Storm Closes William and Mary Campus for Ten Days

by Adrienne Griffin and Shannon Hadeed

In the wake of Isabel, students, administration, and faculty alike scrambled to get things in order. William and Mary was apparently the hardest hit out of all of the schools in the area and closed for a grand total of ten days. The damage sustained both in Williamsburg and on the campus was greater than what was experienced in cities such as Richmond and Virginia Beach. Dean Jackson stated “No one dreamt it would be as bad as it was. Everything was in place to open on Monday (September 22).” At William and Mary, hundreds of trees were lost, including twenty-two in the historic Wren Yard alone. As expected, William and Mary’s main concern was that large limbs and power lines be cleared from campus before students could return. The administration worked around the clock to help students who were stranded, keep the campus updated, the website accessible, and to manage other emergency matters. Sam Sadler, Vice President of Student Affairs and Chairmen of the Emergency Crisis Committee reported that many of the administrators worked up to 36 hours straight without relief during the crisis. The community effort exhibited during the hurricane crisis was “inspiring” said Sadler.

Although students and faculty alike were frustrated by the delayed decision regarding the reopening date, there were several factors behind the decision. Sadler stated that part of the reason it took so long was because the campus could not re-open until power had been completely restored to all of the buildings. This was difficult because the campus falls on several different grids and each one received power at a different time. The Law School was the second to last building to become operational. It was without power until the evening of Thursday, September 25. Dean Jackson added “I was here. This school was an incredibly dark building, it was not safe without power.” Sam Sadler commented that the three major factors in making the decision when to re-open were power, safety, and notice. “It was impossible to know when we would have power back to the whole campus. At first we thought we wouldn’t announce a date until we actually had power back, that a guarantee from Dominion power would not be enough but in the end would take a leap of faith when they said it would be back to the entire campus by Saturday.” Peter Feiss, the Provost for William and Mary, explained that without power, the campus is not only dark but dangerous. The dorms on the undergraduate campus are controlled by electronic key, all of the buildings’ sewage and fire safety devices are also power operated. Due to these concerns, even faculty were denied access to campus buildings after the storm. Limited access by faculty members to VIMs and in the science departments was necessary to take care of the animals and ongoing experiments and equipment. Regarding the safety of the campus, Sadler reported that at first it was impossible to even find contractors to do tree removal. Once they had found a contractor they estimated it would take until Saturday, September 27 to clear the leaning and fallen trees. Even though the campus might have been clear, the parking lots had become staging areas for both the tree removal contractors and Dominion Power. The administration did not want students around.
**Fall Break Flights: Ticket Changes**

by Susan Billheimer

Vice President of Student Affairs Sam Sadler announced in his “Welcome Back” email to the campus community that his office would be preparing a letter of explanation to assist students in their efforts to negotiate non-refundable airline tickets purchased for Fall Break.

Sadler also stated that those who find the airlines will not make an exception should contact him and he will write the airline on that student’s behalf. As of press time, the letter of explanation was not available for the Advocate to review. In general, non-refundable tickets that permit changes can be rebooked to a later date for a fee (from $20 to $200) if changed before the departure day and time. Many discount tickets do not permit changes, however, and it is not clear how successful students will be in negotiating with the airlines.

At the law school, reaction to the announcement varied. Some students expressed their desire to continue with their much-awaited fall break plans in spite of the school’s official cancellation, while others indicated that they would not mind canceling plans if they could get their money back or receive credit for their tickets. For those who prefer to stay in Williamsburg—a word to the wise: Negotiate now, not later. Airlines are not likely to reimburse a ticket that has already flown.

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**SBA Welcomes New Reps; Plans Year’s Activities**

by Marie Siesseger

With whitewater rafting, skydiving, and skating already slated for this school year, the Student Bar Association calendar may, at first glance, look like an episode of X-treme Sports, but there are a number of events for the far less athletically-inclined on the bill as well.

“This year we’ve been very good at getting a lot of social activities planned,” said SBA President William Lamberth. The current calendar boasts an assortment of SBA-sponsored fun, including the traditional Thursday night Bar Reviews, William & Mary Day at Busch Gardens, Fall From Grace (the annual semi-formal), and the annual softball tournament. The SBA is also spotlighting community service this year, and the Recycling Committee’s efforts to bring recycling back to Marshall-Wythe will be renewed.

The SBA is about more than just providing law students with a full social schedule, noted Lamberth. As an umbrella organization for all of the other Law School groups, SBA acts as the liaison between students and the administration, as well as with the Law School and the main campus Student Assembly. One of SBA’s principal responsibilities—its administrative function in bringing together and coordinating student groups—is often overlooked, said Lamberth. In particular, SBA helps to delege the budgets for the roughly 25 student organizations at the Law School.

“It’s the little details that student government can handle,” said Lamberth, explaining that some of the agenda items for SBA included more mundane matters like printing quotes and procuring soap for the restrooms—things that make law students’ lives tangibly better, but don’t have quite the appeal of drink specials at A.

Carroll’s. Toward that end, SBA is organized into committees, such as the graduation committee and the admissions committee, which devote their resources to a particular issue or event. SBA also handles the Honor Council nomination process.

Heading up the SBA’s efforts are four executive officers and a total of seven class representatives, three of whom recently joined the ranks as IL reps. Meg Bisk, Chris Supino, and Brian Levy are enthusiastic about the upcoming year they’ll spend as IL SBA reps—“I really want to get our class out and get them involved,” said Bisk. Speaking informally about their goals for the year in SBA, the three reps indicated that they would be organizing a Halloween Party and possibly a trip to Virginia Beach.

“It’s really refreshing to be here,” said Supino. “One of the things that really attracted me to William & Mary was the collegial atmosphere and friendly people.” Supino noted that his interest in SBA stemmed from a desire to meet more of his class and to help foster the sense of community that had impressed him as a prospective student.

And what do these representative members of the Class of 2006 think about the first year so far? “It’s not as intimidating as I’d expected,” said Bisk. “The professors are great,” echoed Supino.

While the goals of the new reps are lofty—we want to start new traditions,” said Levy—they plan to go about their duties with a certain degree of equanimity and good humor.

The reps collectively emphasized that they hoped to involve their classmates in SBA’s activities through the committees that will be forming soon and by utilizing suggestions from the student body at large.
Military Law Society to Host "Combat Lawyers" Symposium

by Andrew Flor

Did you know that the Hampton Roads area has the highest concentration of military personnel in the entire world? Did you know that William and Mary School of Law has the highest number of active duty military members in attendance than any other law school in the country? Did you know that all branches of the armed services offer paid summer internships to rising 2L’s and 3L’s? Did you know that JAG lawyers typically begin trying complex criminal cases in front of juries within a year of commissioning?

