Two more women assaulted in area

By GREG BRUMMETT and JENNY CLICK

A week ago yesterday, postering went up on the front doors of the law school notifying students of the occurrence of two more attacks on women in the area.

Both incidents occurred in the early morning hours on Sunday, September 20. The first attack, at 1:30 a.m., took place at the intersection of Stadium and Gooch Drives near Cram Dell. In that incident, a student reported she was grabbed by the throat from behind by an assailant who then attempted to force her to the ground. The victim told Campus Police that she managed to keep her balance, free herself and flee to the safety of a nearby residence hall.

According to police reports, a Richmond woman visiting the area reported being assaulted in the Green Leaf parking lot approximately 20 minutes after the campus assault occurred. In that incident, the woman reported a dark-complexed Black male with short hair, a moustache and a gold tooth pushed her against a parked car and assaulted her with his hands. When she resisted the attack, the woman said the 5'10", 150-pound man fled the scene and she was able to call for police assistance.

Campus Police Chief Richard McGrew said police have no leads in either case. While the first victim, who was attacked from behind, could not describe her assailant, police believe the close proximity of the two attacks supports the theory that the same man may be involved in both crimes.

Several calls made by the Amicus to the office of Sam Sadler, Vice President for Student Affairs, were transferred without comment to the Campus Police. In a letter to Friday's Flat Hat, Sadler urged students to refrain from vandalizing the security phones on campus. Several problems have been reported.

Preview debates Thomas

By STEVE SCHOFIELD

The Supreme Court Preview, an annual gathering of experts in the field of analyzing the nation's highest court, was held at Marshall-Wythe last weekend.

Co-sponsored by the Institute of Bill of Rights Law and the College of William and Mary, the forum consisted of panels of journalists and law professors discussing upcoming cases for the 1991-92 term as well as the Clarence Thomas nomination. Professor Rodney Smolla, the Director of the Institute, presided over the forum.

In a "town meeting" discussion of the Thomas nomination Friday night, many participants seemed to believe that the appointment itself, if successful, would be the most dramatic occurrence of the '91-'92 term. The exchange was particularly lively as participants noted the Senate Judiciary Committee's 7-7 vote earlier that day.

Although there seemed to be agreement among the participants regarding Thomas' personal qualities, many were concerned about his experience and qualifications to serve on the Supreme Court at this stage of his career.

Professor Walter Dellinger, of Duke University, noted that Thomas had almost no experience at reading legal cases. Dellinger said he was shocked when Thomas could not answer a question asking...

Koehler wins Bushrod tournament

By AMI KIM

The 1991 Bushrod Tournament concluded yesterday afternoon with John Koehler prevailing over Scott Browning in the final argument held in the Moot Courtroom.

Other top competitors in this year's tournament included Suzanne McGrath and Vic Miller, who ranked third and fourth, respectively, after Saturday's quarter-final round.

The finalists, John Koehler and Scott Browning, argued before a distinguished panel of judges, including Justice Barbara M. Keenan of the Virginia Supreme Court, Judge T.S. Ellis III of the U.S. District Court for the Eastern District of Virginia, and Judge Richard S. Bray of the Court of Appeals of Virginia. As the conclusion of the final round, Dean Sullivan presented awards to the top four competitors.

The competitors argued a case involving "buried treasure and dead bodies," as Moot Court Advisor Judy Ledbetter described the tournament problem, either for Petitioner Aquarius Reclamation Inc., a salvage company, or for Respondents Phoenix Insurance, Inc. and Alfred Burke.

Bushrod Research Justice Carolyn Tillotson composed this year's problem, in which Aquarius Reclamation sought to determine title to a submerged wreck. The wreck was believed to be the remains of the Columbia, a ship that sunk with thirty guests, attendant staff, and crew on board in 1920. In the problem, Aquarius Reclamation had located the remains of the Columbia in 1990 and sought to acquire title to the wreck under the common law of finds.

Phoenix Insurance Company, which had paid claims arising from the original loss, opposed the action, arguing that salvaging law should apply, thus allowing title to the wreck and its contents to remain in Phoenix. Alfred Burke, a relative of several of the passengers on the ship, also opposed Aquarius' action and applied for a permanent injunction preventing the company from disturbing the remains of his relatives. Phoenix Insurance's position was that it did not intend to disturb the remains, but rather only to remove the ship's vault, thought to hold most of the valuable insured.

