staff member. Another staff member quickly called a code, which brought every available person running to the ward. The mass of people quickly got the patient under control. I can still see in my mind the shocked expression on the face of the doctor, who had only recently returned from maternity leave, as an EMT examined her bleeding head wound. Thankfully, neither the doctor nor the staff member was seriously injured.

The job was not without its dangers, but I would recommend it in a heartbeat. Anyone looking for a non-traditional legal internship should consider it. The work was interesting, important, and challenging. Best of all, I actually looked forward to going to work in the morning.

Pete's Oscar Predictions

by Peter Flanigan

With the Academy Awards being announced last Tuesday, and due to the Amicus' printing schedule, I give you my Oscar Pick Gala Spectacular! Sit back and enjoy my insightful commentary, which led to my great 5 for 22 average for last year's predictions. However, I think a few words are warranted about who was nominated before I start.

This was clearly the year of Miramax. They just happen to have three contenders for best picture, best director, and best actress. With Chicago leading the way with 13 nominations and Gangs of New York with 10, this could be a banner year for Miramax. As other commentators have noted, this domination seems to be cyclical (with Dreamworks dominating last year and Miramax with only "modest showings").

Also interesting was the lack of nominations for top-grossing films. Often, top-grossing films will overshadow films that are more deserving. For example, Titanic, which has grossed \$1.8 billion worldwide, was released the same year as L.A. Confidential. Titanic won 11 awards while L.A. Confidential only garnered 2. Let us also look at The English Patient, which was the same year as Fargo. The English Patient made \$231 million and received 9 awards while Fargo, arguably the best Coen brothers movie ever, won just 2.

This discrepancy between gross and awards makes this year's nominees so interesting. With the exception of the latest Lord of the Rings installment (currently \$321 million), the nominees grossed surprisingly small numbers. Chicago with 13 nominations has grossed \$64 million, Gangs of New York has grossed \$70 million (which isn't even close to its break-even point) and The Hours, with nine nominations, has only grossed \$22 million.

The films with high grosses were close to being shut out. Harry Potter received no awards while Star Wars II and Minority Report only received a smattering of nominations. Even the "indie" films that grossed high, like Insomnia, Signs, 25th Hour etc., were denied much like Elizabeth Berkley's career.

What could account for this could be the limited release schedule that most of these films labored under. Of course, most of the limited releases appeared in New York and Los Angeles, which is where the majority of the members of the Academy reside. Overall, is this an endorsement by the Academy for films with substance? Probably not, but it is refreshing to see artistic merit can be its own reward instead of financial success.

With that being said: here are my picks. Per usual, I have divided my column into the major categories that will be announced. Within each nomination, I have who will win (WW), should win (SW) and notable mention (NM). Feel free to disagree.

Best Picture: Chicago, Gangs of New York, The Hours, Lord of the Rings, The Pianist

WW: Chicago; Everyone loves a musical, especially one so well produced with so many big Hollywood stars. Oscar was chomping at the bit to give Moulin Rouge the nod except for that pesky A Beautiful Mind.

SW: Gangs of New York: An epic and probably Scorsese's last gasp at American relevance. Chicago was good but Gangs was better.

NM: The Pianist is Roman Polanski's film. While doubtful that his indiscretions with a 13 year old will allow him to return to the US, it will be interesting to see if his film becomes the dark horse favorite.

<u>Director</u>: Rob Marshall, Martin Scorsese, Stephan Daldry, Roman Polanski, Pedro Almodovar

WW: Scorsese: Is there any doubt? The man has never won an Oscar and isn't getting any younger. Consider this the Denzel Washington, Julia Roberts "well we haven't awarded them yet so why not?" award for the year.

SW: Have you seen Talk To Her? Have you? If you have, you know that Pedro Almodovar should be walking away with this golden statute.

NM: Polanski has been nominated four times and never has won. All he did was direct Rosemary's Baby and Chinatown. Let's give him an outside shot.

Actor: Adrien Brody, Nicholas Cage, Michael Caine, Daniel Day-Lewis, Jack Nicholson

WW: The Academy will give "I refuse to make a picture for five years" Day-Lewis the nod. Everyone seems to agree that without him, all you have of *Gangs of New York* is a second rate DiCaprio movie.

SW: Michael Caine. In an era of limited releases and grosses receiving nominations, it is tough to figure how one of the smallest released, least grossing, yet one of the best, movies of 2002 didn't receive more awards than it did.