Are you interested in military law related issues such as military tribunals and the law of war? Are you interested in learning about what it is like to be a Judge Advocate General, or "JAG"? Then consider joining the Military Law Society. The Military Law Society is a student-run organization dedicated to promoting knowledge and awareness of military law issues in America’s Armed Forces. Membership in the military is not necessary. The Society is open to all individuals who wish to study the interface between the military, the government, and the legal system.

The Military Law Society hosts a variety of different events. One of those events will be held on October 8, 2003 at 3:00 p.m. in Room 141. This event will be our Fall Symposium called "Combat Lawyers". We will host military lawyers from the Army, Navy, and Air Force who will give short presentations on what they did during Operation Iraqi Freedom. Following that, they will answer your questions about what lawyers do during combat operations and what influence they have on the battlefield. Finally, we will have beer and refreshments in the student lounge after the event.

In addition to "Combat Lawyers," we hold an event called "JAG" Day for those interested in internships or the JAG Corps itself. This year’s JAG Day will be on October 29, 2003 at 3:00 p.m. in Room 141. We also have several tours planned, including one of a Navy Aircraft Carrier down on Norfolk, and another to an actual court-martial at a local military base.

The College of William and Mary School of Law Military Law Society is the premier military law organization. We have the largest and most active society in the country dedicated to military law. Our website (www.wm.edu/societies/mls) is authoritative and cited by numerous other organizations and web search engines.

So, if you’re interested, attend our next meeting on October 7, 2003 at 12:50 p.m. in Room 133. You can also talk to either President Andrew Flor (adflor@wm.edu) or Vice President Mike Monahan (mjmona@wm.edu). You can also visit our website at www.wm.edu/mls for further information.

The Storm that Rocked the Law School Schedule

by David Byasse

Hurricane Isabel has come and gone, and in its wake many are pondering the Dean’s phrase “Hurricane Holiday” and its doubtful application to the event of September 18th.

Being told that a category two hurricane was coming our way was manageable; why, we could simply seek higher ground at the Green Leaf as noted by the welcoming solicitor of Thursday night’s BAR REVIEW. Rather, the first signs of rough water surfaced when the announcement was made that school was shutting down and all those living in campus housing were to evacuate the premises. “What will we do? How long will this last?” were a few of the questions floating amongst our community. Students began to communicate as never before and a true sense of camaraderie emerged.

After eleven days away from school and eight days of cancelled classes, students and faculty shuffled back into the halls of learning on Monday, September 29. Everyone had a story to tell. Some told of the damage to their property, others of their miserable experience in a shelter, still others of their time spent back home.

A lucky few told of their vacation spent places such as Philadelphia, D.C., or New York. Getting back into the flow of our daily lives, we still feel the current of Isabel’s lingering effects. Disruptions to school and personal schedules are a tax upon us all, but bear in mind that several of the missed events are being rescheduled.

Unfortunately, numerous events were also cancelled. The athletic competitions scheduled to take place while the campus was closed will not be rescheduled, including the September 27th football game against the University of Maine which was declared a no-contest for William and Mary and a win for Maine. In addition, the on-campus employment interviews remain to be rescheduled.

Let us move forward and think: without attachment, without emotion, with a wide perspective, and long sighted.” - Dalai Lama

There is a select list of postponed events and the dates of their rescheduling:

Supreme Court Preview: October 24-25;
PSF Casino Night: October 10th, 12, 14, & 16

Career Services Dean Lewis to Perform Duet with Wife

Brian and Mary Lewis will be among the performers at the 35th annual "An Occasion for the Arts" on Sunday, October 5 in Colonial Williamsburg. They will perform on stage at This Century, 219 N. Boundary Street, from 1:50-2:30 p.m. They will be joined by Andy Petkošky on bass.

An Occasion for the Arts has something for everyone — 170 juried artists, craft demonstrations, food courts, and 10 performance stages throughout the greater Merchants Square area. Come out and enjoy the arts and the fine fall weather.

Brian and Mary Lewis are a guitar-and-mandolin duo from Williamsburg who perform a style of country music they describe as "Brother Duets, Love Songs and Honky Tonk." The earliest influences they draw upon harken back to a simpler time, when home-made music was the primary form of entertainment and radio was in its infancy.

They specialize in songs that feature a singing style known as "close harmony" in which the vocal lines are worked out to compliment one another in an exacting fashion. Their live show traces the development of country music from its commercial beginnings on radio in the early 1930s through its honky-tonk heyday in the 1950s, and it features the songs of the Delmore Brothers, the Louvin Brothers, Ernest Tubb, Hank Williams, Webb Pierce, the Blue Sky Boys, Gene Autry, Buck Owens, the Wilburn Brothers, Ray Price and more.

Brian and Mary have been playing together since just after their marriage in 1980, although much of their early work was strictly instrumental and not vocal-oriented. A four-year stint in the Maple City String Band in the mid-1980s gave them a good grounding in old-time music, but over the years they developed an appreciation for the special harmonies of duet singing.

Brian has performed for more than 30 years in various folk, bluegrass and rock bands; now he and Mary have made a name for themselves as practitioners of the art of close harmony. Formerly based in Iowa City, Iowa, and Gainesville, Florida before relocating to Virginia, they have performed extensively in Iowa, Illinois, Minnesota, Nebraska, Tennessee, Colorado, Florida and Virginia.
Trees Devastate City of Williamsburg and Campus

continued from pg. 1

....the heavy and potentially dangerous equipment.

William and Mary's undergraduate campus is largely residential, evacuated students who had to be given time to return to their dorms or on-campus apartments before classes could resume. The communication of notice to the students through the school website was difficult to maintain. There were only two generators on campus and one of them was used to support IT so that at a minimum the website would remain intact. Although a backup website was posted through Virginia Tech, webmail was more complicated. Webmail could not be sustained due to the ongoing lack of power. Although the school operated a student shelter, (first at William and Mary Hall and then to the Recreational Center), only 50 students remained.

At Regent University in Virginia Beach, over one hundred trees were destroyed or damaged, but no buildings were affected. Classes resumed at the law school, and throughout the university, on Monday, September 22. Baxter Ennis, Regent's Director of Public Relations, attributes its quick reopening to the fact that the school was "very fortunate" to "sustain no structural damage" and to the "tremendous clean up effort" by the maintenance crew. In addition, Regent's electricity was restored some time during the weekend after the storm. Regent is primarily a graduate school of 3200 students, none of whom live on campus. Therefore, there was no need to call them back from a school-imposed evacuation.

The University of Richmond sustained the loss of about one hundred trees, including one that caused minor roof damage to a dormitory. Campus was closed to all students from Thursday, September 18 through Tuesday, September 23. Although the students returned on the 24th, classes did not resume until Thursday, September 25. Richmond's electricity had been restored the weekend after the storm, but more severe weather, including several tornadoes in the area, caused an additional power failure on Tuesday, the 23rd. This time, service was restored that same night.

