REHNQUIST SPEAKS

Chief Justice of United States Supreme Court Visits Williamsburg

by Shannon Hadeed

Hundreds of law and undergraduate students mulled in the foyer of the DeWitt Wallace Gallery waiting to hear William Rehnquist, Chief Justice of the United States Supreme Court speak. Law students were given priority and seated first, but as other students were then seated in closer rows it became a detriment. The stream of students trying to get in was stopped when the auditorium was filled to capacity at 300. Leroy Rountree Hassell, the Chief Justice of the Virginia Supreme Court introduced Rehnquist, tying in the lead topic for the Institute of Bill of Rights Law Symposium, the dual enforcement of Constitutional norms through the state and federal judicial systems. Hassell began with an overview of the important part Virginia played in the formation of the United States government and the integral contribution by James Madison, a Virginian, known as "the father of the Bill of Rights."

Introducing the Supreme Court and its role in protecting the Constitution and the Bill of Rights, Hassell quoted Madison stating "And an independent tribunal of justice will consider themselves the guardians of these rights." He ended with a challenge to Rehnquist to explain why he left Harvard as an undergraduate and went to law school on the West Coast with "I just don't understand why anyone would leave chilly, snowy Boston for a place that has an average of 63 degrees in the winter."

After a standing ovation, Chief Justice Rehnquist opened with "You know what they say about the West Coast 'Cowards never started and the weak died on the way.'" He continued to introduce his theme explaining "I looked at the other topics covered by this Symposium and decided that my contribution should be like a dessert or palette cleanser." The topic of his speech was the difference in the number of presidents who made it from the State House to the White House compared to the number of judges who made it from the State Courthouse to the Supreme Courthouse. He went on to give a historical background of the number of Presidents who were elected from Governor positions.

Peppered with colorful antidotes and sayings about the 17 Presidents who made the move from the State House to the White House, Rehnquist continued on page 2.

Trial Team Concludes Annual In-School Tournament

by Adrienne Griffin

On November 3, the National Trial Team's annual in-school tournament came to a close in Courtroom 21. This year's final round featured William Hamilton (2L) for the prosecution and Jennifer Maki (2L) for the defense. The tournament involved a case of kidnapping and murder and this ultimate round was presided over by Mike Gentry (3L), Lead Counsel for the Trial Team. Acting as jurors and deciding on the eventual winner, were Professors Jayne Barnard and Gregory Baker, as well as Stephen Glymph (3L), the winner of last year's tournament.

Each side gave an opening statement to start the round. Hamilton gave a chilling narrative of how a young girl disappeared and was later found dead in an open field. He skillfully highlighted the physical evidence linking the defense. The eventual winner was determined by the jurors' deliberations, and the Trial Team concluded on page 2.

Inside:

- Islamic Law
- Homosexual Rights
- Debating Affirmative Action

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Jennifer Maki (2L) and William Hamilton (2L)
Trial Tournament Concludes

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dant to the crime. He also
gave the jury some details
about the young victim and
repeated her name many
times to remind the jurors
of the human suffering in-
volved in the crime. Maki
did an excellent job of em-
phasizing the high burden of
proof the government must
meet to prevail in a criminal
trial. She also presented a
shocking, but plausible, al-
ternate suspect: the victim's
father.

As in all previous rounds
of the tournament, the two
competitors were presented
with a change in the fact
pattern before giving their
closing statements. After
having seven minutes to
re-work those statements,
Hamilton delivered a pow-
erful summation of the evi-
dence pointing toward the
defendant. Maki countered
with a statement that em-
phasized the existence of
reasonable doubt and the
possible motivations of the
victim's father.

After deliberating, the
three jurors returned a ver-
dict for the defendant “by
a very narrow margin” and
declared that Jennifer Maki
had won the tournament. She
was presented with a very
practical prize: Trial and
Error: The Education of a
Courtroom Lawyer, by John
Tucker. In giving comments
to the participants, Profes-
sor Barnard emphasized
that both were “fabulous.”
Reflecting that both were
already accomplished trial
advocates, Professor Baker
told Maki and Hamilton: “I
am very heartened by your
work.”

Maki and Hamilton
were among the six 2Ls
who were selected for the
team this semester. In ad-
dition, 10 1Ls were also
selected. All of the 1L and
2L Trial Team members will
be participating in training
sessions next semester to
prepare for next year's tour-
naments. Virginia Vile (2L),
who ran this year's tourna-
ment with Eric Cook (3L),
noted that the competition
was very tight, with mere
hundredths of a point separat-
ing participants during the
qualifying round.

Rehnquist Visits Williamsburg

continued from page 1

House, some of the highlights
of Rehnquist speech included:

—President Henry Adams who
according to the critics at his time
was a “Third rate non-entity whose
only service was that he was obnoxious
to no one.”

—President Taft served the Su-
preme Court well by decreasing
the workload through the passage of
the “Cerratari Act” and the building
of a separate house for the Supreme
Court changed the system to what it is
today arguing “One trial and one appeal
are enough for justice, the final appeal
should be for a bigger question than just
who will win the lawsuit.” Because
Taft was such a large man, some
joked; “One day while swimming
in the ocean his guards put up a sign
that said ‘No Swimming Allowed the
President is in the Atlantic.’

—President Roosevelt was first
the Governor in New York before
moving to the White House. He battle
with the Supreme Court, who kept
his reforms from becoming law by
holding them to be unconstitutional.
Roosevelt tried several approaches
to change the Supreme Court, one of
which included forcing retirement at
the age of 70. This proposal would
have taken six of the Justices off the
court and caused public outrage.

Rehnquist finished by ex-
plaining the reason why it has be-
come so difficult to make the switch
from being a State Supreme Court
Judge to Federal Supreme Court
Judge, and commented on changes in
the process itself. Before 1875
Constitutional claims could not be
brought directly to Federal Court,
they first had to move through
the State Courts. This combined
with the limitation of the number of
cases brought to the Supreme
Court changed the nature of the
cases being heard in Federal Appel-
late Court v. State Courts. As a con-
sequence in the 20th century only
13 of the 51 judges appointed to
the Supreme Court had prior state
experience including Cardozo,
Brennan, O’Connor, and Souter.
Rehnquist added by stating there
is also a “tangible difference in the
process for becoming President v.
a Supreme Court Judge. There is
a presidential path, but no known
path for becoming a Supreme Court
Judge. You can't get there by the
virtue of your own drive because
it's appointed.” He closed with
the response a predecessor once
gave to the question “How do you
become a Supreme Court Justice?”
“It's just a question of being there
when the bus goes by.”