NM: If Nicholson wins one more Academy award I am going to puke. The guy was great but he "jumped the shark" with As Good As It Gets.

Actress: Salma Hayek, Nicole Kidman, Diane Lane, Julianne Moore, Renee Zellweger

WW: Is there any doubt that the Academy will give the Oscar to Kidman? She lost out last year for Moulin Rouge but has been constantly gaining critical approval in movies like The Others and has already won 3 awards (one a Golden Globe) for her role in The Hours. Plus, the Academy is looking for another Julia Roberts high-grossing artist to award the golden man.

SW: Julianne Moore. She has been nominated for 3 Oscars in 5 years. She puts together solid performances in every movie she is in and Far From Heaven is no different. Check out this movie if you have the chance.

NM: This category has the biggest names with equal chances to win. Interestingly, this is Selma Hayek's first nomination. She hasn't been nominated for much (although she was nominated for Worst Supporting Actress for *Dogma* and Wild Wild West) so it will be interesting to see if the Academy can look past her stunning role in The Faculty.

Supporting Actor: Chris Cooper, Ed Harris, Paul Newman, John Reilly, Christopher Walken

WW/SW: If anyone has seen Adaptation, then you know Chris Cooper will be walking away with this award. Much like the same feeling one got when watching Kevin Spacey in American Beauty, one get while watching Cooper play a deranged southern Orchid thief. A clear cut choice if there ever was won.

NM: John Reilly is a great unknown actor. He has been in Magnolia, The Thin Red Line, and The Perfect Storm, among others. I am glad to see his work finally being acknowledged.

Supporting Actress: Kathy Bates, Julianne Moore, Queen Latifah, Meryl Streep, Catherine Zeta-Jones WW: Streep will win. This makes her 13th Oscar nomination. Clearly

Oak Burkey Star

the most dominate actress of the post-Hayes office era. She is a great Hollywood legend; give it to her. SW: Julianne Moore. As I just stated, Julianne Moore is one of the best actresses out there right now. The fact that she is nominated this year not only for best actress but also best supporting actress for two different films is amazing. However, look for her to only win one of the two.

NM: This category is full of interesting little side stories. Queen Latifah? Queen Latifah? What the hell is going on? Is this the Ethan Hawke nomination of 2003? Also, when released, About Schmidt got a lot of press for being the Oscar favorite. However, New Line must be disappointed with only two nominations. Kathy Bates might be able to resurrect a disappointing nomination season.

And the best of the rest:

<u>Adapted Screenplay</u>: Adaptation.

Inventive and disappointing, certainly the most original of all the submissions

Original Screenplay: My Big Fat Greek Wedding. A nod to the little independent that could.

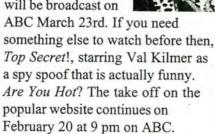
Animated Feature: Lilo & Stitch. The best thing Disney has done in awhile.

Art Direction: Road to Perdition. If you are a movie fan you will salivate over the scenery. However, Lord of the Rings will probably win.

Cinematography: Road to Perdition. Conrad Hall is one of the best out there.

Pete's Picks

TV Pick of the Week: The Oscar's will be broadcast on



DVD Pick of the Week: Fear and Loathing in Las Vegas. Hunter S. Thompson may be the one acid tripping, gun toting journalist that I like.

Kimball Theatre Schedule: Personal Velocity, Feb 21-27, 7 and 9:15. The Last Kiss, Feb 24-28, 6:45 and 9. God is Great, I'm Not, Feb 28-Mar 3, 7 and 9:15.

Should Title IX Apply to College Sports?

Yes (But football is more important)

Last night
I was playing
basketball at
the William
and Mary
gym. Before
you label me a
sexist, consider that
among those
playing were



by Brad Spedale

girls. I had no problem with this. What I did have a problem with was the shirt one of the girls was wearing, which supported her former college's women's regatta team. This was a clear sign that Title IX is out of hand.

My esteemed colleague will explain to you the problems with using equal participation to comply with Title IX. Another way to comply with Title IX is for a school to spend equal amounts of money on both men's and women's athletics. What is the problem with this? Football. Because of the amount of money needed to fund a successful football program, universities create suspect women's teams in order to compensate, and are subsequently forced to cut established men's teams.