According to Linda Evans, a Media-Public Relations Specialist for the university, the school's priorities were making sure sidewalks and roads were clear of debris and that power had been restored to all buildings before students returned to campus. Although there are no dorms for law students like at William and Mary, the undergraduate campus at Richmond is 92% residential. All students returned to class at the same time, Evans related, which is consistent with the university's emergency closing procedures.

Fall From Grace: Marshall-Wythe's Annual Semi-formal

by Tarek Shuman

After a successful and entertaining Fall From Grace last year, the annual semi-formal dance returns on Saturday, October 18th, 2003. While the 2002 event at the Sheraton was fun-filled and exciting, SBA felt that this year should bring a change of venue, with the added benefit of a reduced cost. The Holiday Inn Patriot will provide law students and guests with many hours of drinking, dancing, and fun. The hotel is catering the event with a variety of meat and vegetarian dishes, including wings.

Most importantly, the price of admission will provide guests with an open bar from 9 pm until 1 am. The multi-station bars will have plenty of wine, beer, and liquor to ensure that everyone will be on the dance floor well into the night. Beats will be provided by a local DJ spinning all the best hits until 2 am.

To make sure that the fun doesn't get unsafe, an off-duty police officer will be in attendance in the unlikely event that things need to be kept under control. Furthermore, SBA will be providing a shuttle service to and from the Grad Plex and the dance. This service will be provided for student's safety and anyone drinking is encouraged to take advantage of this free service.

What is a semi-formal event? Traditionally, a semi-formal means jacket and tie. While this is encouraged, guests will not be turned away at the door should they choose to dress down slightly. In other words, if guests would prefer to be a little more comfortable, this will not be frowned upon.

With everything in place and ready to go, Fall From Grace should be a great party. We at SBA look forward to seeing everyone there. Remember to buy your tickets ASAP to secure them at the reduced price of $25. The week of the dance, tickets will increase to $35 each. Contact your SBA representative today.

While it was not easy to find adequate dates for some events, SBA realized the need to continue a fun-filled semester for all law students. Bar reviews will continue every Thursday night until exams start. Be on the lookout for other activities that will be announced as soon as they are finalized. SBA encourages all students to stop by the SBA office for any questions, comments, or suggestions, or email wglamb@wm.edu or tzshum@wm.edu at any time.

Faculty-Student Mixers have been rescheduled for October 16th at 4 pm on the North Wing Patio. Should the weather not permit an outdoor event, the mixers will be held in the Lobby. The Graduate Student Bash has been postponed indefinitely and will be rescheduled at a later date.

Sky diving, originally scheduled for October, will most likely be delayed until the Spring. In lieu of the sky diving postponement, Paintball is now being planned, with a probable date of October 25th. Interested participants should contact Rob Maylor at rmaylor@wm.edu.

The Community Service Committee is working with James City County to provide volunteers to assist in the annual Halloween Party for grade school children. Interested volunteers should contact Rob Maylor.
Excessive Classroom Spewage

by Paul Rush

Fellow law students, faculty, staff, and self-proclaimed experts on everything: I’ve held my tongue for two years, but today I’m throwing down the gauntlet. Today I’m burning bridges that I’ll probably never wish to cross in the hopes that you,1Is and 2Ls may experience the truthfulness of legal profession that the rest of us. Classroom Political Bullies. We whisper resentfully about them in the halls, but we rarely confront them directly. Why not? Because their comments and opinions usually fall far short of the type that are de rigueur for the halls setting. You know who they are. They voice political opinion rather than entertain legal discussions. When they open their mouths, everyone stares at the floor and prays quietly for their jaws to tire quickly. To argue with them would mean, of course, validating their remarks as “law school worthy,” so no one ever does.

In all fairness, the copious amounts of unfettered spewed opinion are an understandable result of the natural overlap between law and politics. So there is a reason. There is, however, no excuse. Just because nearly all national politicians are students of the law does not mean that all students of the law should adopt political opinion—at least not in class. To be fair, some classes are far less likely to raise the personal and political hackles of law school students than others. Truly, Professor Cao’s class on International Business Transactions, while guaranteed to make your brain like a pretzel, hardly raises the severely political and personal issues that surface in more policy-oriented seminars.

Join with me, if you will, in dissecting the possible motivations of Classroom Political Bullies in the hopes that we may put an end to this classroom gibberish quickly and move forward with the business of legal education. Why do such people behave the way they do in an environment that should, by all accounts, encourage us to rise above such childish nonsense? One obvious possible motivation is that they want us all to know their opinions in class. Lord knows why, and who really cares.

Perhaps they labor under the delusion that they are denied a sounding board for their opinions, and they have chosen us as their captive audience. Ridiculous. Our school has several such sounding boards, and you’re reading one right now. Expressing those opinions in a law class, where they don’t belong, is nothing less than lazy. Put them in writing. Have them printed. We’ll read them or we won’t. Either way, we won’t be forced to endure having your opinion crammed down our throats.

Or, perhaps their opinion isn’t so thoughtful as to endure serious criticism. For instance, if my classmate injects an obviously inappropriate comment into an otherwise meaningful legal discussion, actually confronting that person makes me look even more ridiculous. The Bullies know this, and so they get away with their political orations, unchallenged. Such behavior, like profanity, is merely a strong way to express a weak mind.

Alternatively, perhaps the reason behind the uninvited utterances stem from a need to feel intelligent. Perhaps these loudmouths believe that they are enlightening us with their obviously irresistible powers of reasoning. Have they, indeed, divined a truth to which none of us have given serious thought? Are they using a service by grace us with their expansive wisdom?

Give me a break. Let me say it once and for all, from all of us to all of you. You are smart. I affirm you. I sing the praises of your intellectual abilities. You wouldn’t be here otherwise. By the same token, we wouldn’t be here either. The rest of us are, in fact, just as bright as you. We just happen to know classroom etiquette: we just understand societal acceptability. You don’t.

My advice? Keep this reminder in your top drawer, and when you feel the need to expose us all to your supposed brilliance, read again these words: “You are smart. I affirm you. I sing the praises of your intellectual abilities.” Then, shut up.

Still, giving the jive-jawed the benefit of the doubt, perhaps they didn’t enroll at the proper school. William and Mary has a fine public policy program, in which I am sure students are encouraged to debate politics and the rightness of their views over others at naasauum. Enroll there. I urge you. I implore you. I beg you. Go forth! Just Go.