THE ADVOCATE

"Complete and objective reporting of student news and opinion"

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The letters and opinion pages of
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ion regardless of form or content. The
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Letters to the Editor may not neces-
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or its staff. All letters to the Editor should
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The Advocate will not print a letter
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The Advocate's purpose,
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paper, is to provide news and
a forum for discussion to the
community. Unlike local and
national newspapers, The Advocate
does not have a full time staff, it
is fully staffed by students. The
editors of the newspaper
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to provide objective reporting of
student news, as well as provide
a forum where students can offer
opinions on a variety of topics.
With that in mind it should be
noted that opinions will vary widely
with any given topic. There will be
agreement and disagreement, but
after all, with opinions we should
expect nothing less.

If any students, at any time,
would like to submit letters or
opinions to The Advocate, they may
do so by sending it via e-mail in rich
text format to advacate@wm.edu or
shape@wm.edu or by dropping a
copy of the article along with a disk
into The Advocate hanging file.
By Adrienne Griffin

On Saturday, November 8th, the International Law Students Association, in partnership with the Comparative Law Class, welcomed Mohammed A. Bekhedhi, the lead counsel for the World Bank, to Marshall-Wythe. Christie Warren, Comparative Law professor, organized the visit. Mr. Bekhedhi is Algerian and he came to W&M to speak about Islamic Law. First, he gave a brief history of Islam and its origins. He described the five pillars of the faith and the split between Sunni and Shia Muslims, which occurred in the year 632. He also explained that there are several different schools of thought among Muslims, which began to develop during the 9th century.

Mr. Bekhedhi then illustrated the sources of what is known as “Islamic law.” The primary source is the Qur’an, the holy book. Muslims believe the angel Gabriel revealed to Mohammed. Among the teachings found in the Qur’an are the “means to resolve disputes,” instructions regarding business, such as the prohibition on interest, and counsel about home life, including the encouragement of early marriage. The other primary sources of Islamic law are the Hadith and the Sunna, collections of sayings used to interpret the Qur’an.

The remainder of Islamic law comes from a variety of secondary sources and not all of these sources are completely accepted by all Muslims. One of these sources is known as Al Ijma’a, or the “consensus of the community.” This source is made up of the works of scholars and jurists and, according to Mr. Bekhedhi, is used to “solve[] practical problems to which Muslim society is confronted in daily life.” Bekhedhi described another secondary source, Ijtihad, as “independent judgment on a legal issue.” This method of judgment was developed in the 12th century, with Ibn Thaymlyia as its main proponent. Ijtihad has been controversial since its beginning but enjoyed a revival during the 19th century. Finally, Bekhedhi described some “additional methods of creating judicial norms,” including reliance on the practices of Islam’s first four rulers, the decisions of previous judges, and the traditions and customs of the people.

Bekhedhi ended his presentation with a discussion of how Islamic law can co-exist with another law in one country. Algeria, for example, is governed by law with both French and Islamic elements. The laws of family and succession, as well as land and property rights, are governed by principles of Islamic law, while all other aspects follow the example of the former colonial power. In concluding his remarks about countries with two sources of law, Bekhedhi emphasized the “differences between countries that were colonized and those who maintained the Islamic law tradition without external influence.” Bekhedhi recommended two books for those who are interested in knowing more about Islamic law: The Lawful and Prohibited in Islam by Yusuf Al Qardawy and Principles of Islamic Jurisprudence by Mohammed Hasim Kamali.

By Lauren Schmidt

Each year, William & Mary students participate in a public service program called Volunteer Income Tax Assistance. VITA is a program designed to assist lower income taxpayers or those with special needs in preparing their income tax returns. The assistance is completely free to the taxpayer. Since the Williamsburg area already has a complex VITA program, we “latch onto” theirs instead of trying to re-create our own from scratch.

This article will describe W&M’s participation in the program and what you can expect if you choose to volunteer. If faced with a particularly difficult return, we can all help as a group, but we also reserve the right to turn someone away who has a return that is simply too complex. You personally will not be liable for any mistakes (although accuracy is important) because all returns are marked as completed by “VITA” NOT your name. Also, returns will be completed and filed electronically, on computers provided by the IRS. All necessary training will be provided (see below). We will begin to advertise in January, and begin completing returns around February 1st, continuing until April 15th.

Time Commitment: We will schedule about six days (on a variety of days of the week) in which we will complete returns either on the law or main campus. There will be no strict time requirements for you to participate in these, i.e., you can come to all six or simply to two. However, if you wish to participate in more sessions, you can participate directly in the Williamsburg area program, but there are stricter requirements (i.e., if you sign up for a slot, they fully expect and need you to be there). The time it takes you to learn the materials will vary according to your own individual. Each section (there are three—see below) will take about 5 hours to learn. This really is a rough estimate; we just can’t predict how long it will take for YOU to learn the materials.

Training: Training materials (a workbook and test) will be distributed to you before school exams so you can look at them over the break. There are three modules to learn and test on; the difficulty of the materials will increase with each unit. Participants need only pass the first module to be certified to complete basic returns. While the other two sections are more complex, they are very useful (if for nothing else, your own returns).

We will hold a review session for each section. Basically you should review the material on your own and then we will hold a quick lesson and answer your questions.

Testing: The tests are open book and on your own time. Completed test will be due around January 30th.

If interested, please email lsschm@wm.edu
News

William & Mary Changes File Sharing Policy

by Nick Heydenrych

Warning: Downloading copyrighted materials may be hazardous to your academic health.

Due to increasing industry pressure on colleges across the country, Virginia universities have adopted policies that penalize students for participating in illegal file sharing activities.

As of this summer, William and Mary revised its judicial code to penalize students found guilty of illegally trading electronic files. Although many students think nothing of downloading copyrighted songs and movies, as of this year, doing so may invite official proceedings under the college’s revised judicial code, in addition to any private civil actions initiated by industry groups.

Several William and Mary students have already been warned about downloading copyrighted songs and software. If a student does not respond within 2-3 days, or if another complaint is issued, Information Technology refers the case to the Dean of Students.

However, Vogelsang notes that the school does not independently verify compliance. “We do not like to play police,” he says. “We do not act as IP cops.”

However, the “two strikes” policy is discretionary, not official. “I would say it’s discretionary because to my knowledge it has not been taken before a faculty group, it’s not been taken before the provost to say it is in fact the firm policy,” explained Vogelsang. “It is a discretionary policy based upon what we thought was a fair way to deal with it. Some schools do pull the plug on internet service right off the bat. And the student can’t work, they can’t get any e-mail, they can’t get into Blackboard.”