The case, which originated in the U.S. District Court for the mythical District of Avery, was on appeal from the 14th Circuit to the U.S. Supreme Court.

See MOOT, page 20

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AMICUS CURIAE

AMERICA'S FIRST LAW SCHOOL

VOLUME II, ISSUE THREE

MONDAY, SEPTEMBER 30, 1991

TWENTY PAGES

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- Ziemer gets prestigious fellowship. Page 16.

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See MOOT, page 20
Out of our heads
As our readers will note, this issue of the Amicus Curiae addresses several controversial issues. At least one student has approached me with a request that the paper not print articles concerning some of these issues. Such requests, however, contravene the very purpose of this newspaper.

As most readers will remember, our first issue last January dedicated this paper to the complete and objective reporting of student news and opinion. This commitment means that the Amicus is here not merely to print the good things which happen around the school, but also to print those things which affect the law school community in less positive ways.

The pages of this newspaper are a forum for anyone at Marshall-Wythe who wishes to express a responsible viewpoint. Both student and editorial opinions are labeled as such.

We encourage persons wishing to express differing views to utilize the forums available in these pages, whether they choose to write a letter to the editor, a Crossfire debate, or a Featured Commentary.

While we will not print unsubstantiated personal attacks, persons whose expressions of opinion have an objective basis will not find their views censored in these pages, regardless of the personal views of the editorial board or staff.

THE AMICUS CURIAE
"Dedicated to the complete and objective reporting of student news and opinion"

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Letters
Dear Editor,
I am writing concerning a disturbing and personally troubling incident in the recently concluded Bushrod Moot Court Tournament. As these events reflect upon my personal abilities to be a fair and impartial judge, I feel that I must bring this matter to light.

A participant came before my judicial panel in the round of sixteen on Friday night. As all three judges later agreed, this participant seemed a bit intimidated and despondent upon his entrance to the room. The first question asked concerned the jurisdiction of the district court in the case. Apparently, he had not done his research, for he did not know the answer to this question. As the questioning moved to other issues, it became obvious that the participant was withering under interrogation by the panel. On rebuttal, as all three judges agreed, he simply gave up when faced with more difficult questions. It should be noted that the participant’s opposing counsel faced the same panel, and was asked questions just as, if not more difficult, than those directed towards him.

When the participants remained in the room for their critique, it was apparent to me that the participant had a chip upon his shoulder. I was chosen to give the first critique, and after telling the pair that they should be proud to have made it to the round of sixteen, I told the participant that, should he advance, he needed to do research on the jurisdiction issue. He responded that jurisdiction was not really an issue. I answered by saying that if a judge feels that it is an issue, then it is an issue. That is a basic rule of appellate advocacy that most court participants seem to understand well before the round of sixteen. I also told him that, since jurisdiction may be raised in the appellate court, improper jurisdiction may cause for dismissing the case. For this reason, jurisdiction was an issue in the case. At that time the participant said, “Frankly, the scores are already in, so...” Exasperated by his hostility, I cut the competitor off by saying that he was apparently not interested in hearing constructive criticism in order to improve, and that his on-concern, therefore, must have been to make the team, which he had already done.

Apparently, the participant didn’t like his panel, and especially me. An hour after the conclusion of the argument, I was informed that the Moot Court Board had decided that I should not be on a panel the next morning, when I was scheduled to judge the quarterfinal. I was told that I “stepped over a line” by cutting this individual off when it was apparent that he had no interest in hearing my critiques. This determination was made without the Board having heard my side of the story. They got their story from a member of the Board who served on my panel that night. Further, when I questioned Robert Bryant, the Chief Justice of the Moot Court Board, about the Board’s action, he told me that the Board was going on the participant’s complaints to some members of the Board — access to the Board that is facilitated by his personal relationship with one of the members of the Board. Further, the Board did not bother to talk to either the other competitors or the third judge on the panel about these events. After hearing of the participant’s complaints and the testimony of the Board member who served on my panel, they apparently decided that I should not be allowed to judge the following day. The decision of the Board has caused me anger, frustration and embarrassment. I feel that my integrity as a judge has been called into question. Simply put, I see no reason why the complaint of a participant who failed to complete basic research on the case, who was subjected to an especially “hot” panel, and who, apparently, withered and finally quit under pressure from the panel, should be allowed to impinge upon my integrity and reputation. I especially cannot understand why this complaint was without giving me an opportunity to tell me side of the story. As participants who argued before me will attest, I am a very tough, but very fair judge. The quality in the tournament was exceptional, and my questioning and critiques of the participant was not out of line with that I had given in earlier rounds. The participant apparently couldn’t cut it during the argument. His collapse during questioning apparently led to his hostility after the argument, which led to his complaints to the Board. I feel that such conduct is immature. When such immaturity implicates me, however, I feel that such conduct is beyond childishness, approaching absurd. The Board’s endorsement of this person’s whining is also reprehensible, especially in light of the way they handled the matter.