Of course, none of this solves the problem of pathetic classroom etiquette. We lack the essential tool of peer accountability. No longer. Because our valuable, and expensive, legal education is of the highest importance in both repaying our loans and finding rewarding jobs in the future, I propose the abolition of inappropriate classroom conduct. This can only be done, of course, through peer accountability.

Now, I don’t really expect this idea to work. What I do expect will happen is that the silent majority will, unfortunately, remain just that. What I do expect will happen is that rude or misguided people will continue to ruin decent debates and profitable discussions. I just thought I’d give those in the majority an alternative to biting their collective lip for three years. We’ll just see. If you have other grievances, and are weary of straddling the fence, you can drop off your editorials at the Advocate office. Do remember this, though. Don’t expect it to get better, and don’t expect to get accustomed to it. By your third year, patterns become ingrained, and nerves begin to wear. Then again, maybe it’s just me. In the meantime, please confine your classroom comments to the realm of the relevant.

Sex and the Law

by Shannon Hadeed

I met an extra fine gentleman recently, and my heart did a few flip flops when he started to talk to me. As we chatted, I found myself running a mental tally of his pros and cons. Pro, he has a master’s degree. Con, he seems to work very long hours. Pro, attractive, good height, nice eyes. Con, didn’t offer to buy me a drink. Pro, interesting. Con, not funny enough. Then I thought, isn’t there something missing here? Why am I doing this and what happened to the flutter in my stomach? I just met this poor guy. So I wondered...are lawyers too rational to be romantic?

Is romance a memorable moment that just happens, like a lucky night that ends at dawn with two people kissing on a corner with warm fuzzy feelings everywhere or is it a calculated environment created for the requisite “romance?” Is it candles + roses + person = romance? Webster’s Dictionary says its something with imaginative or emotional appeal. But I say it’s just that funny feeling you get inside. But more often than not, I find myself analyzing that feeling away. It’s funny how unrealistic things can get when you tell yourself it just doesn’t make sense. “Satin sheets are very romantic, but what happens when you’re not in bed?” (“Express yourself” Madonna)

I guess it’s hard to be a believer in romance when we are trained to dissect and reason every angle of every argument. Imagine a conversation with a few lawyer chums about love at first sight. I think these would be a few of the comments:

Love at first sight is really just lust at first sight. You can’t fall in love with someone you just met. That’s just initial attraction. Once you sleep with the person you’ll get that feeling out of your system. Love at first sight is a myth created by Hollywood and fairy tales. How could you fall for someone before you get to know them? That’s totally irrational...

How can I stop myself from breaking a date down into its elements? Candles, low lighting, soft music, good food, wine, walk on the beach, sex. How many variables are necessary to make an even romantic for me or my date? When it comes to lawyers, is it just good food and sex? Or maybe any good variable and sex. Do we need to feel that flutter? That tiny thrill of excitement when we get a call? Or do we just need for our partners to fill the right amount of pros to outweigh their cons?

I need that magic feeling. And I am my worst enemy when it comes to maintaining it. I squish out romance like a mosquito on my leg. Just being with the one you love can be enough most of the time. But not all of the time. It’s nice to go on picnics in the park (even though there are bugs and dirt). Talk dirty on the phone. Dancing when there’s no music...

So, lawyers may be too rational for romance, but this lawyer still needs it.
Features

Hallway Chatter: Altruism is Evil
by Rajdeep Singh Jolly

A classmate of mine recently and straight facedly remarked that altruism is evil. The issue arose during a hallway chat about tensions between markets and morals, and I think it deserves consideration by anyone who gives a damn about human progress.

I understand altruism, at minimum, to mean profound selflessness. And so, an altruistic act would be a profoundly selfless act, one which is performed for another largely for the sake of that other. Some examples of altruism might include changing an adopted baby’s diaper, voluntarily holding the hand of a dying cancer patient, and taking your sick pet to the veterinarian.

I understand altruism to mean profound selflessness rather than pure selflessness because it is possible for the most seemingly charitable acts to be motivated, at least in part, by various shades of self-interest. Under this view, changing an adopted baby’s diaper might be motivated, at least in part, by aversion to the anguished cries of the wearer of a long-soiled diaper. Holding the hand of a dying cancer patient might be motivated, at least in part, by a wish to live in a world where people would comfort you if you suffered from cancer. Taking your pet to the vet might be motivated, at least in part, by fear of loneliness in the event that your companion meets his maker.

In each of these cases, self-interest is present to some degree; however, in each of these cases, fulfillment of self-interest requires the well-being of others. In other words, self-interest in each of these cases is bound up with care and concern for other social beings.

If you grant my definition of altruism, can you reasonably argue that altruism is evil? I challenge you to try if you’re so inclined. If you succeed, you might destroy a pillar of pro bono work; if you fail, at least Social Darwinists will give you points for trying.

My Hurricane Holiday
by Erin Green

Who knew? I’d snickered at the hurricane evacuation route signs along the side of the road. I’d been through tornadoes—hurricanes are just tornadoes with rain, right? So when I heard the college was shutting down for five days, I got ready to bunker down and enjoy my mini-vacation in my humble home known as the Grad Plex.

I was less than thrilled when I heard that I was being kicked out of my home for an undetermined amount of time. I immediately began searching for places to hide and ride Isabel out, but after discovering that the kitchen cabinets were not as comfortable as I’d hoped, and remembering the valuable lesson Punky Brewster taught me that hiding in refrigerators was dangerous, I gave up, loaded up my car, and high-tailed it to Lynchburg.

By Saturday morning I was bored and decided to venture back into Williamsburg. I figured everything would be fine, and, worst case scenario, I’d live without power for a couple of days. But little did I know, the administration had different plans for me.

House of Haiku: Basho’s Lessons for the Legal Aesthete
by Jeff Spann

A Dictionary,
Nonsense more entertaining,
Than Amboise Bierce’s.

1) For those unfamiliar, Amboise Bierce composed and compiled The Devil’s Dictionary in 1909 or thereabouts. Among the many helpful definitions included are the following: ‘Logic’, n. The art of thinking and reasoning in strict accordance with the limitations and incapacities of the human mind; misunderstanding. Road, n. A strip of land along which one may pass from where it is too tiresome to be to where it is futile to go. Virtues, n. pl. Certain abstractions.

2) Most nights, the corner of Scotland and Richmond resembles the queue outside a Russian breadshop. What is so humorous given the Lee’s penchant for being good from far, but far from good. Not that we poor beggars are complaining.

California, recall on deck, world watching dizzying, shameful.

3) Every year, two things happen. We have a new “smartest class ever” at the law school, and the parking situation becomes more unbearable. While correlation is most certainly not causation, there is a certain suspiciousness about this particular coincidence. The thing I miss most about last year’s 3L is that they only came to school occasionally.