Sam Sadler, Vice President for Student Affairs, explained that the new file sharing policy has only been implemented in the school’s judicial code, but not the honor code. “The difference between the two is that the honor code only applies to lying, cheating, and stealing. Anything else is outside of the code. One could argue, I think quite legitimately, but nobody did, that were one to illegally download material that it’s a form of theft. I think it could be a close call which way it goes, but it was not proposed to be added to the honor code.”

“There are different procedures for violating the judicial code. An honor code violation ultimately results in a hearing in front of a committee of peers. When one is accused of violating the judicial code, they have a choice. They can either have the matter heard by an administrator, in this case Dan Shahay, or by the judicial council. We have wide latitude in dealing with judicial code violations.”

However, Sadler added, “I think the potential threat that this could damage someone is very real. There are some serious consequences here, but I’m not sure how much people think about it.”

Student Organization Budgets

Due for 2004

If you missed the planning meeting on Monday, don’t worry you still have a little time to get your budget in for next year’s events. THE DEADLINE IS NOVEMBER 21ST AT 5PM.

Some things to keep in mind according to SBA President Will Lamberth:

1. Review the budget you submitted last year, check and see how much you have actually spent on events so far this year compared to your original budget.
2. Look over all of the expenses incurred this year by your organization.
3. Think about the events that you intend to do next year and estimated cost.
4. Be detailed, the more detailed the better.
5. Don’t be afraid to contact Steve Percio srdels@wm.edu with any questions you may have.

6. Please pay careful attention to the guidelines that will also be posted. There are only certain things that can be funded through the main campus. For instance alcoholic beverages can not be funded through this process.

7. Forms and information will be available on the SBA door.

8. All budgets should be prepared using the forms on the SBA office door.

9. It is imperative that your budgets be submitted to Steve’s hanging file by November 21st at 5pm.

Any organization that does not submit a budget may not get any funds next year. Last year this process was done in February, but that deadline has been moved up by the main campus. DON’T MISS THE DEADLINE.
Students Discuss Psychologists as Expert Witnesses

by Adrienne Griffin

On November 3rd, a group of W&M students attended a luncheon discussion featuring Anita Boss, a psychologist currently in private practice who has experience working in a criminal court setting. Dr. Boss came at the invitation of Professor Paul Marcus and spoke about the evaluations she has done of criminal defendants. These cases come to her through court appointments or through the defendants themselves, who are looking for an expert opinion to either support an affirmative defense or to present mitigating factors regarding guilt or sentencing. Dr. Boss noted that in Virginia, defendants who wish to enter testimony from their own psychological expert must also consent to being evaluated by the prosecution’s expert.

Dr. Boss discussed several instances in which mental health may be a factor in criminal culpability, such as evaluations of competence to stand trial, insanity at the time of the crime, and competence to waive Miranda rights. This last inquiry is often complicated when intoxication is an additional factor in the equation. When mental health professionals are asked to evaluate defendants for sentencing or prisoners for release, predictions of future danger become important. Although predicting future actions may seem speculative, Dr. Boss explained that there were devices that aid psychologists in this endeavor, such as actuarial methods, recidivism factors, and a psychopathy checklist. She commented that “the old saying is still true—the best predictor of future behavior is past behavior.” She further noted that while experts had theorized that offenders might “age out” of criminal behavior, there is no data to support this idea.

After giving an overview of the psychologist’s role as an expert witness, Dr. Boss fielded questions from her audience. One topic that elicited a good deal of interest was the defense of battered woman syndrome. Dr. Boss noted that while the syndrome has not been recognized as a clinical disorder, it is still possible to “address it... in terms of the psychological impact of the abuse.”

Legal Aid Clinic: Law Students Reap Big Rewards

by Susan Billheimer

Ralph Waldo Emerson once said that “[i]t is one of the most beautiful compensations of this life that no man can sincerely try to help another without helping himself.” And there are opportunities at William & Mary Law School to do just that.

William & Mary’s Legal Aid Clinic provides law students with an excellent opportunity to help people who really need it while garnering invaluable legal skills. “This semester’s legal clinic has been a great experience...[t]here is no better way to learn to be a lawyer, think on your feet, and understand your own strengths and weaknesses,” Kirstin Michener (3L) said.

Kirstin is one of four students this semester who work in the Williamsburg office of Legal Services of Eastern Virginia, providing legal services to low-income people. Students team up in pairs to handle various civil matters, such as eviction, disability and public benefits, debt collection problems, and domestic relations matters under the supervision of faculty member and fellow W&M Law alumna Karen Rose.

Karen recalls vividly how helpful the clinic was while she was a law student. She stresses the positive aspects of the program while addressing some of its challenges: “It is one of the few opportunities students have to represent real people with real cases against real adversarial parties, some with lawyers, in front of real judges or hearing officers. I do feel that our clients present unique problems. Often clients come to our office at the last minute, which makes preparation for a case both both urgent and stressful. Sometimes the clients have not kept important documentation pertaining to their case or are unable to fully explain the events resulting in their particular situation. And, as with any law firm, there are clients who refuse to cooperate and follow the legal advice offered.

The Legal Aid Clinic started in 1977, in the heyday of the Carter Administration’s push to provide federal funding for legal aid clinics. William & Mary recruited John Levy, then serving as a director of the Legal Aid Center in Richmond, to direct the Legal Aid Clinic. John also helped found the Peninsula Legal Aid Center, the predecessor to Legal Services of Eastern Virginia. Until Professor Levy retired in 2001, he was the supervising faculty adviser and handled both the clinic and the seminar portions of the clinic.

In addition to attending two office hours at the clinic each week, students discuss readings and explore issues relevant to their ongoing casework in a one-hour weekly seminar supervised by Professor Moliterno. Professor Moliterno considers the clinic “a logical follow-on to the Legal Skills program.” By practicing with real clients, students handle much more complex factual scenarios than those in the Legal Skills handouts. In addition, the decisions affect the life and future of the clients they work for, which Professor Moliterno feels results in a commensurate amount of energy and effort expended on the project.

Sarah Poulter (3L) has represented three clients this semester. She successfully resolved an elderly lady’s credit problems, defended a mother in a custody hearing case against Social Services, and represented a client in an administrative hearing to obtain disability benefits. Sarah finds the clinic to be extremely rewarding and would like to see more students getting involved in the program. It boosts her sense of confidence in her legal skills to be able to represent people in front of judges and to counsel clients. She emphasizes that she is amazed at how little time she had to spend to make such a big difference in someone else’s life.