Steven Gerber deserves rich praise for providing an outstanding Bushrod Tournament. My experience with the tournament, however, has been soured by this participant’s whining and the Board’s willingness to give credence to his sour grapes. The participant failed to advance. Sensing that he, apparently wanted no part of my constructive criticism. Acknowledging his selfish attitude, I did not give it to him. For this reason, I was...
Verkuil leaves College for “new opportunity” at AAA

By WILL DeVAN

(Attorney's Note: Marshall students and faculty members interviewed for this article requested anonymity. To insure accuracy, all anonymous remarks have been confirmed independently.)

At a September 19 press conference, College President Paul Verkuil announced he will leave William and Mary to assume the position of Chief Executive Officer of the American Automobile Association (AAA).

Although Verkuil will begin his tenure at AAA effective January 1, he stated he will remain at the College through Charter Day on February 8. While the Board of Visitors searches for a new President, Provost Melyn Schiavelli is rumored to be the front runner for the post of interim president.

Many members of the college community were stunned that Verkuil failed to honor his pledge to remain as President through the College’s Tercentenary in 1993. Verkuil, however, stated that his loss was greater than the College’s because he is losing the opportunity to preside over the Tercentenary events.

The Virginia Gazette quoted Verkuil as saying the Tercentenary had "consumed" his life over the past six years.

During the press conference, Verkuil said he had no motive for leaving the College. He claimed, rather, that he was attracted to a new opportunity in a different field. This vague statement has touched off considerable speculation over more specific reasons for his departure.

Sources close to Verkuil have indicated that family pressures may have caused him to call it quits in Williamsburg. However, in a telephone interview with the Amicus, Verkuil said that the opportunity was "an attractive career change. That is all."

Although he stated the new job would "keep me close to Washington, which is important," Verkuil denied faculty rumors that he is seeking to establish a Washington base in order to procure an ambassadorship should the Democrats ever return to the White House. He has also denied that the lure of a higher salary motivated his move to AAA.

Whatever his reasons for leaving, Verkuil’s tenure at the College signaled a new direction in the school’s growth. Characteristics of this period was a perceived shift in the College’s priorities from undergraduate to graduate education. Graduate programs in American Studies, Computer Science, and Public Policy were all initiated under Verkuil. Many students and faculty members noted that his administration emphasized quanti...
Greig speaks on acquisition of land throughout history

By PETER KUBIN

Donald Greig, a professor at the Australian National University, and this year’s Menzies lecturer, spoke last Monday afternoon on "Acquisition of Territory under International Law" to a small group of students. Greig, a published and widely respected authority on the subject of international law, gave the one hour lecture at the behest of the International Law Society, who sponsored the event.

Greig began the colloquium by disparaging the view that acquisition of territory is a nonissue in a world where little "unowned" land remains. He pointed to a burgeoning movement among third world nations to utilize the United Nations to settle both age old disputes with first world nations, and more recent disputes such as those over the West Bank and Falkland Islands. According to Greig, these controversies show that acquisition is still very much a vital issue.

Greig then proceeded to offer a historical survey of important events involving international disputes over acquisition of territory. At the outset of the survey, he warned that examining such disputes have invariably evolved so as to work to the benefit of certain powerful nations or groups of nations.

Much of the survey involved historical events surrounding the acquisition of territory after the discovery of the new world in the fifteenth and sixteenth centuries, where possession was the early rule. Chief among these early issues was the Spanish-Portuguese conflict over the West Indies, which Greig described as "the first civilized international dispute over the acquisition of land."

The case was settled by a Papal decree to the mutual benefit of the two nations, and at the expense of other interested European powers.

Greig then moved swiftly through time and addressed the more recent disputes over Australia, Greenland, and the six nations conflict over Antarctica. He described the 1959 Antarctic issue as being the modern opening of acquisition disputes.

