Judi Conti wins moot court tournament

By STEPHANIE COLEMAN

After over 180 arguments and 564 hours of judging and bailiffing time, the 1992 Bushrod T. Washington Moot Court Tournament concluded Sunday afternoon with Judi Conti (2L) prevailing over Julie Reynolds (2L). Conti and Reynolds argued before a distinguished panel of judges: Justice Rebecca Smith of the 4th Circuit Federal District Court, Justice James Benton of the Virginia Court of Appeals, and Chief Justice, and acting Dean, Richard Williamson. The other top competitors in this year's Tournament were Theresa Bourbon, Matt Holloran, Andrea Phelps and Marc Peritz (all 2Ls). These top six competitors will compose William and Mary's National Moot Court Team.

Lauren Schaefer, Bushrod Tournament Justice, sought to make this year's Tournament a "kinder gentler Bushrod." Schaefer emphasized the fun of competition. "I really just wanted each of the competitors to enjoy the experience," said Schaefer. Many of last years contestants enjoyed the competition but were hesitant to participate because of the unexpected price hike.

"I really believe that the price was insufficient to cover costs. We had been advised to increase the price by $3 to $7, but we were unaware of the dispute. And we were unaware of the opposition," said Conti. "I really just wanted each of the competitors to enjoy the experience," said Schaefer. Many of last year's contestants enjoyed the competition but were hesitant to participate because of the expected price hike.

The panel and competitors for the Bushrod finals: L to R; Judge James Benton, Julie Reynolds (2L), Acting Dean Richard Williamson, Judi Conti (2L), and Judge Rebecca Smith.

Cartee criticized by GSA-Arts & Sciences representatives

By PAULA HANNAFORD

Joe Cartee, president of both the Student Bar Association (SBA) and the Graduate and Professional Students Association (GAPS), received harsh criticism from representatives of the Graduate Student Association-Arts & Sciences (GSA-AS) for his decision to increase the advertised $3 admission price for the Sept. 26 GAPS party at Lake Matoaka to $4.

Amanda Allen of the biology department raised the issue at a GSA-AS meeting on Sept. 29. She informed GSA-AS that biology students had approached her and threatened to boycott future GAPS events unless they received a refund to compensate for the unexpected price hike.

Former GAPS Vice President Tracy Camp told the group that, despite her objections, Cartee unilaterally increased the cover charge after determining that the price was insufficient to cover costs. The SBA traditionally fronts money for GAPS functions because it has a comparatively better financial standing than the other graduate schools.

"This reflects very poorly on GAPS," complained Camp. "One dollar may not seem like a lot to law students, but other [grad] students aren't so fortunate."

OSA-AS President Mike Glasgow did not attend the GAPS party and was unaware of the dispute. "No graduate school wants to lose money. We all recognize the need to recoup costs. But Joe made a bad decision," he commented after the meeting. Glasgow promised to contact Cartee immediately to discuss the matter and to confer with Cartee on whether profits from the GAPS party could be redistributed to the individual graduate schools. GAPS representatives will decide at their next meeting whether to distribute the profits among the graduate schools or use the funds to establish a GAPS checking account.

Supreme Court cases previewed

By SARAH NEWMAN

and STEVEN YOUNGKIN

Journalists, law professors, lawyers and other experts gathered in front of a packed house at Marshall-Wythe for the 1992-93 Supreme Court Preview last weekend. The purpose of the Preview was to examine the past term as well as the upcoming one.

Friday opened with a Moot Court presentation of the upcoming case of Nixon v. United States. The case concerned an impeached federal judge's claim that the United States Senate had violated his constitutional rights by using a committee of 12 Senators to gather evidence instead of the full Senate. Arguing for Judge Walter Nixon was Professor Judy Ledbetter and arguing for the Senate was Professor Michael Gerhardt.

Inside this issue

- European Community 1992 and Beyond Page 5.
- Do we really need a tenure system? Page 9.
- Former State department official discusses Balkan crisis Page 6.
- Crossword puzzle makes triumphant return. Page 19.
Out of Our Heads

By now, most everyone in the law school has heard the pleas for help from the Law School Speakers Forum chair Dee Cohen (3L). After Cohen's letter in the first issue of the Amicus, we are all now the difficult job that lies ahead. However, there is more to this story than meets the eye.

Over the last few years, M-W students grew accustomed to famous speakers coming into our classrooms for enlightening discussions. I must count myself as one who just assumed that Supreme Court justices and U.S. Senators naturally wanted to come and speak to group of future lawyers. The sad truth is that Chuck Robb doesn't wake up one morning and decide to take a drive down to Williamsburg. It takes a great deal of hard work by the Speakers Forum to entice big-name speakers to pay us a visit.

While this fact may be old news, what many of us never realized was the influence wielded by President Tim Sullivan when he was Dean of the law school. Every major speaker over the last few years came here thanks, at least in part, to a little friendly persuasion on the part of Sullivan.

The 1992-93 school year begins with Sullivan having considerably less time to devote to his beloved law students, and with an entire year's worth of work lost in a bureaucratic gaffe. It won't be enough for us to shake our heads and lament the sad truth is that Chuck Robb doesn't wake up one morning and decide to take a drive down to Williamsburg. It takes a great deal of hard work by the Speakers Forum to entice big-name speakers to pay us a visit.

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By TIMOTHY GOPLERUD and CHARLES GRIFFITH

A referendum will be held this Thursday on the possibility of changing the law school's preregistration process. The current method of registering has long been an object of student complaints, culminating in the signing of a petition calling for change by 79 percent of last year's first-year class.

The main source of student objections has been the all-night camping session in the lobby to which the "first-come, first-served" element of preregistration has invariably led. The unpopularity of this procedure is compounded by the proximity of Fall term preregistration to Spring semester exams, with the result that this ritual occurs at an already stressful time for students.

The referendum will ask students to pick one of three strategies for handling preregistration. Associate Dean Connie Galloway and Registrar Liz Jackson have agreed to be bound by the referendum's results.

The three choices on the ballot are 1) No Change, 2) Random Numbers Only, and 3) Random Numbers with a Sliding Scale.

A No Change vote is a vote to keep the current system, whereby students submit their proposed class schedules to the Registrar during the two-day preregistration period. Rising third-year and J.L. students having first priority turn in their forms during the first day, and rising second-year students turn in theirs on the second day. The registration forms for each class are divided into four alphabetical groups: W-D, E-J, K-P and Q-Z. These alphabetical groupings rotate each semester so that by graduation, every student will have been in the first group as well as the last.

Within these four groups, forms are processed in the order that they are received (i.e. first-come, first-served) on the day of preregistration. This is the element of the process which has led some students to the extreme of trying to elude security guards the night before in order to secure a place at the front of the line. A student can be the first within his group by turning in his form before other members within the group.

Using this process to determine the order of students' forms, the Registrar then goes through the forms in order, enrolling everyone into their first choice. If the first-choice class is already full, the student goes on the waiting list for that class. The Registrar then returns to the first form and enters that student in the remaining student's chosen classes, proceeding through the pile of forms until she has enrolled every student.

Under a Random Numbers Only method, each student would be assigned a computer-generated random number for each of his selected classes, proceeding through the pile of forms in order by number within each group and follow the current enrollment procedure. First, she would go through the forms enrolling everyone in their first choice. Again, if a class is already full, the student is placed on the waiting list. She then would return to the first form and enter all of the first student's remaining choices, then the second student's and so on.

Under the Random Numbers with a Sliding Scale approach, each student would receive, a computer-generated, random number as well. The Registrar would then enroll each student, in the order of random numbers within each group, in his first choice (assuming available space). She would then start at the top again and enroll each student in his second choice and so on. Thus, a student near the bottom of the pile has a better chance of getting class "A" as his second choice than a student near the top of the pile who put class "A" as his third choice.

At its meeting last week, the SBA also considered the possibility of making improvements to the registration procedure in the future so as not to affect any of the present classes. According to the representatives who addressed this issue, changes more dramatic than those on the referendum would probably involve higher computer software capabilities than the registrar's office has at present, but the acquisition of more advanced software may make them possible in the future. The SBA reps agreed to continue discussion of this issue.

Students with questions or suggestions are encouraged to speak to their SBA representatives, particularly Charles Griffith (2L).

Hardy moderates debate over litigation explosion

By LANCE HIGH

Is increased litigation tearing apart the fabric of society? Or is the system functioning well?

"Are We Litigating Ourselves into Poverty? Arguments For and Against Legal Reform," was the subject of last Tuesday's debate sponsored by the Federalist Society and moderated by Professor Trotter Hardy. The participants were Walter Olson, Senior Fellow at the Manhattan Institute and author of The Litigation Explosion, and Roger Hanson, Senior Staff Associate at the National Center for State Courts and co-author of What are Tort Awards Really Like? Professor Hardy served as moderator of the debate.

Olson argued that litigation is a destructive and wasteful experience for the parties, that the system is failing, and that the increased number of lawsuits does not necessarily indicate that justice is being better served. According to Olson, 80 percent of awards go toward paying process costs. This leaves the judgment inadequate.

He also noted that litigation inherently invades privacy by forcing issues into the public record, spurring media coverage, and spurring the parties to accuse each other of further wrongdoing.

Olson believes that the driving force behind these destructive forces is the attitude among U.S. citizens that they possess a "right to sue." The judicial system imposes no penalties on a plaintiff unless a suit is without merit, thus encouraging lawsuits whenever only a slim chance of success exists. Also, because headlines often glorify large judgments, plaintiffs receive an incentive to bring marginally meritorious lawsuits. The cost is relatively small when compared to the possible payoff.

In addition, Olson argued that certain judicial standards promote litigation, e.g., "good cause filing" in employment law or "best interests of the child" in family law. The vague standards employed in these cases yield unpredictable outcomes and encourage plaintiffs to take a shot at the "golden ring."

To combat these destructive, risk-taking opportunists, Olson proposed some changes to the current system. He suggested making plaintiffs pay for damages caused by a lawsuit, demanding plaintiffs show good cause for discovery requests, limiting expert testimony, restricting the long-arm statutes, and generally raising the standard of legal ethics.

Hanson, on the other hand, maintained that empirical data do not show trends toward abnormally large awards and believes that the system is functioning well. For instance, there is a common misconception that in criminal litigation the acquittal rate is directly related to attorney's fees. However, data supports the conclusion that publicly appointed defense attorneys resolve cases expeditiously without sacrificing client needs. They achieve favorable outcomes without the high fees. These remainders of his selected classes, proceeding through the pile of forms until she has enrolled every student.