Although we can all derive satisfaction from contributing to Turkey Drives and Angel Trees, there is something special to be said for the opportunity to utilize our newfound legal skills to contribute to our immediate community. The Legal Aid Clinic lets us step outside the somewhat surreal law school environment and do some good for ourselves and for others. It can boost our confidence in our abilities as lawyers, teach us to think on our feet, and give us the many intangible rewards that come from sincerely helping another person.

Other Clinics for Students:

Domestic Violence Clinic: Students, working under supervision, provide advice and counsel to residents of Avalon in Williamsburg. Class meetings focus on current practice experiences of the students and on readings and discussions of domestic violence law.

Federal Tax Practice Clinic: A seminar about federal tax practice and procedure and a practicum in which students assist in the representation of low income Virginia taxpayers before the IRS and in U.S. Tax Court cases.

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Military Law Society Honors Veterans Day

On November 11, 2003, the active duty military members of the Military Law Society wore their uniforms to honor all veterans on Veterans Day. They gathered in Courtroom 21 for a photo to commemorate the occasion. Veterans Day was initially started in 1926 to honor the end of World War I. In 1938, Congress changed the name of the holiday to Armistice Day and designated November 11 to be an official legal holiday. Later in 1954, Congress expanded the day to honor American veterans of all wars. More information about Veterans Day can be found at the official Veterans Administration Veterans Day website at http://www.appcl.va.gov/vetsday.

On November 8, 2003, the Military Law Society sent a group of 10 members to Norfolk Naval Base to tour the Arleigh Burke Class Destroyer USS McFaul. The McFaul is a very sophisticated ship built in 1996. The ship is named after Chief Petty Officer Donald McFaul, who was killed in action as a member of SEAL Team FOUR in Panama in 1989. Because the ship is so new, it contains some of the most advanced radars and weapon systems available. More information about the ship can be found at http://www.mcfaul.navy.mil.

pictures and articles contributed by Andrew Flor
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 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 half days. 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. There is 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 the books.

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 case-law, like the Freudian themes in Shakespeare. Codes are designed to be calculus in words only no one is allowed to have a 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 the answer." 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 pack 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 neither do 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 there's a lot of 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 job in airport security so I can learn to toss 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 something to 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,
Lisa Simpson Was Right
(Why I No Longer Eat Meat)

by Kevin Gross

For more than twenty years, I consumed meat on a daily basis. It was an integral part of my diet. Vegetarians were just a strange and misguided group of people. Perhaps they were well-intentioned, but they were wrong. How could they not eat meat? Meat was appetizing. People needed meat to live. How did vegetarians survive? On a lot of carrots and celery? What a bland existence, devoid of all taste. And who cared about livestock? Humans were superior to animals and the purpose of animals was to provide others and me with food. Animals existed for our benefit. Then, my views changed.

My intention in this article is not to proselytize. I am not writing this article to condemn non-vegetarians and superciliously claim a level of moral superiority over them. Rather, I seek to encourage those who eat meat to reflect on reasons to abstain from doing so. Not long ago, I felt as you do. Perhaps, some day, you will feel as I do.

The argument that ultimately convinced me to go vegetarian was health-based. Meat contains a staggering amount of saturated fat and cholesterol. This is a fact. People I know avoid meat, especially in large doses, unless a person seeks future heart problems. The next time you are in a fast food restaurant or in a supermarket, examine the nutrition facts for yourself. You may not realize just what you are eating.

Perhaps, saturated fat may not be much of a concern for you. You do not eat fast food and the meat you do eat is prepared via a George Foreman grill or Ron Popeil fat-cutting appliance. So, why should you cut your meat intake? One reason is because livestock have an amazingly detrimental effect on the environment. They consume large amounts of water and produce large amounts of waste. Additionally, it is incredibly inefficient to use land to grow food for livestock to eat over the course of their lives, and then consume the livestock in a single instant rather than just growing food for human consumption. As the world population continues to increase and livestock continue to deplete natural resources, something will have to give.

In 2000, nearly nine billion (that is correct, billion) animals were slaughtered for food in the United States (for a breakdown, see www.upconline.org/slaughter/2000slaughter_stats.html). The most shocking and truly disturbing thing I have learned about meat regards the conditions in which substantial numbers of livestock live. Before I became a vegetarian, I never considered the animal behind the meat. The horrific truth is that significant numbers of livestock are born, raised, and killed in utterly cramped, filthy, and inhumane conditions. This is known as factory farming and it is a fairly widespread practice ("Mom and Pop" operations could not kill nine billion animals in a single year). I encourage you to view the video at the following website, www.meetyournear.com, so you can personally see the conditions at factory farms. I caution you that the video is graphic, but if you want to know the truth, then it should be seen. Can we, in good faith, hide behind ignorance?

Even if animals are not as intelligent as humans, they experience pain just as we do. Anyone who has ever owned a dog or cat knows that they have feelings. And since when has a greater intellectual capacity been a rational basis for cruelty? Is not all life precious? In An Introduction to the Principles of Morals & Legislation (Darien, Connecticut: Hafner Publishing Co., 1948, p. 311), Jeremy Bentham wrote, "What else is it that should trace the insuperable line? Is it the faculty of reason, or perhaps, the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day, or a week, or even a month old. But suppose the case were otherwise, what would it amount to? The question is not, Can they reason? nor, Can they talk? but, Can they suffer?" Preventing pain and suffering is quite a sufficient reason to become a vegetarian.

Thank you for indulging me this far. If you have in any way been convinced to reevaluate your views on eating meat, you may be wondering how to proceed. The most basic way is by replacing a single meat meal with a vegetarian one. Today, there are ample meal options for vegetarians and I have found that vegetarian meals are just as good as meat-based ones. As much as I used to enjoy meat, I no longer have any craving for it whatsoever. The next time you are in a restaurant, I encourage you to order a vegetarian selection. See for yourself. You might want to purchase a vegetarian "meat" product the next time you go shopping at a supermarket. Vegetarian "meats" are usually soy-based and taste just like the real thing. I recommend trying Gardenburger Ribles and Mornings Hot Dogs. I think you will be pleasantly surprised.