In a lighter moment of the lecture, Greig quoted a Soviet official who described U.S. tactics of dropping paper boats to mark off territory as the "first acquisition of territory by aerial bombardment."

The remainder of the colloquium was devoted to addressing students' questions regarding contemporary acquisition questions, such as Australian aboriginal rights, deep sea-bed ownership, and the Arab-Israeli conflict over the West Bank. Although Greig faithfully explored the relevant issues in each case, he was quite careful to avoid making any overly controversial statements or conclusions.

The lecture ended somewhat abruptly due to the pressure of several hundred first year students waiting to reserve chairs for the one o'clock legal skills free-for-all large section meeting. A reception hosted by ILS followed the lecture.

Forget those interviews!

Federal courts offer valuable and prestigious summer work experience

By SANDY RIZZO

The unfortunate downturn in the economy has made it difficult for law students to find legal-related summer employment, particularly following their first year of law school. However, students willing to forgo a salary can reap considerable benefits in terms of improved writing skills, acquisition of legal knowledge, and exposure to judges and practicing attorneys by working as legal interns in a federal court.

The United States Claims Court (formerly the Court of Claims), for example, is a federal court of limited jurisdiction located in Washington, D.C. About 65% of the court's cases involve government contract disputes and the rest are comprised primarily of tax, American Indian, and vaccine disputes.

Not to be confused with small claims court (a typical occurrence from what I can gather), the United States Claims Court's jurisdiction can be invoked only when a claim that is "founded... upon any express or implied contract with the United States" is concerned. 28 U.S.C. § 1491 (1988).

The judges of the Claims Court have in the past employed summer interns (employment not in the paid sense but in the working sense!) Although unpaid, the jobs can turn into a "future" investment since the judges often select law clerks from those who have interned for them in the past.

During a typical summer, an intern will spend time reading briefs, assisting in drafting opinions, listening in on conference calls and attending court. An intern basically has the same experience as a law clerk, with perhaps more supervision and, of course, for a shorter employment commitment.

Because many judges don't edit their interns' work extensively, an opinion is often issued in a form very much like that in which it was submitted. Interns have remarked that it's a big thrill to see your work appear on Lexis or Westlaw, or even in a West reporter.

Many federal district and appellate judges also employ interns. Frequently judges will permit interns to work at another job for part of the summer, or to work only for two or three days a week. A student interested in applying for such a position should simply contact judges' chambers by telephone to see whether the judge hires interns, and to find out what information is required (e.g., resume, cover letter, writing sample, references) applicants should submit.

The summer experience is definitely invaluable, and I would urge anyone interested to apply.

No parity: Law school still lacks policy on unequal grades

By ANDREW SMITH

Many first-year undoubtedly have fond memories of their undergraduate days and something called "grade inflation." For many of last year's 1Ls, however, the phenomenon might more aptly be characterized as grade deflation.

After first semester grades were posted last January, many 1Ls believed that their grades were artificially lower than those of their classmates in different sections of the same course. In other words, students believed that one of the two professors teaching their first-year class graded harder than the other.

While this was not the case in most first-year courses, the situation was severe enough that the SBA saw fit to take the issue to the Administration, which assigned the Academic Status Committee — currently comprised of Professors Trotter Hardy, Michael Gerhardt, and Margaret Spencer — the task of investigating and reporting back to the faculty.

The "grade disparity" by students and faculty alike, can occur in a number of ways. For instance, one professor might use a curve with a grade of "C+" as the median, while the other professor grades on a "B" curve. As another example, two professors might use a curve with the same average grade, but could distribute the grades around that average differently (i.e., all "A's" and "F's"

The Committee's recommendations could be implemented, but not until the beginning of the next academic year, when the new policy can be incorporated into the Course Catalog and other appropriate material.

Hartley says that a number of law schools have adopted measures to ensure grade equity, such as mandatory curves, unified average grades, and grade distribution requirements. He expects that the Committee will make some recommendation before the end of this school year.

For the time being, however, first-year will have to content themselves with the faculty's unwritten parity guidelines, and an innate faith in the equity and objectivity of the law school grading process.

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Attorney General Terry fields questions on VMI, death case

By BRETT JOHNSON
Virginia Attorney General — and likely gubernatorial candidate — Mary Sue Terry, addressed Marshall-Wythe students last week as part of the Law School Speakers Forum.