Hurricane fallout,
No such thing as a free lunch,
Curses, curses, all

4) You know the best thing about making up lost classes? The opportunity to miss the same class twice. Other than that, nothing.

Greenleaf Caffe it is,
Because there is no better,
Place to stand in line.

Dail Ritual

5) There is something truly ridiculous about the California recall situation—and I’m not referring to Gary Coleman. How in the hell can the world’s greatest economic power routinely run into difficulty with something so fundamental to its very existence, the electoral process? There is something indeed rotten with the American body politic, and this “do over” in California is just another symptom.

Daily ritual

6) This could actually be the year the Sox cancel their stadium scheme under the shadow of the Bambino’s no so curse. Then again, the best thing about being a pessimist is that you are only ever pleasantly surprised. The Sox will find a way to lose in the end.

establishments, bars, and the outlets (as the campus police refused to allow us into our apartments to get clean clothes).

As the week drew on, our clan grew in number, and we bandied about the idea of getting together on common ground to eat as much free food in the Dining Commons as we could. The crowds didn’t grow, we didn’t get much food, and we folded into internationals, community workers, people whose houses had been destroyed by trees, and other grad students who simply recognized the value of a free meal.

The miracle happened on Thursday. We discovered that the locks were finally off our apartments, and after confirming with campus police that we could go back, we joyfully reunited our smelly apartments. By Sunday morning the parking lot was full again (even though it was never actually announced that housing was open again), as were the dumpsters of rancid food. Our wayward journey has come to an end, but I’m already preparing for Hurricane Juan. I’ve got my flashlight, my bottled water, and a cozy little kitchen cabinet all picked out.
Hurricane Confessions

Down and Out in Snowshoe
Heard through the grapevine and reported by Jennifer Rinker

While those with the courage to remain through the storm played drinking games by candlelight – with Scattergo, maybe thrown off in the treeline. Time has started. Go.

As law students tend to do, a raging debate erupted at around 8 in the morning (As the story goes, they weren’t already up then, they just had yet to go sleep). And what were these future adjudicators, arbitrators, orators, etc. debating? G. W. Bush? Not even close. Iraq? Nope. The environment? Warmer. Everyone had sixty seconds to bring an argument for the distance between the condo and the adjacent treeline. Time has started. Go.

After all had been given their opportunity to speak – and then some – one party asserted that he could throw a football a distance of 40 yards. Thus, the scientific determination ensued. The treeline is officially 4.3 throws of the football away.

The winner determined and the fun over, the inevitable Seeking-of-the-lost-keys began. When you have ten people partaking in the beverages that are frequently partaken of to enable them to actually want to stay up until 8 in the morning and throw a football to answer the burning question of the moment, keys are a sacrifice to the night. After four hours of turning the condo upside-down were over and all had decided that no one knew or reasonably should have known how to hotwire a car (or at least no one was willing to admit that ability), the locksmith was called.

Although personally did not know this was an option, apparently technology has advanced so far that locksmiths can make an impression of the door lock to make an ignition key. So, as many of you may have already figured out, in the process of gathering everyone’s things to load into the car, the keys were found in the pocket of someone’s jeans – maybe thrown off in the rush to wear boxers to the hot tub? (It was an unfortunate choice of boxer briefs for use as hot tub swimwear and is apparently best left unremembered by those who witnessed it.)

Me and Isabelle
Gary Abbott
Frankly, I got annoyed with having to boil water for a couple of days. Now that it’s over, I can admit that I never lost power, phone or even cable. Probably the only time in my law school career that I will be in the good ten percent of a group. On the other hand, it’s another shared experience with my peers that I’ve missed and can’t empathize with in years to come. Kind of like never having been in the armed forces or never giving a long obituary. I did try to share the wealth, though. I had four to eight family and friend “guests” for a week, while their neighborhoods were recovering. All that camaraderie pretty much eliminated what I saw as an opportunity to get ahead on reads and Trial Ad while we were on our early Fall Break (?). And I got very nervous at the height of the storm when I was on the porch watching my neighbor’s fence blow down and the oak tree in my front yard let out an enormous “crack” while bending in the wind. It held, but I’m keeping an uneasy eye on it.

Now we’re all back. Let’s have some more fun.

Forget about Abe Lincoln, the Crocodile Hunter Slept Here
Jennifer Rinker

We have been reminded, and it needs reiterating, that we were well-rounded, interesting people before we got to law school, and we should strive to remain so throughout law school. In addition to keeping up on my pop culture knowledge through movies and the occasional reality T.V. series, I chose to take advantage of the hurricane, as so many did, to get the heck out of Williamsburg. I also went to the mountains. I grabbed the dog, bagged up the fish and hightailed it to Luray, Virginia, located along the I-81 corridor through the Blue Ridge Mountains. The rest of this may read like a bad travel brochure for law students, but be forewarned.

The small souvenir shops that line the windy road from Luray to Skyline Drive and the Shenandoah National Forest provide booty from fireworks (hoosier do’s AND hoosier don’ts – that’s a Joe Dirt reference for those of you who have been in Law School too long), homemade fudge, and jars of honey, to wooden Indians and the ubiquitous sliced geode keychain/bookend/paper weight. This “Silvertown” (Joe Dirt again folks) is home to Luray Caverns and Garden Maze, the Luray Zoo, and Yogi Bear’s Jellystone Campground. The most unique feature of the Luray Caverns is the world’s only Stalacpipe Organ that creates sounds from the surrounding stalactites. The person that thought that up was very, very creative. Probably not a law student, but we’ll let them be cool anyway.

The one-acre Garden Maze at Luray Caverns rivals that from The Shining’s Overlook. Don’t expect to find Jack chasing you with an axe, but there likely will be more than a few idiots making that reference – myself included. If you don’t know what The Shining is, get your head out of the books and go rent it. It will be in the Horror section. Nicholson’s best work since . . . well, if you’ve ever had the unfortunate experience of being around enraged, crazy people, you will be really freaked out.

Luray gained international esteem when Steve Irwin of Crocodile Hunter fame declared the Luray Zoo “. . . the best place in the states.” What better promotional propaganda can a zoo get?

The Shenandoah National Park boasts over 500 miles of hiking trails, including 101 miles of the Appalachian Trail. Deer, black bears, bobcats, and approximately 200 species of birds are among the abundant wildlife frolicking about. The National Park Service pamphlet promises an autumn of brilliant color, but warns that the air may be a little “crisp.”

I can recommend the place. Maybe you’ll think of Luray the next time you want to get the heck out of Williamsburg. Do the whole getting-lost-in-the-Garden Maze thing and see if Mr. Irwin knows what he’s talking about (not that we would think otherwise, of course. He does run Australia’s Zoo, after all).