(Fun) Size Matters

by Tim Castor

Nearly three weeks have passed since Halloween, which means that Reese's Peanut Butter Cups, apples, and raisins now accompany Heinz green ketchup on supermarket clearance racks (I think relish felt threatened by green ketchup and, as a result, relish felt it necessary to sabotage green ketchup's marketing campaign). Before thoughts of ghosts, witches, and The Next Joe Millionaire completely vanish from our minds, however, I want to recount my Halloween adventures.

Rather than dressing up as a hangman (or fairy costumes), I grabbed my largest pillowcase and took to the streets in the hopes of acquiring some nougat. Although I sported a nifty costume, I was unsure as to whether homeowners would become violent when a twenty-three-year-old man-child knocked on their door and demanded free nougat. In fact, I made sure to bring along a poncho, in case the homeowners decided to engage in some reverse egging (unlike traditional egging, reverse egging occurs when the flying eggs originate from the house and are directed at the trespassers). Luckily, the vast majority of the people I accosted graciously provided me with nougat, with one amused individual even going so far as to take a snapshot of me (in the matter of Commonwealth v. Ja cka ss law student who had the nerve to bother anice old lady, the government now offers into evidence prosecution's exhibit 1: a photo of the jackass). At the end of the evening, I revealed in the spoils that I had obtained, simultaneously mocking all of the local kindergarteners who procured less candy than I obtained.

While my trick-or-treating escapade certainly constituted a success, for some reason, I had an emptiness in my stomach at the end of the evening. As I reached for my seventeenth Milky Way, I realized that a lack of chocolatey goodness was not the cause of my ailment. Rather, I felt uneasy because an unanswered question had been weighing on my mind throughout the night: "Why are Candy continued on pg. 10
Another Defense of Homosexuality

by Rajdeep Singh Jolly

According to Seth Rundle, many people recognize a twofold purpose of sex: "procreation and the sacramental bonding of a man and woman." The intentional frustration of either purpose leads to "grave guilt," presumably because such frustration is "evil," and it follows that since homosexuality frustrates both purposes, homosexuality is evil. It also follows that recreational sex is evil. Harsh words, indeed!

On the issue of purpose, one can ask two separate questions: whether sex tends to be used intentionally for certain purposes and whether sex has inherent purposes. Sex tends to be used intentionally for the purpose of fostering intimacy, generating pleasure, and/or starting pregnancy; however, I think sex is inherently without purpose. Sex is used instrumentally to accomplish the aims or purposes of sexual partners. Sex is like a hammer; its purposes are imposed or defined from without by conscious agents.

If Rundle thinks that sex has inherent or essential purposes, which exist independently of our recognition of them and which must be discovered rather than imposed, then he must explain how we can discover such purposes. Looking to nature for such purposes won’t help because bonobos routinely and naturally have sex for recreation instead of procreation. Looking to religion for such purposes won’t help because one would first have to prove (a) God’s existence and (b) God’s ability to transmit secrets about teleology. Alas, faith is a flimsy way to prove your case.

Arguing that sex has inherent purposes is like arguing that running has inherent purposes. Why do we run? We run to escape, to exercise, to race, to score touchdowns, and so on. On what basis, other than arbitrary choice, can I say that running has two or four inherent purposes? Inherent purposes look a lot like impositions from without for having sex, I concede that sacramental bonding is a noble purpose. And it follows from aJirming our case.

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Hate Speech?
Get a Grip!

by Paul Rush

First of all, allow me to set the record straight. Several weeks ago, Seth Rundle submitted to me an article for my feedback and consideration only. I accept full responsibility for the inadvertent printing of the uninvited article, as its publication had not been approved by the writer. As such, I owe an apology to Mr. Rundle for its printing; neither I, nor Mr. Rundle, however, owe anyone an apology for its content.

For weeks I have been hearing that the article constitutes "hate speech," but no one has been able to explain why. Many have labeled the sentiments "homophobic," although the author clearly states that he has a friend who is a self-professed bisexual. Get a grip, folks, and buck up. Don't expect to throw words like that around willy-nilly and get away with it.

First of all, the term "hate speech" is entirely improper and flagrantly misused in this context. Though the reasons are infinite, let's just focus on a few, shall we? The European Union, one of the more socially leftist political entities of the West, bans hate speech. No first amendment issue there; you just can't do it. Sound like fun? A barrel of monkeys, if you ask me, but let's look closer. Hate speech, according to the oh-so-sensitive European Union, is speech which "advocates, promotes or incites hatred, discrimination or violence, against any individual or group of individuals, based on race, colour, descent or national or ethnic origin, as well as religion."

Do you see sexual preference mentioned above? No. Does Rundle's article advocate, promote, or incite hatred, discrimination, or violence anyway? Not in your wildest dreams. "But-but," you may say, "he called homosexuality evil!" He sure did. And, in doing so, Rundle quite accurately presented the stated view of the Vatican and the Holy Roman Catholic Church regarding homosexuality. Specifically, the Vatican states, "Those who would move from tolerance to the legitimation of specific rights for cohabiting homosexual persons need to be reminded that the approval or legalization of evil is something far different from the toleration of evil."

That document, produced by the Vatican's Congregation for the Doctrine of the Faith, further states that "Homosexuality is a troubling moral and social phenomenon, even in those countries where it does not present significant legal issues... . There are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God's plan for marriage and family."

In what way do Mr. Rundle's remarks vary from this long-held Catholic belief? In what way is Mr. Rundle out of conformity with over 850 million Catholics? In what manner does Mr. Rundle contradict some 60 million Catholics in the US (roughly 25% of the population)? Hate speech, indeed! Naming it as such will not make it so.

I can call my bulldog a heifer from dusk 'til dawn, but I'm not going to be able to milk him when it's all said and done. Call it hate speech if you want, despite the fact that Rundle incites, advocates, or promotes neither violence, nor discrimination, nor hatred. Call it homophobic if you want, despite the fact that Rundle quite openly acknowledges fostering a friendship with an open bisexual individual. Yeah, sounds really homophobic to me.

Indeed, by acknowledging his bisexual friend, Mr. Rundle is also in compliance with another Catholic tenet arising from the same document cited earlier. "Men and women with homosexual tendencies must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in their regard should be avoided. Do you actually hate everyone with whom you disagree? Wow-and at an institution of debate, no less! But, he said "evil." A pacifist classmate of mine believes that war is evil. I, as an occasional proponent of wars, therefore support an evil cause. Does that mean that she is obligated to hate me? Absurd.