Hanson emphasized the need for revised methodologies in the empirical studies of the legal system. He suggested that instead of looking at individual, exceptional cases, studies should analyze specific baskets of cases such as torts, domestic relations, contracts, or property. These remainders of his selected classes, proceeding through the pile of forms until she has enrolled every student.

Hanson also gave some advice for improving the litigation process. First, reformers should work within the existing framework instead of attempting wholesale changes. Second, the methodologies used to teach and study the judicial system should be revised. He suggested that large volumes of case data should be analyzed so that the system can become more introspective. Finally, the courts should strictly enforce the rules governing discovery in order to expedite the litigation process.

Both panelists offered reasonable proposals for improving the existing system. Unfortunately, neither bolstered their propositions with any concrete evidence.

Walter Olson, Professor I. Trotter Hardy, and Roger Hanson answered that musical question, "Are we litigating ourselves into poverty" to an audience of Marshall-Wythe students.
LAW WATCH

By MARGRET HARDY and
JOHN CROUCH
DEATH SENTENCES: Virginia's Supreme Court upheld death sentences for
Charles Satcher and Everett
Mueller, despite constitutional
problems in both cases. Satcher
was convicted of murdering,
suggestion that
The Commonwealth argued
grader after police belittled his
problems in both cases.
lineup was allowed to identify
Rosslyn bike path. A survivor
Mueller, despite constitutional
to abducting, raping and killing
him in court. Mueller confessed
upheld death sentences for
Virginia's
STALKER:
Pamela Powers
( Richmond Times­Dispatch)

SATCHER
BRAV
POLLUTERS UNINSURED: The Ohio Supreme Court ruled
in favor of an insurance company
in a dispute over a policy's
"pollution exclusion" clause. The
clause, present in most
policies written during the
1970's and early 1980's, limits the
policy's coverage to pollution
that is "sudden and accidental." The
court ruled the insurance
company was not responsible
for cleanup cost at a dump site
where pollution accumulated
over a period of time. (Wall
Street Journal)

HISTORY OF ABUSE CONSIDERED: A San
Francisco federal appeals court
sent a case back for resentencing
based upon the severe physical
and sexual abuse of a bank
robber when she was a child.
The trial court judge had
sentenced her to 2 years and 1 month in prison. (Wall
Street Journal)

STALKERW

DOES THIS MEAN WE'LL GET A JOB? Applications to
law schools decreased this year
from 94,000 last year to 92,500. The
number had been increasing since
1986 and reached a high in
1991. (Wall Street Journal)

UNDEBURDEN: The Fifth U.S. Circuit Court of Appeals
in New Orleans affirmed a
district court ruling that
Louisiana's abortion law
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LITIGIOUS ATHLETES: The number of high school coaches
suited for athletes' injuries are
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(Wall Street Journal)

CHILD DIVORCES MOM: A state circuit court in Orlando
has allowed a 12-year-old boy to
break legal ties with his
biological parents and make way
for his adoption by the foster
family with whom he has been
living. Another 12-year-old boy
living in Virginia has filed a
similar suit against his parents in
Mississippi. The boy has lived
with family members in Virginia
for since being removed from
his parents for alleged abuse.
(Associated Press)

HEADS UP! Gov. Jim Edger of
Illinois signed into law a limit on
lawsuits brought by fans hit by foul
balls at baseball games. This
law limits the suits only to
injuries that occur from reckless
behavior or defective
equipment. (Wall Street Journal)

POLLUTERS UNINSURED: The Ohio Supreme Court ruled
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"pollution exclusion" clause. The
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Monday, October 5, 1992 THE AMICUS CURIAE

Election year politics, women and the right to choose

By SHELEY EVANS and CARLA ARCHIE

Karen Raschke, a member of the Clinton/Gore National Advisory Commission on Women's Issues and Planned Parenthood's Legislative Council on Politics, was a "charm" around her neck in the shape of a clothes hanger.

"Never has the difference been so stark and the choice been so clear," That choice is for "an administration that cares about poor children, that cares about health care, that leaves women free from the inquiring minds of Dan Quayle, Phyllis Schlafly, and Pat Robertson."

Co-sponsored by Law Students for Choice and the Marshall-Wythe Democrats, Raschke spoke for approximately 90 minutes on Wednesday, Sept. 30, 1992. Her message was very strongly articulated from her perspective as an advocate and as a pro-choice voter.

It has been 72 years since women were first granted the right to vote. Raschke informed us that now there are 10 million more women eligible to vote than men.

She urged the audience to evaluate candidates both locally and nationally at the threshold of the pro-choice question. She encouraged women to ask these questions prior to selecting a candidate: "Does this candidate respect my opinion, personal perspective, moral decision maker, or does he patricide [and insult me by saying he will choose all of my areas of health care including contraception]?"

This inquiry included the main theme of her speech which was that Republicans insult and degrade women, thus harming all of us. According to Raschke, men and women alike are affected by the Bush administration's ban on fetal tissue testing, for this is testing that will affect generations to come. Contrary to his party's views, Senator Strom Thurmond (R-SC) is against the ban which promises breakthrough medical research for sufferers of Alzheimer's disease. The irony of his support elicited laughter through the room. President Bush's rationale for the ban is "[it] encourages women to undergo abortions." Ms. Raschke was adamant that most Americans do not follow the same reasoning, but the ban continues because the current administration does not trust women. Gov. Clinton, however, promises to lift the ban if elected.

The Department of Defense Authorization Bill, a funding package approved each year, prohibits women in the military and their dependents from using their personal funds to obtain abortions in military hospitals. The devastating effect comes when such women are stationed overseas and are forced to seek medical care from suspect sources.

"How can our economy grow when women can die from a health care system that doesn't help them, won't allow doctors to make progress in health research, insult our intelligence and threaten [women's] lives overseas?"

Raschke asked. Bush trusted these same women to fight in Operation Desert Storm but does not trust them to choose from amongst their health-care options, she said.

At the same time, Bush and his administration have effected an import ban on RU-486, the abortion pill currently available in France and other countries. Ms. Raschke informed us that some medical professionals have called RU-486 a miracle drug due to its positive implications in breast cancer prevention.

In addition, the "Gag Rule," which took effect last Thursday, prevents family clinic and planned parenthood professionals from answering questions about abortion. "Who's the hardest? Poor, minority women and their families," Raschke said. She reminded us that during the 1976's Bush was one of the leaders of family planning in Congress to the point that he was nicknamed "Rubbers." In the past two years Congress has voted overwhelmingly to veto this bill. It is Raschke's assertion that Bill Clinton would lift the gag rule in his first week of office as President.

Having an abortion is not as simple as the administration seems to believe, Raschke said. In Virginia, since no facility is open two consecutive days, rather than the 24-hour waiting period required by federal law, there is a 48-hour delay. And, as in many other parts of the country, women must travel long distances as well.

This amounts to what the Supreme Court tagged an "undue burden." Hopefully this will lead to a new trial and repeal of the Pennsylvania v. Casey decision.

Raschke noted that the nation's present economy is the main issue of the November election, but she urged everyone to vote based on the candidates' stance on abortion and the need for health care for women and families.

Public Policy program hosts conference on EC

By SUZANNE FITZGERALD and PAULA HANNAFORD

The College of William and Mary welcomed over 50 foreign policy experts to a conference entitled "EC 1992 and Beyond: A Challenge to the Postwar World Order." The College's Thomas Jefferson Program in Public Policy, the Delegation of the Commission of the European Communities and the Lowe Institute of Political Economy at Claremont McKenna College sponsored the conference which focused on the effects of the proposed increase in the number of members in the European Community in international relations.

W&M President Timothy Sullivan introduced the keynote speaker, the Right Honorable Lord Jenkins of Hillhead, Chancellor of Oxford University, and highlighted Jenkins' many accomplishments in European politics. Jenkins is the former President of the EC Commission, the former Chancellor of the Exchequer and former Home Secretary of Great Britain.

Jenkins noted that he had to "tear up most of [his] lecture notes" due to events of the previous week. He referred to the narrow approval of the French referendum on the Maastricht Treaty to adopt a common currency for the European Community. Jenkins characterized the past four months as "pretty dreadful!"

The result of the French referendum was a "mild mitigation" for the earlier Danish setback. Quoting Shakespeare's Hamlet, "the problem [of ratifying the treaty] began in Denmark, ... for this relief, much thanks, for it is bitter cold and I am sick of heart."

He called the devolution of the British pound a "crushing defeat" but argued that the real defeat stems from England's ongoing mismanagement of European relations. According to Jenkins, "[Britain] always joined everything late" with respect to the European Community, and thus failed to take advantage of favorable developments in European unification. He cited the Treaty of Rome and the European Monetary System as examples. More recently, Britain accepted the Exchange Rate Mechanism in October 1990 during one of the nine worst months in the 139-month history of the European Monetary System. The British posture thus "defied rational explanation," said Jenkins.

Jenkins then shifted his focus from Britain's economic situation to an examination of events of general consequence to the European economies. He contended that the larger problem is the "frightening growth in power of the short-term speculative movements," particularly in light of the volume of money involved. Speculators are presently launching a vast attack on France. Jenkins pointed out that a few hundred currency speculators effectively determine the strengths of economies, when reality suggests different results.

Moreover, Jenkins believes that "strain has shown that

See BIGWIGS, page 18
George Kenney raises consciousness on Serbian crisis

By PETER KUBIN

George Kenney, who recently quit his position as the U.S. State Department's Yugoslavia Affairs, led a controversial and spirited discussion of the Serbian crisis last Tuesday, Sept. 29 at Rogers Hall. The lecture, which was co-sponsored by the Reeves Center for International Studies and the Jefferson Program for Public Policy, filled the hall, energizing a large crowd of interested students, faculty, local residents, and even one ambassador.

"U.S. policy," Kenney told the crowd, "has failed, completely and utterly." He described the sense imprinted on him by our government as a mere ruse, offered more to foster the appearance of action than to truly make a difference. In fact, Kenney suggested, by imposing an arms embargo, the U.S. could end the crisis situation without getting involved in a costly and bloody ground war. Kenney's plan calls for a resumption of arms supplies to the besieged Bosnians, and bombardment of Serbian artillery installations.

Kenney characterized the current Serbian aggression in Bosnia-Herzegovina as a "complete breakdown of civilization" and a "virtual genocide." He called estimates of over 50,000 civilian deaths conservative, and anticipated that 350,000 more will die this winter due to fighting, starvation and the weather. Aside from humanitarian reasons for U.S. action, Kenney also offered alarming strategic reasons. He predicted that if Serbia is allowed to pursue her program of "ethnic cleansing" in the former Yugoslavian region, neighboring countries may become incensed enough to intervene. The military presence of any combination of Albania, Turkey, Greece, Austria or Macedonia could ignite a powderkeg in the region making the current crisis seem like minor jostling between neighbors.