Terry’s speech focused on what she described as the increasingly activist role her office has assumed in an effort to avoid control of her office as assigned by the Commonwealth and its citizens.

After her prepared remarks, Terry fielded questions on the controversial VMI litigation and on the commutation last spring of convicted murderer Joseph Giarratano’s death sentence.

According to Terry, the Reagan administration created a vacuum of unmet public needs. As a result of federal inaction, Terry said Villanovans looking to live as either a first inquiry or a last hope to fix serious problems.

Recognizing her position as one of only three Virginia government officials elected by voters statewide and considering the Commonwealth to be her ultimate client — the Attorney General said she sought to be as responsive as possible to the public.

First-years select Student Bar Association Representatives

BY SUZANNE FITZGERALD
On September 17, the Marshall-Wythe class of 1994 voted three of their classmates in as Student Bar Association Representatives. The winners were David Delk, Laura Livaccari and Gina Love.

Of the victors are recognized as having excellent vision, which explains their ability to see the type; 3’x5’ sign on the SBA board announcing the elections. Most of the 1Ls who were unaware of the elections — simply assumed that they had missed something in their hanging files.

The real election story began at the Phi Delta Phi Rush Party at Bennett’s. There, Livaccari was seen schmoozing with Joe Piscopo look-alike, Rich Brooks. Meanwhile, Delk was wondering why, despite his drinking, his beer remained full. Love, the responsible candidate, was at the library.

As the campaign strategies matured, Delk and Livaccari added to hanging file pollution. Their flyers issued last minute pleas for votes. Notably, Livaccari’s propaganda was printed on an eye-catching pink backpack, touting the benefit of political participation. Conversely, Love did not squander money at Kingko’s nor add to environmental waste.

The heated campaign climax on election day when Livaccari was seen wearing a floral print dress and a strand of faux pearls. In the end, their diverse tactics — from baby kissing Livaccari to environmentalist Love — certainly paid off.

With a tightening job market, “SBA Rep,” will look great on a resume. As the unsuccessful candidates, there is always PDP.

Upon discovering the election results, Delk said, “The people have definitely spoken. But,” he added, “I can’t believe I have to work with two girls.” Livaccari, whose first priority is political correctness, quickly retorted, “We’re women.”

Their reaction to victory was guarded after discovering the financial difficulties of SBA. There goes her trip to Bermuda.

The agenda of the class of 94 reps are varied. Delk’s goals are perhaps the most lofty, he seeks equal rights for big people. His primary objective is to get larger seats in the classrooms; he opposes the present “BA seating system,” and the practice of claiming that it does not acknowledge the special needs of a diverse student body (literally). Delk hopes to be able to accomplish this goal, if he repairs his alarm clock so as not to sleep through the SBA meetings.

Like Delk, Love is concerned with the physical conditions at the law school. Her desire is to raise the temperature inside the school to just above freezing. As Love spends most of her sparse time in the library, this is an especially important concern for her. Love said her concerns that the William & Mary science department is conducting a cryogenic experiment.

Livaccari, aside from political correctness, would like to promote pronunciation correctness with respect to her name. “If rhymes with daquiri,” she stated.

Weenie wagon will wend way to Wythe

By PAM ARLUK
Do you have to squeeze lunch between your numerous law school classes? Are you sick of dealing with the tourists at the Cheese Shop? Does the food in the vending machines continue to look unappetizing? Marriott may have the answer to your lunchtime dilemma.

Marriott has announced that beginning October 1st, or soon thereafter, law students will be able to buy sandwiches from a customized cart in the student lounge. The cart will feature sandwiches, salads, fruit, cookies, bottled beverages, chips, soft pretzels, and brownies. In addition to standard items, the cart will feature rotating daily specials.

Although the law school administration has previously rejected proposals by Marriott to institute a food court because of concerns about increased trash, bugs and rodents, Associate Dean Connie Galloway says the administration will support the food cart on a trial basis. According to Galloway, Marriott has agreed to not store any food on the law school premises, and to clean up the lounge after the lunch crowd.

However, Galloway still expressed concerns about trash. She said that while the food cart’s trial period will probably last just for the rest of the year, if creates trash problems develop, it will be removed.

The standard sandwiches will include turkey on a Kaiser roll, and chicken salad on a croissant. Additionally, a rotating sandwich “special” will be offered on a daily basis. The salads will include a tossed garden salad, a chef salad, and a fruit salad. Marriott also plans to offer soup when cold weather arrives.