The lines get blurred, however, when personal choices on issues such as abortion and homosexual-
Sex and the Law

by Shannon Hadeed

My mother once told me that every great party ends in scandal. Whether or not that is true, I have no idea, but this I know for sure: lawyers love to gossip. We love to hear the dirt. Dirt on each other, dirt on judges, professors, students, old dirt, new dirt - we aren't picky as long as it is juicy. While I am sure this is true for other professions as well, I wonder whether it's as integral a part of those professions as it is to lawyering. Do lawyers just like to gossip, or do they need to gossip?

I asked a reference librarian to help me find information about gossip and lawyers; Westlaw brought up 69 hits. I think that at a summer job, if another sip and lawyers is both a rigged by one of those Westlaw shady, or something just a little gossip and lawyers; Westlaw seem of ill repute. When working to help me find information about reputations. Make them look or the number might have been jerry - tending does something scandalous, juicy. While I am sure this is true all part of the age-old strategy of clearing of that information to your advantage.

Second in law school comes the job search. Make your opponents look bad. Tarnish their reputations. Make them look or seem of ill repute. When working at a summer job, if another intern does something scandalous, shady, or something just a little past acceptable, well... who can miss out on telling or listening to a good story? And let's face it, that's another thing that lawyers love to do: tell stories and hear them. And what is gossip but a verbal short story? Everybody loves a good drama. And they certainly are good.

For instance, sex in the library, I've heard, is a popular sport. One might say there is an honorary "Book Club." There are apparently other lovelies in Marshall Wythe, but none used so regularly. Shocked yet? Well, let me go on: there have been cat fights in bars, public drunken hook-ups of all sorts, dirty little illicit affairs, cheating, DUIS, jail time, bribery, and special favors.

Oh, but I haven't even started on faculty and lawyers. I've heard of embezzlement, mismanagement of funds, financial and personal ruin, not to mention lots of sordid affairs between married and single people. And there's a reason there's a rule about not having sexual relations with current clients; it's because it happens all the time. The list goes on. There is no end to the things you can hear in the hallways. And the Code of Ethics wants you to listen. Listen and report.

Now attorneys might like to call this "informal information gathering," but I say it's just plain old down-and-dirty gossip. Firms try to get information through grape-vine about other firms are up to. Basketball teams watch video tapes from the opposing teams to get an idea about strategy. Trial lawyers find out by asking around. And lawyers take back-stabbing literally. After all, in a firm where the goal is partnership, the fewer people who are in line, the greater your chances of attaining it.

To some extent, gossip does serve its purpose. It helps with the self-regulation of the profession and serves as an informal information source to figure out what to expect from a judge or opposing counsel. It helps potential clients "lawyer shop" by asking around about reputations. But the lawyer's love of a good story often goes too far. The intimate details of personal lives should stay intimate. And beware of finding the truth in rumors and gossip because it can rarely be found. Next time you walk down the hallways of the school or a courthouse keep your ears open; you may just hear a good tidbit about yourself. I always hope I'll hear something especially tawdry and titillating about myself. It would be far more interesting than my life. I could use a little drama here and there.


Debating the Merits of Affirmative Action

by Marie Siessenger

Roger Clegg, the General Counsel for the Center for Equal Opportunity, squared off against Michael Klarman, Professor at the University of Virginia Law School on Thursday, November 6, to debate the constitutionality and relative merits of affirmative action in higher education.

Jointly sponsored by the Federalist Society and the American Constitution Society, the debate served as a bookend to last semester’s IBRL moot court tournament, which specifically addressed the parallel lawsuits the University of Michigan, the Grutter and Gratz cases.

In his introductory remarks, Dean Taylor Reveley explained his understanding of the importance and reasons for affirmative action. Dean Reveley noted that this was a matter about which people reasonably disagree, and laid out four general thoughts on the admissions process in higher education. First, he said, there is “no entitlement to admission at a highly selective school,” acknowledging that this is a “hard reality for people to engage.” Second, it would be an “amistake...to focus unduly on standardized test scores and GPAs,” as he considers these numbers to be a particularly weak indicator of how students will fare in the real world. Third, addressing the diversity argument for affirmative action—maintaining diversity within the classroom facilitates deeper intercultural understanding and produces tangible social benefits—Dean Reveley noted that there are “all sort of important kinds of diversity,” but candidly admitted that he found this argument troubling. Finally, Dean Reveley stated that “I don’t understand how a school like this [William & Mary Law School] could be legitimate,” without taking racial and ethnic backgrounds into account when selecting an incoming class.

In order to remain consistent with the purpose of the law school’s founders, to create a band of citizen-lawyers and community leaders, “it’s essential that we run our admissions process in such a way as to include race,” Dean Reveley said.

Professor Klarman began the debate by presenting his arguments as to why affirmative action was not unconstitutional. Noting the “broad range of disagreement in interpretive methodology” amongst constitutional scholars and the Justices, Klarman applied the methodology of the school of thought that opposes affirmative action to demonstrate that the policy conformed to constitutional requirements.

Klarman addressed the three major precepts upon which members of the “original understanding” camp rest their arguments: the text, precedent, and tradition. With respect to the text, Klarman argued that “reading Equal Protection as a ban on racial classifications is a choice,” and that the original understanding of the Framers was not in favor of a ban on racial classifications. As to precedent, Klarman cited 45 pre-Brown vs. Board of Education decisions declaring the constitutionality of state-mandated school segregation, and similar precedents in the realm of interracial marriage. The tradition component, according to Klarman, was virtually non-existent, because while there is little historical precedent for colorblindness, there is a massive tradition of racial distinctions. Klarman noted that the affirmative action school espoused colorblindness as being good policy, but stated that “Scalia [as the premier representative of this school of thought] wants to do with affirmative action exactly what he criticizes liberals for doing with abortion.”

Reiterating his principal contention, Klarman said that “condemning affirmative action as unconstitutional requires a policy choice.” He concluded his remarks by noting that “when reasonable people can disagree, that’s a choice that should be left to the legislature.”

Roger Clegg took the opposite position, explaining that the choice was a “legal regime where it’s illegal to treat any American adversely because of skin color, or just some Americans. Explaining his belief that it is unconstitutional to treat people differently, Clegg invoked the language of Title VI of the Civil Rights Act of 1964, noting that while it may be possible for supporters of affirmative action to find some support in the constitution, it was “impossible to get around the language of Title VI.”

Although the Supreme Court has “said it’s okay for colleges and universities to take race into account in admissions,” Clegg asserted that this was “not a blanket check that the Court has written, and that there was no requirement that admissions offices use race as a factor. Clegg continued by laying out a framework for “why they [colleges and universities] should choose not to engage in that sort of discrimination.”