Kenney left the State Department to protest its unwillingness to take any real affirmative action in the troubled Balkan region. Since his departure, Kenney has traveled the country writing for newspapers and delivering lectures in hopes of raising consciousness and support for U.S. involvement.

When asked what ordinary people could do to get involved, Kenney suggested sending a message to Washington, through letters, phone calls, or "maybe even a candle light vigil." He received a loud ovation from the mostly supportive crowd.

Andy Fox politicks at law school

By ASHLEA EBELING

Andy Fox wants votes and help on his campaign to unseat Rep. Herb Bateman (R-1st), he told an audience of 40 at the law school last week.

"I didn't come here for your money," he said. "I came here for is your vote and your help on my campaign."

The Democratic candidate is waging a door-to-door effort against five-term incumbent Bateman in the First Congressional District of Virginia. "Since 1976 there's been a Republican in this seat," Fox said. "It's time for a change."

Reported in 1990, Fox came within about 3,000 votes of Bateman, for a 51 to 49 percent split in the third closest congressional race. This year, with the largest PAC coffer of all congressional challengers, Fox has the money to win. He responded to criticism that he has too much money from persuasive sources, with the retort, "I'm the same man I was two years ago."

Fox described his campaigning as shaking hands, knocking on doors and showing people he has the time for them. The law school meeting was at 9 p.m., and he stayed until 10:30 "to answer every last question."

He had been on the go from 5:30 a.m. at the gates of Newport News Shipbuilding and Dry Dock and again as heOpacity 5.0

Blume illustrates injustices of death penalty

By JEFFREY REGNER

Defense lawyer John Blume, who spoke at Marshall-Wythe last week after his experience defending death row inmates, described the justice system's power of capital punishment as demeaning. The death penalty, "fosters the idea that not all people are human," he explained. He said it posits evil in people because it deals only in absolutes, and guilt is not absolute. There is no correction penalty, suicide and other horrors. Blume illustrated injustices of death penalty and the shift in public opinion concerning the death penalty. The issue is often a hot one in gubernatorial races. Opposition to the death penalty has all but disappeared among public figures, he related, with one notable exception--Mario Cuomo. Most other western countries have abolished the death penalty including Britain, Canada and France. According to Blume public opinion often lags behind legislation. In Britain, Parliament changed the law in the face of great public opposition, but public opinion changed when the people discovered that civilization continued without executions.

One of Blume's central themes was that death-row populations are racially imbalanced. Over 150 people have been executed since 1976, most of them were black. Two-thirds of all modern executions occurred in former confederate states. He also noted that only one white person has ever been executed for killing a black person. Blume considered the race of both the convicted and the victim influential.

One example that Blume offered of racism was a case where the accused was a black man whose hair had a reddish tint. Evidence proffered by the prosecution included a black hair with a reddish tint found on the victim. The man was convicted. After the trial, the defense attorney complained that it was just his luck to have to defend, "the only red-headed rigger in the county."

Because of an inability to afford legal costs most capital offenders have court-appointed counsel. One client he defended was a battered woman who finally shot her husband. The attorney who had defended her at trial had taken her as his first case. Blume also spoke of one defendant who was asked to approach the bench each day in court so the judge could smell his breath for alcohol.

Other injustices Blume found were in the role of expert testimony and the introduction of evidence. Blume said psychiatrists regularly testify that the accused will probably kill again even though their predictions are wrong about two-thirds of the time. He questioned the fairness of a Supreme Court decision which held that there is no constitutional right not to be killed if you are innocent. The case was about a Texas man who had been convicted and sentenced to death for killing another person when evidence found which would exonerate him. The evidence was not admitted and the man was executed. At the trial a psychiatrist testified that the accused would kill again.
HONOR, from page 2

System:

[The] Honor System is based upon the premise that a person's honor is his or her most cherished attribute. In a small community devoted to learning the skills, traditions, and responsibilities of an honorable profession, a foundation of honor among individuals must exist if that community is to thrive with respect and harmony among its members. An honor system is the ideal mechanism to ensure such a state of affairs. With it the community is afforded a freedom that otherwise would not be available. With this freedom comes each individual's responsibility to conduct himself or herself in such a way that the spirit of mutual trust which sustains the system is not corrupted.

If we as a student body are an honorable group and our Honor System is to continue to have real meaning, then there can be no aspect of life at Marshall-Wythe from which the Honor Code is excluded. Rather than a system to be abused for the promotion of individual aims, the Honor Code fosters an atmosphere of assumed integrity which promotes confidence and respect among members of the organization. Unfortunately, as in all of life, there are occasionally those who choose to rebuff this presumption of integrity, usually for purely selfish reasons. For these persons the protections of due process are provided, but punishment, if appropriate, is severe, as it must be.

Recent debate has centered upon the aspect of the Honor Code which defines failure to report an infraction of the Code as itself a violation. The emotions produced in such a situation are deeply felt on both sides of the suspected violation. The critical ingredient lacking in previous analysis, though, is that all members of Marshall-Wythe have continuing obligations under the Honor System. The obligation to report an offense is certainly no greater than the obligation of students not party to the incident to retain their respect for the individuals on both sides. Just as an accused stands innocent until proven guilty, so too an accuser is presumed innocent of any unworthy motive in reporting the suspected violation. The requirement that a person suspecting an offense first confront the suspected violator is designed to allow for misunderstandings to be resolved at the lowest possible level. Once this confrontation has occurred, however, it is within the sole discretion of the person suspecting an offense whether the matter will be referred to the Judicial Council for investigation and further action. Just as one of us would make such a decision without a tremendous amount of soul searching, we must not allow ourselves to make the decision unilaterally because the accused is a friend or the charges seem hard to believe. The trust which is the backbone of the honor system involves the belief that we will act honorably in everything we do--including any actions relating to suspected honor offenses. To assume otherwise is to in effect accuse the accused of lying. A belief that one would commit an honor offense in reporting another for an honor offense belies a fundamental lack of faith in the honor system itself. If such beliefs are, or become, widespread, then our Honor System is truly an empty shell. The Marshall-Wythe community must be above such a pitiful attitude.

Finally, the Honor System is a student system--it's what we make it. It should not be a cloud hanging over everyone's head, but a comfortably adapted inner code that resolves doubt.

--The Judicial Council
Mid-terms spread work and stress over the semester

By Mark Capron

I am sure that by now the horror stories of law school exams have been firmly instilled into every first year student's DNA by both students and faculty alike. Surely all other students can recall similar terror at the thought of finals. The truth is, however, that such anxiety is neither necessary nor conducive for the law school educational process. Perhaps years of blind tradition have welded the practice of final exams to the fabric of Marshall-Wythe, as if to not have everything rest on one exam would be to defeat the proper education of the students. This scaring tactic is outdated, ineffective and counter-productive to what should truly matter in a law school education.

There is a sense of shared experience when going through final exams not unlike the survivors of a plane wreck. The idea that all of one's grades rests in one through final exams not unlike the survivors of a plane wreck is fallacious and short. Besides providing less pressure, a mid-term would grant more immediate feedback. I realize that this proposition pre-supposes that mid-terms could be graded and returned sometime before spring break. Assuming as much, after a mid-term, students could tailor their approach and their studying according to their performance. Knowing in advance how well or how poorly one did, the student could actually pay more attention to law, and then study to better his grade or to maintain it. With more feedback, students actually are motivated to learn more--to learn the material in greater depth and breadth.

Having a mid-term also increases learning by allowing more coverage of material. Three hours is a laughable amount of time to show one's mastery of the subject. The test becomes a race to see who has better hand strength and pen flight. With a mid-term, the material could be broken down with more topics covered and in greater depth. One final exam is like fishing with a net--the secret is to cover as large an area as possible.

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Well someone survives a three hour barrage to regurgitate four months of material or how well the law was learned? If the school's concern is to teach the law and how students learn as much about the law as possible, class should at least include a mid-term. With the existence at law school no longer resting on one highly arbitrary grade, students will experience less anxiety. While the paper-chase mentality may be lost, students will be better focused on learning and not merely surviving. Plus, the student can better grow accustomed to the professor's style and demands. In the one final format, such knowledge is acquired only when too late. After a mid-term, the student will better know what is required and focus his attention accordingly.

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Tenure system must yield to modern business practice

By Marc Bernstein

At some long since forgotten point in the evolution of the university system, an influential academician devised a plan to shield professors from the harsh realities of accountable society. We credit this person with the creation of the tenure system. Today, this insular doctrine no longer retains the worth it once did and should be reformed to address the needs of modern society.

Under the tenure system, professors may achieve a position whereby they no longer can be dismissed at the pleasure of their employers. After a specified probationary period, usually seven years, a professor’s superiors may grant the professor tenure if the college or university is satisfied with the professor’s work. Tenure gives the professor a guarantee of lifetime employment, terminable, in rare cases, for adequate cause. The tenure system ostensibly serves two functions. First, it makes the teaching profession more attractive. Second, it allows those who have proven themselves in the eyes of their bosses increased academic freedom. Neither of these justifications remains necessary today.

The teaching profession is attractive to some because it simply is not a nine to five position. To others, teaching provides that altruistic opportunity to educate young minds. More often then not, both of these reasons play into one’s desire to enter the profession. Neither of these reasons becomeing a college professor have anything to do with tenure.

Does tenure still serve as an incentive for aspiring teachers? In today’s personnel market, an increasing number of businesses hire laterally and do not gain top executives through long term commitments by entry level personnel. Although law firms often have a seven year partner track, most Ls interviewing for summer jobs are seeking just a summer job, not an lifetime commitment to Deawey, Cheatam & Howe. People no longer look seven years down the road when they evaluate potential employment opportunities. The changing values of modern workers dictates that the potential for tenure seven years after hiring does not create the incentive it arguably once did.

The incentive packages offered by modern businesses consist of HMOs, 401(k)s, guaranteed vacation, and salary bonuses. Is teaching that unattractive an employment path that young educators need the extra incentive of tenure to lure them into the profession? Certainly teaching does not differ from the average business position so substantially that it warrants such a unique incentive structure.