A fallen tree destroys a power line in Isabel’s wake
Stretching the Truth About Iraq

by Rajdeep Singh Jolly

On 1 July 2003, the Program on International Policy Attitudes at the University of Maryland released survey results showing 52 percent of respondents agreeing that the Bush administration "stretched the truth without making false statements" in efforts to justify its invasion of Iraq. My objective here is to argue that truth cannot be stretched.

Strictly speaking, statements and beliefs that we express about the world are either true or false; they either conform to reality or they do not. It would be a stretch of the imagination to suggest that we can stretch the truth about the way the world really is. Just as we cannot stretch the truth about our age or weight, neither can we stretch the truth about the need to conquer another country.

Wait a second; couldn't there be some room in life for truth-stretching? After all, we routinely and unabashedly fall short of stating our exact ages and weights, which fluctuate constantly. Leniently speaking, I think our best estimates of age and weight do not fall far enough away from reality to count as falsehoods. Even still, I see no need to equate such estimates with truth-stretching.

Maybe true beliefs are those which have sufficient correspondence to reality. Maybe it is sufficiently true to say that you are "22 years old" instead of saying that, at time t, you are "22 years, 10 months, eight days, two hours, [and so on]" old; and maybe it is sufficiently true to say that you weigh 100 pounds instead of saying that at time t—well, you get the picture.

How far from exactness we can go, in a lenient sense, before entering the realm of falsity might escape universal agreement, but we are accustomed to regularly and unproblematically separating truth from untruth. A 22-year-old who gives her age as 23 or 103 is telling a lie; a 100-pound man who gives his weight as 101 pounds after dinner might not be lying, but the closer his given weight gets to infinity, the more certain we are that he is lying. My point is this: Even if we take a lenient approach to truth-telling, there can still be room for only two possibilities—truth and falsity. Even in other words, there is no room in life for truth-stretching.

Now, if the Bush administration could not have stretched the truth about the need to conquer Iraq, it could only have built its argument within the confines of truth or falsity. In other words, the premises and conclusions which constituted the Bush argument were either true or false, not stretched. (Of course, there is another distinction worth noting between mistakenly deriving false conclusions from false premises on a life-destrorying matter such as war and intentionally arguing in this manner. While the former smacks of irresponsibility, the latter stinks of evil.)

We should not want to live in a society whose constituents believe that truth can really be stretched, because such a fiction gives liars a sense of legitimacy. If outright lying can be likened to the smack of an iron rod across the face of truth, then institutionalized truth-stretching can be likened to a stealthy but deadly form of cancer.

Career Services Office Recovery Plan

by Gary Abbott

The good news is that only four employers completely canceled interview sessions with students. The bad news is that there will be a few Saturday interviews. Not bad for having to rework schedules for 80 employers and under less than optimal conditions.

Deans Kaplan, Lewis, and Chambers met in the unpowered Office of Career Services the week of our "break" to do interview triage. Figuring Monday, September 29, as the earliest that any interviews could be set, they divided the stack of file folders and headed out to make calls. Dean Kaplan and Chambers still had phone service and could work from home, but Dean Lewis was stuck pacing Dean Kaplan’s living home working with a cell phone. Then there was an afternoon session at Kinko’s for Internet access to update the system. Finally, the three of them spent an evening by candlelight to let students know that they would have interviews as soon as school started on Monday. If you didn’t keep up with your voice mail, you may have missed important late-breaking news.

OCS feels that the rescheduling went remarkably well. The office asks that you contact them as very soon as possible if you have conflicts or other problems. Looking slightly ahead, they also offer this “Don’t Miss It” reminder: Federal Government Jobs for 3-Ls -- the PMI Program -- (check under Hiring Application Deadlines) is a fantastic program and William & Mary students have typically fared well in the selection process. Any third-year law student interested in a job with the federal government should look into it. Application deadline is midnight, October 15.

Finally, if you missed Dean Lewis in Concert at "An Occasion for the Arts" this past Sunday, he and his wife Mary will be performing on the Norfolk public radio station, WHRV 89.5 FM on Sunday, October 12 between 8:00-9:00 p.m. Take a study break and tune in.
Six Floors Up

by Sada Andrews

Most mornings I didn't feel like helping anyone. For an hour I would make my way through Los Angeles smog and a maze of SUVs whose size was only surpassed by the drivers' ego. My exit dumped me off on a side street in Chinatown where I parked in an abandoned lot inhabited by two homeless families and one old man. The overpowering scent of burning incense usually filled the lobby of the low-rent office building where I worked. I could barely see the elevator through the pungent smoke.

Six floors up, however, a group of brilliant, dedicated, and endearingly disorganized lawyers worked away at helping persecuted individuals from around the world gain asylum in the United States. At first it was hard to tell the refugees from the staff at Human Rights Project. By the time I knew the regulars, I figured I was working with a Mongolian, a Ukrainian, a Latvian, a Nigerian, a Yemeni, a Turk, an Iranian, two aging hippies, and a Ugandan who could only work off his legal bills by arranging office furniture. We changed out of our jeans only if we had to go to court.

To say I was thrown in the deep end would be a gross understatement. Within five minutes of showing up on my first day, I was interviewing "my" clients whose survival depended on the fact that they not be forced to return to their home country. High stakes, and not even an immigration law class under my belt. I ended up "doing my time" with all the boring (sorry, challenging and invigorating) lawyer stuff like writing appellate briefs and filing motions. In that sense alone my experience was probably not so exceptional.

Exceptional, though, was that the doubts of the morning invariably evaporated by the time I stepped into the office and saw the individuals and families whom I came to know and help as best I could. Many of them had unbelievable stories (although my job was to make them believable) of courage and perseverance. The clients with whom I worked most closely were victims of war crimes and torture in their home countries of Sierra Leone, Sudan, India, and Mongolia. After that, smog, traffic, egos, nails in my tires, incense, and a total lack of experience became the smallest imaginable obstacle compared to those already overcome by the people in the waiting room.

My point? Go get a job in public service, and if you can, anything that has to do with human rights. Sometimes you feel overwhelmed, sometimes under-appreciated, sometimes like the copier is the bane of your existence, and always poor. What you'll learn is that none of that can stop you from making an impact where it is most needed. Just ask your clients.

The Norwegian Dance Party

by Shannon Hadeed

Despite the early arrival of the police, the party turned out pretty well. Sponsored by Phi Delta Phi, the Norwegian dance party has become a bi-annual event since 2001. The party theme was started by a group of students in their first semester in law school. The idea began when one of the group's roommates visited a student from Norway, wanted to have a European discotheque party. According to Phi Delta Phi President Jeremy Domozick and original member of the party planners, from the original idea "The Norwegian dance party was born and we have had one every semester since. This was the fifth one."