Defining affirmative action as disparate treatment on the basis of race and ethnicity, Clegg used statistical data to illustrate what he believed to be “significant differences in treatment.” He explained that a thorough cost-benefit analysis reveals that the “costs are enormous and the benefits are extremely thin.” Contending that “the best way of fighting [discrimination] is not institutional discrimination,” Clegg further noted that the “diversity argument is not very persuasive,” because, “if you put the shoe on the other foot [and created a policy against African Americans and Hispanics], people would be appalled.” Clegg concluded his argument by stating that “as America becomes increasingly multicultural it becomes more and more untenable to have a system that allows that kind of discrimination.”

An spirited debate among students, faculty members, and the debaters followed the formal presentation.

Fun Size Matters: In Candy and Class Outlines

Continued from pg. 10

continually stressed to their children the importance of exercising caution when handling full-size candy bars. In fact, the principal lessons I took away from my childhood were: (1) look both ways before you cross the street; (2) do not run with scissors; and (3) stay away from full-size candy bars or else somehow you will find yourself drowning in the river of chocolate depicted in Willie Wonka and the Chocolate Factory (the Golden Rule did not make the list).

What distinguishes the miniature candy bar from the full-size candy bar is that the former does not possess the negative connotations associated with the latter. For example, if, while storing a miniature Snickers in your back pocket, you fall on your backside, the mess that results will be minimal and likely not visible to the naked eye. Along the same lines, the conveniently small size of the miniature candy bar enables one to eat it in its entirety before the hot summer sun has had the opportunity to spot-weld the chocolate and caramel to her fingers. Because embarrassing situations do not arise from a person’s consuming a miniature candy bar, therefore, he can actually have fun by enjoying this sugary delight.

Having provided an explanation for the term “fun-size” as it relates to the candy bar, I believe it is appropriate to extend the application of this phrase to an item that is (presumably) more important to a law student than a KitKat. What I am referring to is the condensed course outline. The extensive course outline inevitably causes one to suffer from countless paper cuts, compromised vision (the only people who should be allowed to employ a six point font are the manufacturers of eye charts), and muscle fatigue (in the film Pumping Iron, young Schwarzenegger amazingly bench presses two extensive civil procedure outlines). On the contrary, the condensed course outline, assuming it is laminated (we could rid the world of paper cuts if people simply remembered to laminate), presents none of the aforementioned problems. Instead, it provides a law student with a compact, yet comprehensive tool, which will enable her to enter an exam feeling energized, confident, and geared to have some fun. As final exams approach, therefore, I recommend that all students engage in the fun-sizing of outlines and leave the super-sizing to that wily Hamburglar.
Problems with Financial Aid
This Semester?

by Greg Roberson

This article details my disappoint with the treatment received from the William & Mary financial administration, which for my purposes includes the Financial Aid Office, Bursar's Office, and the Registrar's Office — basically, the aptly named Blow Hall. I know I am not alone in experiencing the terrible way loan money was disbursed to William & Mary students this semester, especially the law students.

I quit my job in June with a careful calculation that I would receive my loan money in early September at the latest. This included subsidized and unsubsidized Stafford loans, a Perkins loan, and a private loan. Truthfully, I was hoping for mid-August, the earliest possible time.

On September 30, 2003, after four visits to Blow Hall, and numerous phone calls, I was finally disbursed my loan money in excess of tuition — this is the money I needed to live on. I took out a loan for the first time, so I wanted to have to worry about money. Four visits to Blow Hall means I was lied to three times. Imagine how frustrating it is to have someone at the Financial Aid Office, and later someone at the Bursar's Office, look up your information on the computer and tell you everything is fine with your loans and you should receive money soon. Then imagine that such promises were wrong, and you had to come back to fix them, and afterward again told everything was fine. Then imagine that this second promise was wrong too. And so on.

The lies continued. After first being told the problem was with Stafford, weeks later I was told the problem was "in-house," although no one could tell me who was in charge or who was handling the problem. Apparently, William & Mary is cursed with a "new system" which prevented Stafford money from being applied to student accounts. This is not a sufficient excuse for the frustration I experienced.

There was a consistent lack of information directed toward students. Instead of requiring students to call and visit Blow Hall so many times, the financial aid apparatus should have come clean with the problems it was experiencing and given instructions on what students could do to help. Be upfront if you are having problems doing your job.

My Stafford loan money finally arrived on September 16, 2003. It was never mailed to me as promised, and it sat at the Bursar's Office for two weeks, until I called (post-isabel) and was informed checks would not be mailed out — it sure would have been nice to know that I had to pick-up my check. This worst part of all was I had been financially independent for six years — through college and post-college. With a looming and maxed-out credit card bill due at the end of September, and rent and utilities to pay for October, I had to grovel to my mother for some temporary money. This I find insulting because it could have been avoided. I also know other students possibly do not have the family support I have, and I can't imagine facing the late fees, finance charges, and overdue bills.

Quick Disclaimer: I am thoroughly happy with the law school administration.

I am thoroughly upset with whoever is ultimately in charge of the financial aid apparatus at William & Mary — this person is to blame for my undue financial stress and extreme frustration during my first six weeks of law school. This person needs to issue an apology and a detailed explanation of exactly what was wrong — I am tired of the blame-the-system game being played.

It sickens me that William & Mary would care more about tuition due than law students paying their rent, utilities, and buying food, after specifically being told we would not have to worry about our tuition due if Stafford loans covered what was due. William & Mary knew I had Stafford loans to cover my tuition. William & Mary knew the "new system" was preventing Stafford loans from being disbursed to students. The most equitable solution would have been to disburse my private loan so I could support myself, instead of applying it to my balance due, and work-out issues with the "new system" on William & Mary's own time and financial burden. I have never received such poor treatment from a college administration and hope it never happens again.

House of Haiku:
Basho's Lessons for the Legal Aesthete

by Jeff Spann

After the circus, judge orders counsel for the Raining Moussaoui.
(Roughly a year from the court victory that freed him from the oppression of assigned counsel, Zacarias Moussaoui has at last exaggerated the sad situation Brinkema's patience. Citing Moussaoui's bent for "frivolous, scandalous, disrespectful, and repetitious pleadings," the Judge declared that Moussaoui has forfeited his right to self-representation. I have to admit that I, for one man a tad disappointed. There will be no more discovery motions demanding that John Ashcroft be "sent to Alexandria jail for immediate torture.")