Academic freedom is the second pillar that supports the tenure facade. Reducing one’s accountability, the premise upon which the tenure system operates, permits professors to experiment in their approaches to teaching and research. This justification too is no longer valid. Universities can afford professionals sufficient academic freedom without completely sacrificing accountability. For example, law schools can allow the professor to embark on long term, loosely supervised projects yet demand that the professor report regularly on the progress and continued validity of the project. In return, the university must assure the professor that the her work will not be terminated prematurely as long it moves steadily in the direction of a worthy goal as agreed upon by the professor and the university. Thus, the professor has substantial freedom to pursue a reasonable end and the school is assured that this freedom will not be abused. This relationship is more akin to a modern business venture in which an entrepreneur is permitted to develop an idea under the watchful eye of the capital investors.

Tenure’s two essential problems are that tenure (1) allows the professor the freedom to do substandard work with little accountability to the tuition-paying masses and (2) blocks new entrants into the field by locking more experienced but not necessarily more talented professors on the payroll. Allowing new minds to enter the field and replace less productive staffers will further academic development just as tenure does. This procedure for firing and hiring will avoid bestowing the guarantee of lifetime employment on intellectual dead wood. Professors need to be released when they have exhausted their productive potential. This will allow new minds to pick up where the old ones have left off.

Tenure has its merits but it is not the only method by which to attract professors and promote academic advancement. The university system needs to understand that modern business principles regarding incentives and hiring and promotion can achieve the same results while avoiding tenure’s pitfall of reduced accountability.

It’s a MAD world—

Everything you wanted to know about anal behavior...

By MARK DONALD

The word “anal” was not a regular part of my vocabulary before law school. “Anal” was a term reserved for discussions with trained professionals with the letters MD or RN following their name, or for juvenile, fecal humor (after Mel Brooks later films). If memory serves, I made it two days into law camp before I heard somebody use the term to describe the behavior of a fellow classmate.

I instantly assumed that I had stumbled into the midst of some convoluted Freudian discussion for which my academic training had left me unprepared; my single psychology course (after Mel Brooks later films).

After a while I fleshed out my own definition: one part uptight, one part obsessed, and one part constipated. The term was never directed at anybody having fun, and nobody ever referred to her/himself as being anal, so it was obviously an unhappy and unacceptable thing to be.

I seemed to remember psychological analysis as having something to do with potty training, and a compulsive need for order and structure. I could see these factors as applicable to some of my fellow students, and more often than once I actually referred to others as Anal—a shorthand term of an insult for those who seemed extreme in their devotion to competition.

My definition proved to be underinclusive. As the year went on, the scope of activities falling within the scope of anal grew daily. Staying late in the library, reading outside materials, reading legal contracts, and studying on Thursday night, were all commonly thought to be anal. I was certainly that I was becoming anal, or the definition of anal was expanding to include me.

As exams approached, the scope of “analness” had grown to encompass all but the purest forms of recreation. The tension level of the students was similarly off the scale. Only the most adept and casual were able to tip toe through the minefield of peer condemnation. Groups of hissing, whispering students seen gathering to sew red “A’s” on sweaters, eyes all with suspicion.

Exams went by, another semester, a summer, and still the scope of anal behavior remains as universal as its negative connotation. Anal behavior surrounds job searches, Moot Court, interviewing, and as always, studying and law school in general. The term manifests itself in daily conversation as often as food, drink, sex and the weather.

But what does this term really mean? Its true definition speaks to the nature of law school, law students and uncertain human beings. When someone describes someone else’s behavior as anal, what they are really saying is: “That person is making a different choice than I am so to how to go about achieving some thing. Their analysis of the situation and its requirements, their goals, or their thought process must be flawed, since they are not doing things the way I think is best.”

This definition will replace a characterization of someone’s behavior as anal in any conversation or context, guaranteed. Throw in just enough pre-law school “real life experiences” and the conclusion that another person is doing something wrong, because they are doing it differently, goes from speculation to “proven fact.”

The huge amount of personal insecurity underlying the wide use of this term speaks poorly of us as human beings. In the face of differing approaches to ambiguous goals, must we retreat so quickly to defensiveness and insult? The structure of the law school experience itself shares the blame with our personal failings; one-shot exams determining one’s future, job searches approached as a game, where the winner posts (pads) as many points as possible on his or her personal scoreboard (resume)—constant form over substance. Even the steadiest of personalities would be pushed toward insecurity.

The next time you find another’s “analness” on the tip of your tongue, you may want to think twice about what you say about yourself, when you employ this term, and what law school is really doing to us. I have a hunch that law school would be a nicer place if this term would just fade away—but maybe I’m just being anal about “anal.”
Ask Anita Libido

Dear Anita:
I am really feeling frustrated at the interviews going on now at the school. Sure, I make the interview lists, but don't seem to be having any luck with the interviews themselves (is it my make-up or what?). Can you please help?

Blue in Blue

Dear Ms. Blue:
I have been observing the parade of suits up and down the steps in the library. The biggest problem I have noticed so far is that everyone looks alike-surprise, surprise. Maybe a few tactical changes can influence the outcome of the war (this is war after all-you do want the job, don't you?). First of all, if you look like a flight attendant for Delta (i.e., the only thing missing from your uniform is the wings), you can make a big change right up front. No, I don't mean unbuttoning your blouse; I mean lose the solid dark blue suit with the white blouse. I've seen a few lovely ladies fancifully strutting their intellects in shades of plum, teal, green, or even grey. You must be able to be remembered by the interviewers. Imagine Interviewer A: "Do you recall that nice woman from this morning?", Interviewer B: "Do you have a nice suit?... "Which One?... "I don't know, how about the one in red?... "Yea, send her a call back."

Next, do you wear glasses?

No? Then get some. The interviewers seem to love that "oh-so intelligent demeanor which hides them hidden, and all too often suppressed, passion."

Suggestion - try some gold wire or tortoise shell frames. For that certain "glow," that confident, comfortable look, bent-wa-halls may be the trick. You may also want to catch a glimpse of your interviewer, if the interviewer is female. In this regard, if she has a lot of make-up, you can add lipstick. If she has no make-up (and you do), you may want to minimize the polished look for more "I can be bland and boring, too"

look, However, there really is no set formula for success at interviews. As a last resort, you may want to remind them that your dad is CEO at IBM (SSSSSS)

Dear Anita,
Why are the library cards shaped like swastikas?

Just Noticed

Dear Ari Anne,
What an astute observation. This is a seemingly innocuous design only noticeable from a vantage point much like that of a blimp. You have stumbled across a deep-seeded subliminal message by the founders of this institution to promulgate the arian mind set to all students who pass through this school.
The intent is an army of blond-eyed, blue-haired lawyers to march goose-stepping into the world as one, en masse. The founders hatched a conspiracy which you have cleverly uncovered, to press deep in the souls of every student an unquestioning loyalty and conformity to their WASP ideals. Creativity and individualism was to be the sacrifice.

This plot is further revealed in the great, white, male bastions that line our halls. We were taught that these men to imitate, worship, and even study. We were taught to mindlessly apply their rules and keep the masses cowering, dependent and down. Our world was to be regulated by an oligarchy of nine who possess the power to define our very liberties. The conspiracy pervaded the curriculum in the form of a class called Legal Skills, requiring the doctrines of the few (ethics, morals, good to yes) to be beaten into the many.

And the plan was working, indeed had been working fine for years. Aesthesis, we stood by quietly and passively as groups were singled out and herded as a subclass to the outside. "No Smoking" signs signaled to the people that they were not allowed to associate any longer, except with their own kind. Where would this have gone? Would we have followed unquestioning and blind like so many before us? Thankfully we will never have to answer for you have uncovered the plot. You have awakened us--you are our hero and we owe you no small debt of gratitude.

If, however, this conspiracy theory is too far-fetched for you, then consider this. Most of the cards are used by Law Review students. The swastika design is probably much more conducive to the efficient work of the neo-fascist, incurve-anal who work for this organization.

News of the Wierd

BY BILL MADIGAN
IT'S JUST A DOG EAT DOG WORLD
In Centreville, Virginia, a pit bull riding in the back of a pickup truck leaped through the window of an adjacent car and attacked a Great Dane. The pickup truck and the car were stopped at an intersection. Said Chris Balsbaugh, the owner of the Great Dane, "We were just minding our own business and the next thing I knew, here comes this dog through the back window." Balsbaugh and the driver of the truck got out of their respective vehicles and freed "Rocky," the Great Dane, from the jaws of the pit bull. When Rocky got free, he took off down U.S. 29 with the pit bull hot on his heels. The pit bull chased Rocky for over a half mile before the drivers were able to catch up with them in their vehicles.

(Daily Press)

SURVEY SAYS In a recent call-in poll, readers of the Daily Press were asked if Bill Clinton would beat George Bush at "Jeopardy." Thirty-one percent said that the Arkansas governor would win, and 29 percent placed their bets on the President. The other 40 percent could not phrase their answers in the form of a question.

(Daily Press)

BITTER LATER THAN NEVER A school bus driver in Hampton has charged a child's mother with using foul language, while the mother claims the driver pined her arm in the bus door and drove off after a dispute over a late bus. The mother had been told by the school to have her son in front of their house to be half hour late, the mother and the driver closed the door after the bus had travelled only a foot.

(Daily Press)

LIZ LAUGHS LAST During a promotional appearance for her White Diamonds perfume in a Ross, Pennsylvania department store, actress and AIDS activist, Elizabeth Taylor, had words with a woman who heckled her for saying everyone is vulnerable to AIDS.

(Richmond Times-Dispatch)

THAT'S GONNA HURT A fishing trawler casting its net for cod 12 miles off the coast in the Irish Sea caught the world's biggest sturgeon, the 292-foot U.S. Navy submarine named the Sturgeon. "Once the boat started to move backward, I knew that something was wrong," said Paul Johnston, captain of the fishing trawler. The 54-ton trawler was pulled "like a bathtub toy" for more than five minutes, nearly dragging the four crewmen to their deaths.

(Richmond Times-Dispatch)

BUSH BLOOPER BLAMES BOGUS BOAT In a recent television ad aired during professional football games, President Bush vows that he will continue fighting for American jobs by seizing export opportunities. The picture on the screen is of a container being loaded on a ship in port bearing the name of Evergreen. The only problem is that Evergreen is a Taiwanese shipping company.