A well rounded mix of law students and non-law students made up the estimated 150 people in attendance. When asked to comment on the cancellation and then the "uncancellation" of the party, Domozick replied "What happened was the people who live in Richmond Hill called the police very early, they came at 8:30. But the noise violation doesn't kick in until 10:00. So for them to come when we had only a couple of dozen people so early was a surprise." The party organizers then went and spoke to the neighbors who apparently were just concerned about the noise level. The neighbors agreed to allow the party as long as the music was kept quiet.

Domozick reported that plans had been made to avoid the problem. "I called the city to see if we could get a permit, but it's a noise violation, and you can't get a permit to violate a noise regulation." For the next Norwegian Dance Party, planned for sometime in March, Domozick explained, "We will try to talk to the neighbors ahead of time and keep the music down. (That is what triggers noise violations) to try to avoid this problem."

Even with all of the confusion about whether or not the party would still take place, there was a large turnout. In true Norwegian dance style, a bubble machine, fog machine, two tents, kegs, jungle juice, a disco ball, strobe lights and other multi-colored lights kept the dance floor hopping even with the muffled music. The two tents on the Mamosa house lawn were packed with people as was the cooler outdoors. Even the house patio was covered in students enjoying themselves, drinking, laughing, and dancing.

Students enjoy themselves at the noiseless Norwegian dance party.
Internship with the National Center for Missing and Exploited Children

by Katherine Aidala

This past summer I worked at the National Center for Missing & Exploited Children (NCMEC), a nonprofit organization affiliated with the Department of Justice. Located in Alexandria, Virginia, NCMEC began in 1984 to aid law enforcement officers in recovering abducted or runaway children. Over the years, it has grown to include an education division to teach parents and communities how to better protect their children, and a legal division to assist the government in prosecuting crimes committed against children and to lobby legislatures for tougher laws against such crimes.

I worked in the legal division under the supervision of a staff attorney. My work was primarily research-oriented. Over the course of ten weeks, I researched state cases and statutes on child sexual exploitation, with a focus on internet crimes committed against children. The purpose of my research was to create a resource for prosecutors just beginning a case where, for example, the defendant allegedly solicited a teenage over Instant Messenger. I tried to explain computer terminology in layman's terms and give a brief history of how each state had treated similar cases. The work was interesting, although the subject matter was hard to handle at times. I became very familiar with Lexis-Nexis (perhaps more familiar than I wanted to become) which will undoubtedly help me down the road, and gained a new respect for prosecutors who put people who commit these unspeakable crimes in prison.

The other part of my job was to provide legal information to members of the community that called in with questions about children's issues—anything from knowing their rights in a child custody case to what to do if their child ran away with an older man or woman. I enjoyed this more than researching because it was easier to see how my work directly impacted someone else's life. Thanks to PSF for enabling me to pursue this opportunity.

Legal Services of Eastern Virginia

by Gary Abbott

I was really looking forward to my summer internship with Legal Services of Eastern Virginia (LSEV). The old hippie in me just knew it was the right thing to do, i.e., fight to protect the average Joe from the evils of Big Government, Big Business, and the jack-booted, cudgel-wielding police. The newer mortgage/car payment/college loan middle-ager in me feared depressing work and no-account clients. Happily, the two of me had work that pretty much split the difference.

LSEV is one half of a two-part organization. Due to constraints on the use of federal grant money, cases that may be fee-generating, like personal injury or violations of Constitutional rights (there went the police brutality work) are handled by an affiliated office. LSEV accepts clients with income slightly above the federal poverty level and with precious few assets. Cases it can accept are predominantly creditor/bankruptcy, Social Security Supplemental Income (SSI) denials, and a whole, whole lot of domestic cases, mostly divorce, child custody and child support. Familial situations do not quite reach Springer level, but they can be very interesting.

The domestic and SSI work I did with LSEV comprised six cases I worked on in-depth and another half-dozen on which I did some research and maybe a letter. All of these were very form- and evidentiary-driven. Adoption, divorce, and child support issues require strict adherence to the Virginia statutes or you have no case. SSI appeals on denial of benefits cases require more medical records than most hypochondriacs would keep. Those take a lot of phone calls running down copies. However, lawyers making the appeals told me that judges are usually very accommodating and work with what is provided, awarding benefits in 75%+ of the appeals.

The downside of the summer was that LSEV was going through somewhat of a reorganization. They had recently lost two of six lawyers on staff and were closing two satellite offices because of budget cutbacks. The main office, where I spent most of my time, was consequently a bit disorganized while cases were being redistributed and the remaining lawyers were stressing from overload. But I tagged along to court three times while I was there, which were very valuable experiences to me, and I got enough encouraging words about the work I accomplished to feel useful.

Probably the worst thing about my internship, or any internship probably, was the reminder of how this working for a living stuff REALLY cuts into your free time. Then again, when a client goes out smiling and thanking you profusely, you know ya done good.
The Fat Canary: A Must For All Who Appreciate Fine Dining

Restaurant offers toasted pine nuts

by Brendan H. Chandonnet

One of my favorite things to do on a Friday or Saturday night is go out to eat at a nice restaurant. Since moving to Williamsburg, my restaurant options have been quite limited, thus I was very excited to hear that a new restaurant was opening right on Duke of Gloucester street and even more excited to hear that the restaurant was being opened by a graduate of the Culinary Institute of America, a symbol of the highest quality and professionalism in American cuisine. After leaning that the head chef had such a strong background, I had very high expectations for the restaurant and was not disappointed.

The set up of the restaurant is quite nice, reminding me of one of the small boutique restaurants of Philadelphia. The walls are painted a calming pale green color, with wood accents surrounding the top of the bar. While the restaurant is on the small side and the bar is a bit cramped, there is more than enough room in the dining area. The tables are far enough away from each other so that conversations do not run together, and the wait staff does not need to intrude on two tables to take an order. The aesthetic highlight for me was the open kitchen. It was beautifully designed and having the opportunity to see the food prepared definitely added to the experience. Despite the fact that the restaurant was very busy, the kitchen was kept very clean, and the chefs remained completely in control the entire night.

The chef, Tom Powers Jr. should be commended. He knew what he wanted and knew what would work and it does. He remained in the kitchen preparing food the entire night, yet due to the design of the open kitchen, he was able to maintain control over the floor of the restaurant as well. (This approach stands in stark contrast to the nightmare that was “Rocco’s” for those of you who watched “The Restaurant” on NBC.) In addition, he made sure that the parts of fine dining which require formality (changing of silverware, purring of water and wine, etc.) remained formal, while still allowing the restaurant to be lively, boisterous and fun. There is no need for a fine restaurant to be stuffy, and this approach is championed at the Fat Canary.