Some women will tell you that all sports are games and they should be treated equally. Nothing could be further from the truth. College football is THE college sport. It is the only college sport that is played in stadiums that hold over 100,000 people. These people each buy a ticket, costing around \$30 (excluding students who get them cheaper). Do the math. Football teams pull in millions of dollars each weekend in ticket sales. This does not even factor in merchandise or media contracts. For all of you that went to small prestigious schools, I am not talking about your programs; I am talking about real football schools: schools that also have boosters that contribute money to the schools based on their football teams' performances. This money is spent on the football team and the rest of the university. Don't be surprised if Ohio State's library has new computers next fall. This is also true to a certain extent in smaller schools with less prominent teams, but to a lesser extent. Other men's sports, such as basketball also pull in

money, but no women's sports, with the exception of some women's basketball teams, pull in anything close to their male football teams. Many such women's teams are realistic and simply give away tickets to their games.

For the football teams to make this money for the schools they must have capital with which to start. This comes from the money allocated to the teams from the universities. Every other sport has a female counter part: basketball/basketball, baseball/softball, ice hockey/field hockey, etc. But when schools spend a lot of money on football teams, the whole equation becomes lop sided. To counter this, schools are forced to make up expensive women's only teams. This is when it gets ridiculous.

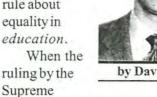
There are more women's teams at the collegiate level than men's teams (8867 7943). In every sport that there are both men's and women's teams, there are more women's teams. But since money is the only factor, expensive women's sports suddenly appear. Crew is the most popular because a lot of money can be spent on a small team. The other emerging women's only college sports are: archery, badminton, bowling, equestrian, squash, rugby, and synchronized swimming. For those of you saying that your school had men's teams in these sports, those were club teams and not actual school teams.

One major argument for Title IX is that poor and underprivileged women, not just men, should have an avenue to use their athletic abilities to obtain higher education. They aren't exactly pulling people out of the ghetto to join the crew or equestrian team. These are sports that require wealth to even begin playing them. If you can afford to be good at these sports, you should be able to pay for your education. In the end, women's teams are created and legitimate men's teams are cut, 400 of them since Title IX. No one has the right to play sports on the collegiate level; it is something that people do for their schools in exchange for free education.

Some sports are more valuable to schools than others and these legitimate collegiate sports are the ones that both men and women should play. The next time you hear someone complain about the law school facilities, tell them to get a better football team.

Equality? Not So Fast, My Friends

Title IX is not a rule about equality in athletics.
Title IX is a rule about equality in education.





by David Stern

Court came out, a group of tree huggers smelled blood (ironic, isn't it? Since they're all vegetarians) and turned the crusade into equality in athletics by making the argument that athletics, competition, teamwork, etc. were all a part of a well rounded education and should be available to all.

No problem. I hate the way the ruling was used, but the end result makes sense.

In Elementary School.

That is, after all, the last time EVERYONE is allowed to participate. After that, there is no equality in athletics. Those who can, do. Those who can't, get cut or are told to join the Chess Team (I don't think there are tryouts for that one in High School). Therefore, if it is truly about equality in athletics and education, come find me when the local High School Baseball Team has 80 kids on it. And don't forget, everyone has to play!

Let us move past this point. Let us accept that everyone is entitled to participate since it is agreed that athletics is an important part of a person's education.

How then, do we make things equal at the College Ranks? There are two ways of making participation equal in College Athletics and every University must be in compliance with one of them. The first is equal money. My esteemed colleague has more issues with this than I do (Since his LSU football team pays for bad women's teams while my Michigan football team pays for last years NCAA National Championship Women's Field Hockey Team!!!), so I thought I would let him make that argument. The second issue is equality in numbers. This is my territory. Let's begin.

The rule states that a school

must be within a reasonable percentage (about 3%) in terms of sports participation in comparison with the percentage of males and females that actually attend the University. For example, if 50% of the school is women, 47% of the school's athletes must be women.

This is IMPOSSIBLE.

I am not going to be THAT guy who sits here and writes about how men care more about sports than women and men participate more in sports than women. I have too many female friends who disprove this on a daily basis, and frankly, I'm scared of them.

Why is it impossible? Because there is NO equivalent to football. Women don't play it. Yes, I have seen the occasional kicker on the Duke squad (Need I say more about that school's football team?). Let's not get into that. It is the one sport women don't play. Basketball, they play. They beat me. Often. Hockey, guys, check out the last Olympics. Gymnastics. Soccer. Swimming. Golf. Crew. It doesn't matter the sport, there is a female equivalent.