(Washington Post)

Monday, October 5, 1992 THE AMBLES CURAEB

Trials and Tribulations By Josh Sacks
Class trauma with Bob Barker and the Man of Shirts

By JOSHI SACKS

I was traipsing through One-Hell the other day when I was overcome with that primordial fear that strikes at the very soul of a 1L: I had forgotten to do my Property homework. Dammit. Now I'd have to sit through class silently praying not to be the target of the professor's regularly scheduled program, "Land of the Lost." Let me introduce the characters of this macabre play:

First, there is the Would Be Right Winger, a burly fellow, wise with age, and for several generations in my family (and blessed with foresight). I was at a loss. Then, it hit me. Like a

afflicted with a heartbreaking

characters of this macabre play. I should have stayed home. I began to

regularly scheduled program,

loser. I had forgotten to do my down the stairs to begin class, nodding as

I was traipsing through One-Hell the claimed my reserved back row seat, and then the Would Be Right Winger settled it: "I'll be blunt. In five years, I'm going to be a Supreme Court Justice and you're still going to be an idiot. But that's just based on fact."

And Bob Barker signaled for the second round...

And then the

Winger put things into perspective:

As I loafed into the lecture hall and

claimed my reserved back row seat, I got an eerie feeling that today was not my birthday. The professor made her way down the stairs to begin class, nodding as she passed me and working when she reviewed the seating chart.

"Mr. Sacks!!" she screamed violently.

"Please start the class off today by posing the familiar common law question."

I should have stayed home. I began to

sweat profusely (a talent handed down for several generations in my family) and was at a loss. Then, it hit me. Like a bulldozer. I knew the damn answer!! Oh how my folks would be so proud.

"Uh, umm... Yeah, ok... Let me see... the question is... Is there a vested property right in the little man that lives in my pants?" I think I failed.

"HAAAAAAA OH LORD! I'M DYING! HAAAAAAHAAH!" cried the Laugher, "I haven't heard a barb that funny since the professor's last side-splitter about union contracts! Somebody please pinch me!!!"

"Ahem, mmmumble, uh, right, ok, mmm, so, uhuh." pleaded the Mumbler

as if to voice his disapproval.

"Hey, how come no one is looking at me and my shirt? I mean, it's a great shirt, right?" implored the Man of the Shirts hoping to capitalize on the awkward classroom moment.

And then the Would Be Right-Winger settled it: "I'll be blunt. In five years, I'm going to be a Supreme Court Justice and you're still going to be an idiot. But that's just based on fact."

And Bob Barker signaled for the second round...

"I don't quite see the point, Mr. Sacks," said the impatient professor. "Perhaps you would like to state the issue in familiar terms?"

I thought I was off the hook when I answered the first time? Now I have to support my apparently insufficient answer by rephrasing it? Has it ever seemed like a one hour and fifteen minute class lasted for several days? Here's a hypothetical: Suppose I didn't know the answer the first time and then a few minutes passed... and then I was asked the same question. Would I then hope to have acquired my answer through "gift" or by "discovery?"

"Alright," I whispered. "How about... Whether or not the imaginary man that resides in my private pants gives me a legally protected property right based on the theory that I am the owner of the locus in quo, if you know what I'm trying to say." Expulsion from the school seemed impending (or imminent?).

"OOOOHHHHH JESUS! One more barn-burner like that and I'm going to have to run to the bathroom!" gasped the Laugher as he honked and snorted.

"Ho-hum. Uh, right, mmm. ok, let's see. right," noted the Mumbler (a bit more annoyingly than the first time).

"I love this shirt!" blurted the Man of the Shirts as if to calm the rising tension. And then the Would Be Right-Winger put things into perspective: "You see, Professor, Mr. Sacks derives half of his knowledge from his insignificant and pathetic past, and the other half from his poor judgement and weak IQ. If you want the right answer, just call on me."

"BINGO!"

And Bob Barker advised the audience to have their pets spayed or neutered before he ended the show.

Collect them all! This week: Kings and Queens of Interview Land

More clip 'n' save Marshall-Wythe trading cards

Judi Conti

Chris Wood

Fred Ochsenhirt

Marcia Stuart
Free Body Diagram

By Jeff Regner

A resume as seen by the typical on-campus "recruiter"
(Name disguised to protect the identity of the jobless)

I.B. UNEMPLOYED
1330-B Mount Vernon Avenue
Williamsburg, Virginia 23185
(804) 220-1753

Education:
College of William & Mary
Marshall-Wythe School of Law
Degree:
Juris Doctor, expected May 1994

Publications:
William & Mary Law Review

Moot Court:
Most Coast Bar, placed 11th (of 94) in 1991 qualifying competition

GPA: 2.68

College of William & Mary
Graduate School of Business Administration
Degree:
Master of Business Administration, expected May 1994

Student:
1985-90 Law School

Listed in the upper 20 percent of class

Honors:
Phi Gamma Alpha, Kappa Delta, Pi Beta Sigma, Alpha Lambda Delta

Experience:
1991-92

Law Firm: Amicus, Williamsburg, Virginia

Student:
1991-92

Law School: University of Virginia School of Law, Williamsburg, Virginia

SJD Thesis:
1991-92

Law School: University of Virginia School of Law, Williamsburg, Virginia

Fact Sheet:
1985-90

Law Firm: Williamsburg, Virginia

Position:
Graduate Research Assistant

The Moral: "To the employer, grades aren't everything, they're the only thing."

Top ten things Bushrod competitors would like to have said to the judges

10. I need this for my resume more than my opponent does!
9. Oh Yeah?!! Just remember, I know where you live!
8. Your Honor, Do you have a point?
7. This is like Jeopardy; Would you please phrase it in the form of a question?
6. I can't believe your head fits through the opening in your robe!
5. Deference?! Deference?! Defer to THIS, butthead!!!
4. No, your honor, I cannot guess your weight
3. Frankly your honor, I am quite tired of kissing your ass
2. I'm sorry, Is this my argument or yours?
1. F**k You, Justice Hrick!!

Fred had to move into the grad housing complex to facilitate his many wardrobe changes this year. Reports have it that he is the frequent flyer mileage champion at Swan cleaners. Fred’s interviewing attire has all had to be taken in since he no longer has time to eat between interviews.

Chris

Inside sources swear that Linda Spaulding has a macro on her computer that automatically adds Chris’s name to interview lists. Reports that a computer virus is responsible have not been confirmed, although people named Chris have been reported as winning ‘random’ drawings all over the country. Chris has yet to try out his thread-bare charcoal suit on interviewers.

Stu

Known as the "Iron Lady" of interviews, Marcia makes up for volume with enthusiasm. She is best known for including a gift certificate for a year's supply of lobster dinners, sans garter, in her thank you notes. With a different suit for every geographic location she targets, Marcia’s interviewing attire makes Margaret Thatcher look like a resale-shop hippie.

Ox

Fred had to move into the grad housing complex to facilitate his many wardrobe changes this year. Reports have it that he is the frequent flyer mileage champion at Swan cleaners. Fred’s interviewing attire has all had to be taken in since he no longer has time to eat between interviews.

Chris

Inside sources swear that Linda Spaulding has a macro on her computer that automatically adds Chris’s name to interview lists. Reports that a computer virus is responsible have not been confirmed, although people named Chris have been reported as winning ‘random’ drawings all over the country. Chris has yet to try out his thread-bare charcoal suit on interviewers.

Judi

This Year's Bushrod winner, Judi has logged more "Suit-hours" than any other M-W student. She confuses her many interviewers by addressing them as "Your Honor," and refusing to discuss matters not listed on her resume, stating that such issues are "Not before the court," or "The record is silent on that matter." Judi has traded her civilian clothes for control of a dry cleaning cartel.
Bar should be a product of three
elements instead of hinging on a single
hit-or-miss, make-it-or-break-it round.
A three-round determination is fairer to
competitors and is essential to a bar in
search of the 32 best oralists Bushrod has
to offer. Simply put, a three round
court competition.

Speaking of judges, I'll take a swing at
them too, because they play an even
more prominent role than procedure in
ensuring tournament fairness. Most of
them have no breath of a conception of
what actual moot court judging entails­
their only experience comes from
standing before similarly-inexperienced
judges in last year's Bushrod. It has
become a sad state of affairs when the
goal of a significant number of judges is
to humiliate, humble, and confuse.

Unhappily, this cruelty contest mentality
carries over and intensifies from year to
year. Judges gloat over rendering an
oralist speechless, forcing oralists to
address irrelevant issues before shooting
them down, and gaining the title of
"hanging judge." It is clear the taste of
power is too much for some, but thankfully
not all. Perhaps placing a faculty member
or outsider on every panel would create
a more level arguing field, but this seems
unworkable given the large number of
competitors. At a minimum the judges
should be instructed as to appropriate
judging techniques.

My congratulations to the new bar
members, and my understanding to all
those unfairly or unjustly treated. I hope
next fall's Bushrod will strive to learn
from its present weaknesses.

Gregg argued last Spring in the Saul
LeFkovitz National Competition.

Advocates owe a duty of deference to the
judges, the judges owe a general duty of
respect and humane treatment to the
competitors. We were appalled to hear
djudges laughing about how they had
"nailed" or "hammered" a competitor,
and how they intended to do the very
same in the next round. The exploitation
and manipulation of others for sport or
amusement is no part of a judge's duty.

At best this behavior was misguided;
perhaps the judges thought that they had
to be arrogant and obnoxious as a test
or initiation rite of the competitors. At
worst, this behavior was simply evil in its
most fundamental form.

The abuse of power, in any context, is
ever funny. It is indeed the most base
and ubiquitous moral failing of humans.
"Hampering" a competitor has no place
in an educational enterprise and should
never be a goal of any judge in a moot
court competition.

Located at 4854 Longhill Rd, at the corner of Longhill and Olde Town Rds.

Open everyday from 11am 'til 2am
Faculty discuss library improvements and e-mail

The following items were discussed at the faculty meeting last week:

A change in Librarian Jim Heller’s new course, Advanced Research Methods, from two hours to three hours was recommended by the Curriculum Committee. A motion to approve the change was made, seconded and passed unanimously without discussion.

Professor Trotter Hardy spoke briefly to urge faculty use of the College’s new e-mail system called Pegasus Mail (P-Mail). The system, which is available to all faculty and students at the law school, provides local e-mail functions as well as connection to the national network InterNet.

The Library Committee is considering a suggestion that the physical organization of the library be changed to focus more on subject matter groupings. Specifically, tax materials may be collected in a particular area.

Professors Butler, Malone and Rosenberg are developing the proposed Commonwealth Center for Environmental Law, Science and Policy. The project would be similar to the Commonwealth Center for Early American Culture and could result in an additional $500,000 to $1 million in operating support.

---Doug Miller

Classes cancelled

Former Marshall-Wythe Dean Timothy Sullivan will be formerly inaugurated as William & Mary President on Friday, October 16th. The ceremony will be held in the Wren Courtyard with a reception to follow in Wren Yard. Classes will be cancelled in honor of the event.