The wait staff was very good, all well-trained and quite knowledgable. All specials were memorized, and no pads were used at any point to take orders. Our waitress Kim, receives kudos for picking out a great bottle of wine (Pinot Noir - Christom “Mt. Jefferson”, Willamette Valley (Oregon)), from a wine list that is extensive and quite reasonably priced. The markup appears to be under 50% which I think is fair.

The menu is nothing short of outstanding. A strong variety of seafood, steak, chicken, and pork dishes are on the menu, and all reasonably priced. Appetizers and salads are around 6 dollars, entrees are in the $15-20 range, with specials ringing in at $21.95. I decided that since I was reviewing the restaurant, I would get an appetizer that I would not normally order and I am very glad that I did. I decided on the Warm Pesto Polenta with Wilted Spinach, Garlicky Tomatoes and Toasted Pine Nuts ($5.95). It was amazing! The appetizer came out piping hot and combined flavors that I did not think could be brought out in polenta. One comment will sum up my feelings concerning the entire entree. If your religious beliefs allow you to do so, get the pork. I would put the Grilled Pork Tenderloin with Roasted Mushroom Fregola, Toasted Pecan, Spicy Andouille Sausage and Scallion Sauté ($18.95) up against any meal I have ever had. The pork was prepared perfectly, and the fregola sauté might have been better than the pork, I couldn’t tell. The entire entree was nothing short of perfect.

While I am not a big fan of dessert, the vanilla bean créme brulée made me wish that I wasn’t sharing dessert and had gotten a whole one for myself. Dessert wines are extremely reasonably priced for the portion that you receive. A hefty serving of the Noval Raven lists for $5. Additionally, the coffee was fresh which, while it doesn’t seem like much, is often overlooked.

I wouldn’t feel right if I didn’t complain about something so I must say that the wine list stated that the bottle of wine I was ordering was from the 2000 vintage and the bottle that was brought to the table was a 2001. In their defense however, 2001 was a much better year for Pinot Noir in Oregon, so even the oversight worked to my advantage.

Thanks to Tom Powers Sr. (owner) and Jr. (head chef) for such a wonderful dining experience. I give the Fat Canary my highest recommendations, and even if you are not in the market for a meal, $5.50 for a top shelf cocktail at a nice bar sounds great to me.

The Advocate is Pleased to Introduce the New Members of its Editorial Staff

Gary Abbott (Copy Editor) was raised in Newport News, Virginia, and is a Public Administration graduate of Christopher Newport University. His past life was spent as a draftsman building aircraft carriers (Weapons of Mass Defense) at Newport News Shipbuilding. He came to Marshall-Wythe School of Law due to a mid-life crisis...uhh...career change and is seeking more meaningful and fulfilling work. Gary is married (sorry ladies) and always fighting the urge to chuck it all and head for Hollywood to star as a victim in slasher movies.

Rajdeep “Raj” Singh Jolly (Layout Editor) exited the womb on 13 June 1981 in Miami, Florida. He estimates his date of conception as 13 September 1980, but don’t bother asking him where his constitutive gametes came together because he will plug his ears and start whistling. Raj graduated from the University of Virginia with a philosophy major. In his spare time, he writes columns for The Advocate, cooks Indian food, and listens to Queen albums.

Jennifer Rinker (Asst. Business Manager) is from Texas. She has worked as an archaeologist since receiving an M.A. from University of Texas in 1998. She has spent time studying runes in Germany, on a Native American reservation in Arizona, and as a cultural resource project manager for around 900 miles of natural gas transmission pipeline expansion projects in west, northeast, and southeast U.S.

Nicole Ayn Travers (Layout Editor) recently graduated with a BFA in Writing, Literature and Publishing from Emerson College in Boston, MA. She is spending her first semester at Marshall-Wythe getting used not taking the subway everywhere she goes. She worked as a layout editor on several literary projects as an undergrad, but this is her first time working layout on a newspaper. She is currently writing a young adult novel (when she finds the time, that is).
Strangers in a Strange Land: Lost in Translation

by Marie Siesseger

The language, culture, and scenery may be wholly foreign, but none of the plot falls victim to the threat enshrined in the title of director Sofia Coppola's second stab at feature filmmaking, Lost in Translation. Set primarily in and around the Park Hyatt Hotel in Tokyo, Lost tracks the fortuitously intertwined fates of two travelers—Bob Harris and Charlotte, played by Bill Murray and Scarlett Johansson.

Bob, a successful film star, is in Tokyo for mostly mercenary reasons—he's there to shoot a few commercials as a spokesperson for Suntory Whiskey, a fairly non-taxing gig that promises to net him a nicely padded paycheck. After watching him throw back a few in the hotel bar, however, it becomes imminently apparent that money isn't the only thing on his mind. It's a metaphor that has been exploited so often that it would seem almost impossible to wiring a novel twist out of it, but Americans in Japan epitomize the alone-with-everybody phenomenon. (Look for a significantly watered-down version of this in this fall's Le Divorce, based on a book about a Californian transplant to Paris.)

Perching on the windowsill in front of a panoramic view of Tokyo in her underwear and a t-shirt seems to be Charlotte's primary occupation, but Coppola rescues her heroine from a nearly catatonic state of circumspection. Brought to Tokyo by her photographer husband (played by Giovanni Ribisi), Charlotte is plagued by a strain of self-doubt regarding her primary occupation, but Coppola boldly embraces the father-figure imagery. Ultimately, though, she shies away from potentially disruptive Nabokov-esque allusions. Lost doesn't stoop for shock value. Instead, Coppola strives to craft a film that isn't so much a standard Hollywood tale as it is a prolonged glimpse into a discrete moment in two people's lives.

The sharp visual contrasts—old(er) vs. young; Japanese vs. American—give texture to the basic point of Lost, which is that life just can't always be painted Hollywood's hunky-dory hues. Lost is certainly not devoid of humor; Coppola didn't write this script for Murray without giving him ample room to make light of his character's melancholy, but it's no Groundhog Day in that respect.

What Lost lacks in the happy-go-lucky category it makes up for in sincerity. Unlike most Hollywood filmmakers who've shot films in Japan, Coppola displays a surprising degree of sophistication in her grasp of Japanese culture. To be sure, Japan is little more than a scenic, and sometimes quirky, backdrop for the film with the added bonus of having a highly isolated history. However, there is a diplomatic restraint in the filming which somehow legitimizes the use of an entire society for the rather sundry purpose of magnifying what would otherwise be a wholly pedestrian tale of American malaise.

"It's not fun, just very...different," Bob tells his wife, Lydia, in an early-morning phone conversation about his experience in Japan. He might as well be making a general commentary on Lost in Translation—it can't properly be categorized as fun because Charlotte and Bob are just too miserable, but it's decidedly different. In a very good way.