Ten Commandments, Willful disobedience, Unemployed judge.
(The "Honorable" Roy Moore stirred up a hornets' nest down in 'Bama. Moore has predicted that his little set of defiance will "alter the course of this country." Nope. Axe-grinding never results in much besides a little heat and a lot of noise. This is just a reminder that Hegel was correct when he proclaimed that there are no individuals before society. There shall be no prayer in school, no Beinmates in the State Department, and no burning bullies on the White House lawn. Yet, we still trust God to keep an eye on the Treasury.)

Weary from travel, Weather beaten, cold, hungry, Cursed and hopeless.
(Unlike a faithless Job, I turn the bend to discover that this march I have endured has dropped me off at some evil-looking precipice. "The third year," they assured, "that's when you breathe life back into your lungs." No. The third year is when you realize this merry-go-round has picked up a little too much speed. Scientific determinism. Lemmings. Pride precedes folly.)

Brain-Teasing Word Search

Features
Movie Review: The Matrix: Revolutions... Only Human After All

by Nicole Ayn Travers

The Matrix was quite a movie. The innovative script, spot-on special effects, and a penetrating psychological story added up to one of the finest cyberpunk films of all time. It was the cinematic equivalent to a punch in the gut.

Unfortunately, I’m not reviewing that movie, but instead the final installment in the Matrix trilogy, The Matrix: Revolutions. For some reason, Andy and Larry Wachowski decided to throw out all the elements that made the first Matrix so brilliant. Gone is the small, taut cast of interesting characters. Gone is the sense of wonder and discovery we felt as the main characters disappeared in order to make room for the meat of the movie: a one-hour battle scene between the residents of the underground city Zion, and those nasty squid machines. This portion of the cast contains all the incidental characters we didn’t care about in Reloaded (“hey, aren’t those the people who had that really annoying techno-orgy in the last movie?”), and a lot of military guys doing their John-Wayniest to out-macho each other. Granted, this sequence has some interesting visual aspects, namely the machine attack formations. They come first in a stream, then a river, then a flood. Just when you think there couldn’t be any more machines, a tsunami of squids erupts from a fissure in the dock wall. The stunning CGI does not, however, make up for all the dramatic gracing and heroic platitudes to which the script gets reduced while focusing on the human characters.

When the movie (finally) comes around to Neo’s climactic journey to the machine city, it gets a little (just a little) more interesting. First Neo has to fight the nefarious Agent Smith in the guise of one-time ship’s captain Bane (Ian Bliss). Bliss does such a spot-on Smith impression, especially while hissing “Misssste Annderssonnnnn,” that it’s hard not to want to club Neo over the head when he still can’t figure out who he’s really fighting. Then it’s time for Neo to jack into the Matrix and face the real Agent Smith (Hugo Weaving).

I have loved Hugo Weaving ever since I first saw him don a wig and lip synch to Olivia Newton-John in the Aussie cult classic The Adventures of Priscilla, Queen of the Desert. Despite Revolutions’ atrocious script, Weaving injects more personality into this movie than any of the other characters put together. He rips and snarls his way through the role as thousands of other Smiths gaze on. (If Smith really wanted to bring on some kind of apocalypse, I think he’d have to do is organize himself into one huge ABBA dance number, forcing the rest of the populace to suicide.) The ensuing battle between Neo and Smith reminds me less of the sweet fight scene they had in a subway station so long ago, and more of a “Dragnet” cartoon—complete with the aimless flying around in empty space as fighting crashes in the sky. And for a finale, we are treated to as many crosses as the Wachowski brothers could stuff onto a movie screen. I wondered if they might have had some misgivings about that most used-and-abused symbol of martyrdom, but then I realized that these were the people who thought it would be clever to name their main character “Neo” because it is an anagram of “one” (how many hours over the scrabble board did it take for you to figure that out, guys?).

If you’d like to see a really great action film in the theater, I recommend Kill Bill. Otherwise, stay home, watch the first Matrix again, and pretend it never had a sequel. You’ll feel less cheated.

Top 10 (non-political) Things I Would Have Said to Chief Justice Rehnquist if I had Won the Lottery

by Adrienne Griffin

1. How about endowing the law school... Marshall-Wythe-Rehnquist has a nice ring to it, doesn’t it?
2. Do you think the recent Supreme Court storyline on the West Wing is indicative of Martin Sheen’s personal desire to see you leave the bench?
3. If you get into a disagreement with Justice O’Connor, do you ever say, “Come on, Sandy, who was Number 1?”
4. Did you pose for that bobble head doll?
5. If you insist on going to the game, can I at least teach you the William and Mary fight song?
6. William and Mary football... are you sure?
7. So how did you like the new Cheese Shop?
8. Is it easier to tell Justices Breyer and Souter apart in real life?
9. Beautiful weather we’re having, isn’t it?
10. Did you pose for that bobble head doll?
Fall From Grace

The traditional fall semester event was held at the Holiday Inn Patriot on October the 18th from 9pm to 1am this year. The event was a great success according to the event planner, Justin Hargrove. "I thought it went great. We were a little upset over the fact that there was only one bar set up. Anyone who knows William and Mary Law students knows that this won't work, but I was happy to find out that the staff was very happy to help us out around every turn. The consensus seems like, from all those that I have talked to, that this venue is a great place to have Fall from Grace." The location was changed this year in response to complaints about the size of the venue. According to Hargrove "The Holiday Inn worked out perfectly as far as that was concerned. Other than this change, the formula was basically the same as it has always been. Lots of people, an open bar, and dancing." There were more people in attendance this year with a rough estimate of about 300 in comparison to 270 stated Hargrove. He attributed this increase in part to the inclusion for the first time of the other graduate schools as well as the law school. "The Art and Sciences School actually had a pretty strong presence relative to their size."

Finally Hargrove added "As the planner of this event, I would like to issue a formal apology for the dancing display that I put on. I have much to learn." If you have any comments or suggestions regarding Fall from Grace please send them to jnmharg@wm.edu.

Features

Barrister's Ball: Don't Miss It!

Justin Hargrove, Meg Bisk, and Brian Levy are organizing Barrister’s Ball this year. Last year more than 300 people attended the traditional second semester formal ball on February 14th. In response to complaints about having the ball on Valentine's day this year’s SBA is trying to accommodate by tentatively setting it for February the 13th. More information will be published as it becomes available.
A Collage Featuring this Semester's Bar Reviews.

ski trip

snowshoe, west virginia
january 9-11, 2004
info sheets on sba office door
deposits due by 11/20, 5 pm
contact: jmharg@wm.edu