Read this or get a parking ticket

According to Parking Director Mark Gettys, additional sign modifications regarding the recent changes in parking in the law school complex are in the works. In order to clear up confusion regarding changes in the lot directly in front of the Law School, new signs should be installed by this Friday. Students with resident parking permits will be subject to ticketing if parked in day student spaces after 5pm.

---Bob Dickinson

Come one, come all, to PSF’s Casino Night

The Public Service Fund (PSF) will convert the dour Law School Lobby into a lascivious scene of high stakes action for its annual Casino Night Fund-Raising Party on Friday, Oct. 16 from 8 p.m. to midnight.

Traditionally one of the largest and most enjoyable social events of the year, the party will feature blackjack, crap, roulette and other games of chance. Faculty dealers will be cutting the cards for blackjack. Third years Joe Cartee, Greg Richards and Vic Miller will be back for the last time to cope with the furious proceedings at the craps tables.

In addition, there will be a D.J. and plenty of munchies and beer. "Semi-formal" attire is encouraged. Admission is $10. Amid the commotion, sober-faced PSF Board Members will maintain civility. "We want people to have a blast, and there’s no doubt that they will. At the same time, we will be taking extra precautions to insure the physical security of the entire building, especially the library," said Dave Daley, the 232-pound co-chair of PSF.

All profits support PSF which last year provided stipends to 23 Marshall-Wythe students pursuing public interest legal work over the summer.

---Paul Rooney

New Moot Court Bar announced

The following second-years have been admitted to the Moot Court Bar: Jessica Bermantke, Timothy Bird, M. Theresa Bourbon, Mark Capron, Judith Conti, Leanne Cusumano, Nancy Delogu, Mark Donald, Ellen Ferriss, Laurie Hartman, Andrew Herrick, Matt Holohan, David Hopkins, Chandra Lantz, Henry Lerner, Jim Lister, Laura Livaccari, Doug MacPherson, Keith Marino, Jeffrey McMahan, Kevin Patmore, Marc Peritz, David Pfefferkorn, Andrea Phelps, Kathy Phlipott, Jennifer Ramey, Susan Reiners, Julianne Reynolds, Phil Runkel, Phyllis Scott, Elizabeth Sharrar, Mark Short, Susan Sieger, Leonard Spady, Curt Spear, Marcia Stuart.

1L reps attend first SBA meeting

At its meeting last week, the SBA approved its annual budget and welcomed its new 1L representatives Rodney Archer, Erin Brower and Charlie Johnson, who were elected Sept. 24. A total of 136 ballots were cast. Archer received 55 votes, Brower 62, and Johnson 56.

Also, concern was expressed regarding the abuse of library staplers leading to the breakage of several over the last few weeks. SBA President Joe Cartee quoted Professor Jim Heller as saying that more care needs to be taken in the use of the staplers in the future as the library lacks the funds to continue replacing them.

---Tom Goplenud
Glutton for punishment

Editor strikes terror into the heart of B-movie guy

By ALAN DICKWORTH

Have you ever woken up after a night of drinking with no idea of how you got where you are next? Well, that's how I feel about this column. I wandered into the first newspaper staff meeting and, in a fit of temporary insanity, I violated my first rule of law school survival: I volunteered. Now, a few months later, I am still writing this column, only because I am terrified of my editor. So now I dig my grave deeper, and give you this week's cinematic gems. First I am going to give a quick preview of this column's theme, (Assuming I am still writing for the Amicus.) Next issue, I am going to do an entire story on Godzillas movies. Ooohh, the anticipation! This week, I have no 5-foot monsters for you; only 6-foot blonde bimbos. The first movie is the final (hopefully) installment in that classic trilogy of Slumber Party Massacre movies. I will give the well thought-out title of Slumber Party Massacre 3. My second film is Do or Die, an A.C.E. (Action, Comedy, and exploitation) movie by Andy Sidaris.

Slumber Party Massacre 3: Actually, the movie title tells it all. It's basically the standard teen slasher flick. I thought this type of movie went out of fashion in the mid-'80s, and I was grateful for that evidence of consumer taste. But, instead of truly going away, now they go straight to video which is my domain. And here's the kicker, the budgets, level of talent and overall quality of the movies has shrunk. But that is enough talk about slasher movies in general. I now need to talk about Slumber Party Massacre 3 in particular. I know that I am going to regret it, but I'll start with the plot.

I am sure that everyone out there has seen one of the first two Slumber Party Massacre movies. And the third film, which is the 13th movie. Now, of course, there is one, you will summarize all of the plots in the next few sentences and you will never have to endure any of them. You first take a group of young and attractive people and put them in a fairly isolated setting. Then you add a deranged murderer. The maniac starts killing the poor teens, but does so in such a way that the rest are blissfully unaware that their friends are being stabbed, strangled, drowned, blown up, or any of a wide variety of unpleasant endings. Eventually, the teenagers figure out what is happening and try to escape. Then there are a showdown and the maniac dies, at least until the sequel. This movie tries to be original. The killer has a face and a name. You don't know he is a killer when you meet him. They throw two red herrings into the plot so you won't know who is killing the people. Problem was, I didn't care. I was just glad they were dying and the movie was heading towards being over.

Let's talk quickly about the cast. To give you an idea how weak this cast is, they put it in alphabetical order. I don't mean just the "stars," but the entire cast. Granted, the whole cast is 18 performers, but the first name in the credits is a character with no name, no lines, and about two minutes of screen time which is probably why he gets my nod for best acting in the movie. No one in the cast is worth mentioning by name, so I won't bother.

The question is, was there anything right about this movie? And the answer is, no, not really. There are a couple of interesting deaths, but more in a conceptual, rather than actual way. I'll tell you the best of the scare bunch and ruin the movie for you, saving anyone from a rather perversive desire to see this film. A young man is killed by being stabbed with a "For Sale" sign in front of the house that it advertises. For the rating, if you are a slasher movie fan, this film will probably appeal to you, after about six beers. If you don't like slasher flicks, well then don't rent this movie. But if you must, have at least 18 beers. Do or Die: This is Andy Sidaris' latest film. Who is Andy Sidaris, you may ask? He is a writer/director of B-movies. But not just any B-movies, because he makes secret agent movies. But these movies are filled with the agents who invariably are young and attractive, with the primary loves, I was instead affected on an emotional level. The blame for this detachment is easy to lay. The actors, seems oddly, in each of the episodes. When he moved on to movies, he carried his chills with him. In Manhunter (the first movie to use Silence of the Lamb's Dr. Hannibal Lecter though played by somebody else), Mann used all the elements that were present in Miami Vice. Throughout the movie there was slow music used for action scenes, portions of movies that seemed more like video than scenes, and slow-moving dramatic moments played out silently. Because of the familiarity of these elements, they were no longer artistic and fascinating but were now predictable and boring.

Mohicans for a while appeared to have avoided those errors. To his credit, Mann does manage to choose an impressive cast. Daniel Day-Lewis (My Left Foot) and Madeline Stowe (Unlawful Entry) strive to create characters for the audience to care about. Unfortunately, with the sole exception one scene near the end of the movie where a tribe of Indians attack the British Army, Mann seems to be going through the motions over and over again. Granted, the movie looks beautiful-expect an Oscar nomination for Best Cinematography for the forest scenes. But, because Mann is more willing to rely on surface level characterizations and scene construction rather than motivations and development, the audience is never drawn into the story.

Conclusion: Would I recommend it? On one hand yes-the movie is never badly directed and will probably please a lot of people. On the other hand, though, I just wish that a story with this much emotion and power and a cast with this much ability could have been led instead by a director who learned how to dance more than three steps. GRADE: C-.
It's Only Rock & Roll

Sinead O'Connor's new album a resounding success

By PHIL. NUGENT

In her latest album, Sinead O'Connor asks, "Am I Not Your Girl?"

In answer to your question—absolutely, Sinead, you're my girl. How could I resist your soulful eyes, your beautiful voice, your delicate sensitivity combined with that fiery Irish temper, your flowing locks ... Even in her hair-disadvantaged state, Sinead's got a lot to offer. I just worry that she might be a little difficult to live with.

With a striking debut album, The Lion and the Cobra, Sinead made people notice back in 1987. Of course, some just noticed her lack of hair, and dismissed her as an attention-grabbing oddity. Woman Without-Hair, soon to go the way of Men Without Hats. However, with the release two years ago of Do I Want What I Haven't Got, Sinead hit the big time with a number one album. She simultaneously hit the big time in unpopularity, with the help of her much-publicized comments disparaging U2, supporting the IRA, fighting with Frank Sinatra, etc., resulting in a disappointing rating exceeded only by Saddam Hussein and Dan Quayle.

So when Sinead stated that she would be really fired up on her next album, it sounded like something to anticipate. Well, this is not that next album. Apparently, Sinead really enjoyed recording the Cole Porter tune "You Do Something for Me" for the multi-artist album for AIDS Relief, Red Hair & Blue. Because she's gone and done an album of covers, Am I Not Your Girl? all with the accompaniment of a 40-piece orchestra. Yes, you heard correctly—Sinead sings everyone from Doris Day to Holiday to Marilyn Monroe.

Certainly, Sinead deserves credit for confounding expectations; I would have bet on her taking on Sinatra in the ring at Caesar's before taking on the likes of Andrew Lloyd Webber ("Don't Cry For Me, Argentina") and Loretta Lynn ("Success Has Made a Failure of Our Home") in the studio. In the liner notes, Sinead states that "these are the songs I grow up listening to [that] made me want to be a singer." This album is best seen as a pet project, a little indulgence for a world-weary star who's never cared about others' expectations.

That would be the only likely explanation for Sinead's spoken diatribe against the Catholic Church which concludes the album, and which kind of kills the mood that just spent the better part of an hour setting up. Blessing the Church for much that is wrong with the world, and ominously stating that "the war has started" in which "many of us will lose our lives," the Catholic-raised Sinead demonstrates once again her fearlessness of speaking her mind, and her ability to piss off half the world while doing so.

Musically, the album is a mixed bag. One would think that Sinead's remarkable voice tied to some of her favorite songs from the last few decades would yield a rich harvest, but the results are somewhat disappointing. Although the songs may be personally meaningful to Sinead, they are not necessarily the best choices for this album. Several of them lose something in the translation, and Sinead is unable to compensate for the inherent banality of others. Which is not to say that it's not an enjoyable album. Some of the songs are great: Ella Fitzgerald's "Why Don't You Do Right?" and Marilyn's "I Want to be Loved by You" stand out, as does the reworked "Success," with its very Sinead ending. If you like torch songs with the big band sound, the album could find a valued place in your collection. However, if you do not go for the retrosound, and you demand more of what she has dished out in the past, you may find the album lacking the selflessness and immediacy of Sinead's own compositions, and you'll be left still waiting for her next album.