Except in Football.

And guess what? Football has the highest number of participants on the team. You need five women's teams to equal a Football team at a major football university. So what happens? Men's sports get cut. Female response? So what, that's what you get for having a football program. Well, rather than having five fewer guys sports teams at every football university, the Voice of Reason has come up with a solution as always. After all ladies, it's all about equality, right?

Don't count football. That's right. You heard me. Make everything equal. Except football. You want women sports? Fine. Have them. I'm not going unless Connecticut is playing Tennessee in basketball, but have them.

See how easy it was? Now all the numbers match up. Everyone can have their men's wrestling and their women's gymnastics. Everyone can participate (Well not everyone, but we discussed that earlier). Everyone can get that equality in education I keep hearing about (Did I say everyone again?).

And my Football Team will gladly continue to make all the money to fund these programs. It would be our pleasure.

EVENT	DATE	TIME	LOCATION / POINT OF CONTACT
Admission Event	Wed, February 26	09:00 AM	Room 119 - Faye Shealy
Lunch with Lawyers: Public Interest Attorneys featuring Legal Services and Public Defenders	Wed, February 26	12:00 PM	Dean's Conference Room - Carolyn Chambers
Federal Practice Library Labs for 1L Legal Skills	Wed, February 26	03:00 PM	Room 120 - Chris Byrne
Military Law Society Meeting	Wed, February 26	03:00 PM	Room 141 - Matt Kemkes
Equal Opportunity Meeting	Wed, February 26	04:30 PM	Dean's Conference Room - Susan Grover
Trial Team Training	Wed, February 26	06:00 PM	Room 141 - John Hackel
Blackstone Lecture presented by Professor Cynthia Ward	Thu, February 27	03:00 PM	Room 127 - Cassi Fritzius
American Jury Seminar Make-up Class	Thu, February 27	04:00 PM	Room 133 - Paula Hannaford
rial Team Training	Thu, February 27	06:00 PM	Room 141 - John Hackel
CASTC Meeting	Fri, February 28	10:00 AM	Dean's Conference Room - Jim Chin
ederal Practice Library Labs for 1L Legal Skills	Fri, February 28	11:30 AM	Room 120 - Chris Byrne
Professor Michael Gerhardt Colloquium	Fri, February 28	12:30 PM	The Faculty Room - Richard Hynes
Spring break		March 3 throug	h Friday, March 7th
Administrative Staff Meeting	Tue, March 11	10:00 AM	The Faculty Room - Cassi Fritzius
CASA Training	Tue, March 11	05:00 PM	Room 120 - Debbie Dail, CASA
LSA General Meeting	Tue, March 11	-07:00 PM	Room 141 - Fenita Moore
L Day	Wed, March 12	11:00 AM	Law School Lobby
L Pledge Drive Kick-Off	Wed, March 12	04:00 PM	North Wing Courtyard & Lobby - Liz Orye
verything you Want to Know About the Character & Fitness Process and the Bar Exam	Thu, March 13	10:00 AM	Room 120 - Rob Kaplan
aculty Meeting	Thu, March 13	03:00 PM	Room 127 - Cassi Fritzius
merican Jury Seminar Make-up Class	Thu, March 13	04:00 PM	Room 133 - Paula Hannaford
Business Bankruptcy Make-up Class	Fri, March 14	11:30 AM	Room 127 - Mechele Dickerson
Professor Rip Verkerke, UVA - Colloquium	Fri, March 14	12:30 PM	The Faculty Room - Richard Hynes
Nontraditional Careers	Fri, March 14	02:00 PM	Rob Kaplan
Sports & Entertainment Law Symposium	Sat, March 15	08:00 AM	Room 127 - Tron Kohlhagen
CASA Training	Wed, March 19	05:00 PM	Room 120 - Debbie Dail, CASA
Post-Graduate Judicial Clerkships	Thu, March 20	02:30 PM	Room 119 - Kaplan/Lewis
Symposium - Prosecuting White Collar Crime	March 20-21, 2003		Room TBA - Melody Nichols, IBRL
Professor Iria Giuffrida Colloquium	Fri, March 21	12:30 PM	The Faculty Room - Richard Hynes
Academic Support Program Bar Preparation Workshop	Sat, March 22	09:00 AM	Room 119 - Patty Roberts
CASTC Meeting	Tue, March 25	05:00 PM	Room 120 - Debbie Dail, CASA