Composer Ralph Towner thrills aficionados

By TIM GOPLERUD and BOB O'BRIEN

Ralph Towner delighted an appreciative Williamsburg audience last Sunday evening with a performance of original compositions and improvisations on jazz standards. Towner is one of the few jazz guitarists who can play solo for an entire evening and not make you wish he had brought other musicians to back him up, an ability due in no small part to his mastery of contrapuntal classical-finger-style techniques.

Unlike most jazz guitarists, who play mostly single lines and rely on a rhythm section to fill out the rhythmic and harmonic structure, Towner's finger-style playing allows him to supply his own bass lines and percussive effects. In his hands, the guitar by itself becomes an entire orchestra, with a broad tonal palette ranging from chime-like tones ("harmonics") to muted-string effects. Using a technique reminiscent of John Cage's "prepared piano" music, Towner even thread a matchbook cover between the strings of his guitar for one number in order to get a natural "fuzztone" sound.

In contrast to many rock guitarists, who typically have a lot of "holes" in their finger skills knowledge, Towner "really knows his instrument," said Williamsburg's own Grammy-winner Bruce Hornsby. Hornsby attended the concert and had a 20-minute private audience backstage with Towner after the performance.

Sunday night's performance began with "Beppo," an original, fast-paced number featuring a boogie bass. Towner switched from the classical guitar to his 12-string for his third number, an unnurtured improvisation making extensive use of harmonics, which are especially beautiful and affecting on the 12-string guitar. His playing on the Miles Davis-Bill Evans collaboration "Nardis," in honor of Peter Erskine entitled Open Letter, and he continues to tour worldwide.

Towner has had a long and varied career, ranging from performing at Woodstock to composing for the Philadelphia Orchestra, and performing concerts solo as well as with his group, Oregon. Towner remembers Woodstock more for its epic traffic jam than for its music, which was "just average." "We couldn't get to the stage to play the concert by the roads, because the traffic was backed up for 20 miles. We had to be flown to the stage by helicopter, which made me very nervous," he said. "Earlier they had used the helicopter to fly the Maharishi over the crowd so he could bless it. It was like something out of a Fellini movie." He played the festival with folksinger Tim Hardin's band. While with Hardin, he backed Glen Moore and starstruck Colen Walcott, with whom he formed the group Oregon.

The Ralph Towner concert was the first in this year's series of performances presented by the Tidewater Classic Guitar Society (TCGS), a local non-profit organization sponsoring concerts of guitar music in Norfolk and Virginia Beach as well as Williamsburg. Future concerts in Williamsburg this season will feature Vóce de Puerto Rico (Oct. 24), Alexei Zimakov (Nov. 28), William Kanengiser (Jan. 29) and Paul O'Dette (Feb. 19). Season memberships providing discounts on tickets and other privileges are available for only $10 for individuals and $15 for families. For further information about future TCGS concerts and activities call (804) 566-3334.
<table>
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<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>Monday, October 5</td>
<td>- Movie: Charles Center Movie Series: “Grand Illusion” (French with English subtitles), Charles Center (Tucker basement), 7 p.m. Free.</td>
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<tr>
<td>Tuesday, October 6</td>
<td>- Yom Kippur Service, Temple Beth-El, 600 Jamestown Rd., 7 p.m.</td>
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<td>- Field Hockey: W&amp;M vs. University of Richmond, Busch Field, 7 p.m.</td>
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<td>- Lecture: “18th-Century Slave Life Site 44JC643,” Thomas Higgs III, Williamsburg Regional Library, 7:30 p.m.</td>
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<td>- Theatre: “Fiddler on the Roof”, Carpenter Center, Richmond (through Oct. 11).</td>
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<tr>
<td>Wednesday, October 7</td>
<td>- Turncoats: Republicans for Clinton meeting, sponsored by M-W Democrats; 3 p.m. Room 119.</td>
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<td>- Counterattack: Republican Law Students meeting, 5 p.m., Room 127.</td>
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<td>- Yom Kippur Service: Temple Beth-El, 600 Jamestown Rd., 9:30 a.m.; 5 p.m.</td>
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<td>- Lecture: Women's Studies Brown Bag Lunch series sponsors “Modern Science and Feminism,” Jim Harris, Francis S. Hase professor of Philosophy, CC, RoE, 12 noon to 1:15 p.m.</td>
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<td>- Town &amp; Gown Luncheon: John Kamm, former president of the American Chamber of Commerce in Hong Kong, will speak on human rights in China. Campus Center, ballroom, 12:15 p.m.</td>
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<td>- Men's Soccer: W&amp;M vs. Howard University, Busch Field, 7:30 p.m.</td>
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<td>- Law School Band: Lynn &amp; The Tool Kit, Paul's Deli</td>
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<td>- Music: The Mentors with the Crytups, Metro</td>
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<td>Friday, October 9</td>
<td>- Folk Art Show: W &amp; M Hall, 10 a.m. to 6 p.m.</td>
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<td>- Music: En Vogue, with Arrested Development, Hampton Coliseum.</td>
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<td>- Music: Nuclear Assault, Peppermint Beach Club, Virginia Beach.</td>
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<td>- Music: B&amp;M and Full Stop, Paul's Deli</td>
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<tr>
<td>Saturday, October 10</td>
<td>- Folk Art Show: W&amp;M Hall, 10 a.m. to 6 p.m.</td>
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<td>- Hockey: Richmond Renegades v. Raleigh</td>
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<tr>
<td>Sunday, October 11</td>
<td>- Folk Art Show: W&amp;M Hall, 11 a.m. to 5 p.m.</td>
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<td>- Music: Delbert McClinton with Spin Doctors and Skip Castro, Classic Amphitheatre.</td>
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<td>- Music: Sonic Youth, Browns Island</td>
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<tr>
<td>Monday, October 12</td>
<td>- FALL BREAK!!!!!!</td>
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<tr>
<td></td>
<td>- Music: Jeffrey Gains, 9:30 Club</td>
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See your name in print!
If anything exciting is happening in your life tell us and we'll tell everyone else. Drop items for the calendar in the Amicus hanging file or notify Dee Cohen, (3L).
Amicus computer like rankings

We're Comin' In jumps to the #1 spot in softball poll

By BILL MADIGAN

The playoffs are at hand, and unlike the divisions in Major League Baseball, M-W softball has not one, but nine great (and not so great) teams battling to bring home softball glory. However, the importance of the playoffs is overshadowed by an even more coveted reward for athletic greatness, the #1 spot in the M-W softball poll. The intramural sportswriters of M-W (me) have all been polled, and they have named a brand new number one team.

1. We're Comin' In
2. Abuse of Discretion
3. The Regal Legals
4. Ad Nauseum
5. Marshall-Wythe Bombers
6. The 3L's
7. Marshall-Wythe Bombers
8. Regal Legals
9. Crimes Against Nature

We’re Comin’ In earns the top spot with a perfect 9-0 regular season record. They capped off their undefeated streak by blanking the Louisville Sluggers 15-0 in a mercifully short 3 1/2 inning game. Hrish Hick (3L) pitched a no-hitter for the Inst, and the slugfest was led by perennial all-stars Wendy “The Wrath of” Hahn (1L), Kris “King” Fisher, and Jimmy Entas “But Neva Leaves” (3L). An otherwise perfect game was marred when defensive substitute, Mike “Debaecce” Debaecce (3L), committed an error at first base, which qualified him for the Bill Buckner award.

The award for most lobbying by a team captain goes to the holder of the second spot, Abuse of Discretion. Despite being 3-0, and being the only team to keep their own stats and scoring sheets, Abuse was unable to capture top dog honors. They have, however, strung together a series of impressive victories, including victories over two frat teams and one team made up of professional MBA students. Their latest victim was Lambda Chi Alpha, 18-4. The team’s offense was led by batting champion, Brian “Clash Of The Titans” (3L). Abuse could take first place with a strong showing in the playoffs. Meanwhile, the team’s scoring sheets have been sent to the National Archives for preservation and display. It is reported that in the event of a nuclear war, these national treasures will drop into an underground vault.

Shifting into third place are the Earnest Borgnies. The Borgnies are the third of the four undefeated teams from M-W despite their albatross of a name. Led by J.D. “For Better Or” Wurster (3L), they slaughtered Thrill of the Hunt 17-2 for their third victory of the season. They currently lead their division by a half-game, and great things are expected of them in this playoffs.

Jumping up one spot to number four is the 2L powerhouse Ad Nauseum. After a nail-biting win by forfeit in their first game, Nauseum has steamrolled over its last two opponents, Phi Kappa Tau and Southern Boys. Kyle “Electric” Short (2L) and “Floor” Matt Holloran (2L) attribute their recent success to the team’s strong pitching and defense. Ad Nauseum hopes to recapture the number five spot that they’ve held for seven games this season.

Plummeting to the middle of the pack is Double Jeopardy, who is currently on a two-game losing streak. Despite a strong showing in the opening weeks, Jeopardy fell (in) to the Abyss, 11-9, and was victim of a hostile takeover by the Corporate Raiders, 18-3 in the last week of the regular season. Jeopardy hopes to rebound for the playoffs on the talented bats of Ken “Doll” Dodds (2L) and Trevor “Duke Of” Earl (2L) and the talented gloves of William “Of Orange” Harper (2L) and Chris “Krose” Boynton (1L).

The 3L’s sink to the number six spot with a 1-1 record. After defeating the B-Side Bombers in their opening game, the L’s overworked on Suicide Squeeze, losing to the tune of 23-10. The team hopes to recap the magic of their first game in time to make a run for the number five spot in the poll.

Shooting up two spots like a Billy Ray Cyrus hit on the pop charts, the Marshall-Wythe Bombers move from the number nine team to the number seven spot. Though they dropped their first two games, they were able to bounce back and claim a victory by forfeit in week three. They found that they played much better on defense without anyone hitting balls to them.

The Regal Legals, the sole representatives of the 1L’s, aren’t providing much hope for the future of M-W softball. They are currently at 1-2. They dropped their last two games after an encouraging win by forfeit. They were decapitated by the Ed Heads 17-4, and got lost in Paul’s World, 17-12.

And bringing up the rear is Crimes Against Nature. Despite the stellar play of Betsy “Rose” Abraham behind the plate, Crimes has yet to win a game. Jason “Of Sam” Davis (2L) gets this week’s Joe Theismann award, given to the player whose game injury is worth seeing again and again on instant replay. Jason caught a ball in the face. Unfortunately, his glove was on his hand. The team has rallied around the sacrifice of their co-captain, and has pledged that the playoffs will prove that Jason’s blackeye wasn’t in vain.

BIGWIGS, from page 5

totally rigid exchange rates, without a single currency, lead inevitably to unstable equilibrium.” Recent events on the European Exchange, he explained, emphasize the need to either “postpone substantially” or speed up the process of going to one currency. Jenkins predicted that France, Germany, Sweden, Austria and Switzerland may adopt the speedier approach. A single currency would resolve to problem of speculators.

In essence, Jenkins denied that recent events have destroyed the European idea, rather, they have made the need to pull together “more pressing” than ever. The European community has survived crises in the past, and will survive this one, he declared.

Following his address, Jenkins responded to questions from the audience. Regarding the possibility of a defense accord for the European Communities, Jenkins emphasized that it is necessary to give a “framework of security,” but cautioned against severing links with the NATO alliance. Jenkins also expressed his favor of open and reported Council of Ministers’ meetings. Noting that it is the only legislature in the world that is secret, he remarked “publicly open” is better than “competitive leaking subject to interpretation.”

The weekend conference also featured lectures and papers by a number of distinguished scholars and experts on European affairs, including: Geza Feketecky, Chairman of the OECD Trade Committee; J. Michael Finger, a Lead Economist for Trade Policy at the World Bank; Morris Goldstein, Deputy Director of the Research Department at the International Monetary Fund; Andreas van Agt, Ambassador of the European Communities and former Prime Minister of the Netherlands; and Per M. Wijkman, Director of the Economic Affairs Department of the European Free Trade Association of Geneva.

Westlaw will distribute free passwords and software to 1Ls

Monday: 1-3:30 and Tuesday: 8-1:30 in the lobby
By ERIC CHASSE

Howdy, Buckaroos and buckettes. Anybody worried about finals yet? How about what you are going to do for fall break? Find a date yet for the Fall From Grace? Well, fret not; my job as sports guru is to make all dem big bad troubles go away, at least for a while. In that regard, I guess I'm a lot like a beer. Really, really cheap beer, but beer nonetheless.

Last issue I went out on a limb and said that the man with the best stats-Gary Sheffield-should win the National League MVP award. Sheffield's broken finger and a torrid run by Barry Bonds notwithstanding. I'll stick to my guns, and, in the name of consistency if nothing else, I will ordain the White Sox's Frank Thomas as this year's MVP. Hitting .320 with 30 home runs 115 RBIs are simply Kyle Short-esque type numbers, and should be hard for voters to ignore.

The way I see it, Thomas' main competition will come from Kirby Puckett and Dennis Eckersley, both of whom have had outstanding seasons, but neither of whom have crossed the level of the Big Hurt. Puckett has his all-around consistent year as per usual; second in the batting competition will come from Kirby Puckett and Dennis Eckersley, both of whom

Thomas as this year's MVP. Hitting .320 with 30 home runs 115 RBIs are simply Kyle Short-esque type numbers, and should be hard for voters to ignore.

One past MVP winner, who most certainly, will NOT win this year is Robin Yount of the Milwaukee Brewers, but for achieving the milestone of 3,000 career hits he certainly deserves more room than I can spare here. When Yount singled against the Indians for number 3,000, it was with (just a quick bit of trivia-he also got career hits number 1,000 and 2,000 against Cleveland), a magical number in baseball history was reached by a player who is decidedly unmagical himself.

I am no affront to the man at all by this statement; by his own admission, Yount is not in the same league as the other 16 members of the 3,000-hit club, or even as that of George Brett, the man who would be the next to join this elusive fraternity. Yount's milestone can be attributed to many things, including longevity, good health and steady, if not spectacular, performances on the field of play. It should be interesting to see how the Hall of Fame voters characterize Yount's career some six or seven years from now; was he an icon of the game, worthy of first ballot admission to the Hall simply because he reached the magical 3,000 plateau, or was he a good, but not great, player who happened to play long and well enough to put up impressive career numbers?

I know that opinions are like favorite professors (everybody has one), but for what it is worth, Robin Yount is not a Hall of Fame ballplayer. For the sake of the value of my baseball card collection, however, I hope he makes it to Cooperstown anyway.

Rumors continue to swirl about Marshall-Wythe regarding a possible realignment of third-year intramural basketball powerhouse. Mike DeBeeke, coach and self-proclaimed teen idol of the seemingly now-defunct Arches men squad was unavailable for comment, having last been seen staggering around the rec center, desperately searching for any law student with enough intestinal fortitude to make the big jump to the "A" league. Further news bulletins are forthcoming as more information filters in...stay tuned.

As long as we're on the subject of intramurals, let's address this softball rankings situation. From the outset, I want to express my continued support for ghost sports writer and fellow guru Bill Madigan for his picks in the last Amicus. Bill got it absolutely right: why rank a team based upon objective factors such as batting or fielding prowess, not to mention overall record or competition level, when there are plenty of non-relevant factors to consider?

I truly respect Bill for having the wherewithal to consider the uniqueness of a team's name and a team's average blond size to be crucial for his ranking calculus. Certainly no other sports prognosticator has ever before, and likely will never again, choose such criteria as pertinent. I guess that's why Bill makes the big bucks.

In all seriousness, the most important thing is that everyone is having a good time, either by playing or in agreeing or disagreeing with Bill's picks. On the other hand, as I related to Bill just the other day (as my fingers were clenched tightly around his throat), if we didn't worry so much about softball, we'd have to pay more attention to our classes; surely, nobody wants that.

As we draw to the close of yet another column, buckaroos, and prepare to ride into that great Fall Break sunset, please always remember, and never forget, to be smart and be safe no matter where your travels take you next week. In addition, in deference to Gloria Todd and the rest of those tomahawk-choppin', wide grin-wearin', about-to-be-crushed-by-the-Pirates Atlanta Braves fans, may I offer my less than heartfelt congratulations. As the immortal John Lennon once warbled: "The dream is over; what can I say?" Goodnight, Lou Piniella, wherever you are.

The World Almanac® Crossword

ACROSS
1. Small rodent (6)
6. Van worker
13. Lightly
14. One score
15. Cruel person
16. T of TV
17. Aim
18. Prior to
19. Hebrews
21. Observed
25. A... by any other name
26. Spanish gold
27. Army command
30. Bring into harmony
31. Sunny
32. Carrier
33. Belonging to us
36. Man of Arabian lore
37. Football
39. Irishman, e.g.
40. Destroyed (sl.)
41. Marmoset
42. Person of action
43. Shaped like an egg
44. Layer of tissue
45. Option
46. Reach
47. Close
48. Prizes
49. and ten
50. Mistakes
51. Beau
52. Group of men (sl.)
53. Crowd
54. Beau
55. Through
56. T of TV
57. Aim
58. Prior to
59. Hebrews
60. Observed
61. A... by any other name
62. Spanish gold
63. Army command
64. Bring into harmony
65. Sunny
66. Carrier
67. Belonging to us
68. Man of Arabian lore
69. Football
70. Irishman, e.g.
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88. Observed
89. A... by any other name
90. Spanish gold
91. Army command
92. Bring into harmony
93. Sunny
94. Carrier
95. Belonging to us
96. Man of Arabian lore
97. Football
98. Irishman, e.g.
99. Destroyed (sl.)
BUSH OVER, from page 1

threat of a possible Honor Code violation for failing to argue after
signing the notice to compete form. No such threat was made
in this year’s competition.

One of the most difficult problems we faced during
the Tournament were “no-shows,” said Schaefer. There were seven
students who signed the intent to compete but failed to
show up for competition. “I felt
really sorry for the contestants
whose opponents failed to show.
They were very shaken. Not
showing up was extremely rude
to those who had diligently
prepared to compete.

Competition was stiff for membership in the Moot Court
Bar. “We simply didn’t have
enough positions for all the
qualified competitors,” said Cliff
Corker, Tournament judge.
There were 114 contestants
trying for a spot on the 36-
member team. According to
Schaefer, many of the judges, student alumni and faculty judges alike expressed surprise at the high quality of the students competing.

This year’s Tournament was slightly different from past
tournaments. The Moot Court
Bar now consists of 36 members. Formerly the Bar consisted
of 26 members. This year the Bar
will consist of 32 members and
four alternate members. The
contestants’ scores are also more
accurate than they have ever been. John Koehler,
Administrative Justice, created
a database which normalized
contestant scores. Three judges have always scored each
contestants arguments. In the
past, the contestant scores were
the average of the scores given
by each of the three judges. Now,
the individual scoring methods of
each judge are normalized so
that a low scoring judge’s score
will be raised and high scoring
judge scores will lowered. As a
result, a contestant will no longer
be penalized because he argued
before a low scoring judge or
unduly advantage by a high
scoring judge.

“I have a lot or respect for
the students who put this
Tournament together, it was so
well run,” said Conit. Leonard
Spady (2L), who also made the
Bar, said. “I loved being
challenged. Rich Hricik was my
favorite judge he really made
me think.”

Bushrod Research Justice
Laura Kerrigan composed this
year’s problem in which the
owner of a duplex refused to
rent to an unmarried couple.
The dispute takes place in the
mythical state of Bedrock. The
duplex owner, Mr. Buchanan,
is a member of the Evangelical
Church which professes that
sexual intercourse outside of
marriage is a sin. Any member
of the Evangelical Church would
be committing a sin if he
encourages sex outside of
marriage, therefore Mr.
Buchannon would be
encouraging sin by renting to an
unmarried couple. The
unmarried couple, Ms. Brown
and Mr. Murphy, then file a
charge against Mr. Buchanan
with the Commission on Human
Rights alleging unlawful
discrimination in housing in
violation of the Bedrock Human
Rights Act. Bedrock’s Supreme
Court granted review to hear
argument on three issues
whether the landlord’s refusal
to rent to an unmarried couple
constituted marital status
discrimination under the
Bedrock Human Rights Act,
whether the enforcement of the
prohibition against marital status
discrimination would violate
the landlord’s religious beliefs
therefore constituting an
unlawful infringement upon the
landlord’s right to exercise his
religion under the Free Exercise
Clause of the Constitution and
whether enforcement of
prohibition against marital status
discrimination constitutes
unlawful infringement upon the
landlord’s right to exercise his
religion under the Freedom of
Conscience Provision of the
Bedrock Constitution.

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