Prices quoted by Joe Fettig, the production manager at the campus center appear to be quite reasonable. The cost of the sandwiches will range between $2.25 and $2.50, salads will range between $1.75 and $2.50, fruit will be $0.45, and cookies will be $0.95.
M-W students help Inns of Court bring civility to law

By NATALIE GUTERMANN

The American Inns of Court are locally-run organizations which combine bench and bar in an educational forum to promote professionalism and ethics in advocacy. The basic idea behind the Inns — realizing that lawyers rank run-of-the-mill organizations which general public is to take a hard look at arise. This year the topics include the legal profession and bring civility to the courtroom, and help restore public confidence in the legal profession.

Inns of Court bring civility to law

The Inns of Court system is an excellent opportunity for students to sit down with a wide range of legal professionals and frankly discuss issues and concerns. Numerous attorneys are represented, and students are encouraged to question and consider these views in order to develop the conceptual framework they have already set up for themselves.

Another important function the Inn serves is to bring civility and improved relations between prosecution and defense counsels. By having members of the bench and both sides of the bar gather together in a non-confrontational environment, each group has an opportunity to learn what the others are really all about. The shared experiences contribute to the goals of cooperation and civility in the beginning of the fall semester. Those wishing to learn more about the Inn can contact any of this year's student members, or Professor Felton.

The Moot Court Board

extends many thanks to the following members of the faculty and adjunct faculty who graciously contributed their time in judging for the Bushrod Tournament:

Professor Peter Aices
Professor Jayne Barnard
Professor Neal Devins
Professor John Donaldson
Professor Dave Douglas
Professor Michael Gerhard
Professor Susan Grover
Professor Judy Ledbetter
Professor Fred Lederer
Professor John Levy
Professor Paul Marcus
Professor Ron Rosenberg
Professor Steve Wermiel
Associate Dean Rob Kaplan

Many thanks also to the members of the administration without whose assistance the Tournament would not have been possible:

Dean Timothy Sullivan
Ms. Gloria Todd
Associate Dean Connie Galloway
Registrar Liz Jackson
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Ms. Betta Labanish

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ADIOS, from page 3

The irony of the rule is that some expenses can often be asserted as school research. During the interview process, some students were ticketed for speeding and for illegally possessing a radar detector.

Verkuil was embroiled in a number of personal controversies during his tenure here as well. Upon arriving at the campus, he alienated many students by refusing to participate in the annual Yule Log Ceremony. During this period, several students voiced concerns about the erection of a family trampoline next to the President's house, which many felt detracted from the colonial nature of that area of the campus. Perhaps the most humiliating incident of his tenure occurred four years ago, when sources then at the College recall he was given a ticket for speeding.

Symptomatic of these concerns have been reduced law school parking during construction of new graduate student housing, the destruction of the lodges near the football stadium for a new multimillion dollar campus center, and the conversion of Blow Gymnasium (once used extensively by law students) to administrative offices.

Verkuil said that "the opportunity to help shape the academic mission of William and Mary is [his] most enduring legacy."

WISH LIST, from page 3

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Think twice before pushing a ban down smokers’ throats

Jarrell Wright

When I learned that the anti-smoking movement at the law school was seriously considering a drive to make the entire building a non-smoking area, I became so distressed that I simply had to have a cigarette.

Until a few years ago smoking was freely permitted in most college buildings. Then the Commonwealth of Virginia passed the Indoor Clean Air Act and the Student Association designated smoking and non-smoking areas for all campus facilities. Under the present scheme all parts of the law school, with the exception of the lobby, are non-smoking areas.

For most smokers this arrangement has worked out perfectly well. The lobby is roomy and comfortable, and no one ever really had much of a desire to smoke anywhere else. The only gripes we had was that there never seemed to be enough ashtrays to go around.

Non-smokers, on the other hand, are not especially fond of our smoking in the lobby, although they must admit that it is an improvement over the days when we could smoke just about wherever we wanted. Their primary complaint is that the lobby is a major thoroughfare, so they have to walk through the drifting smoke any time they need to get from one place to another.

The differences appear to be irremovable. There seems to be no way for one group to get what they want without getting it at the other group’s expense. We are not going to stop smoking, and they have no interest in starting.

Therefore, the question becomes: How do we get along with each other? Some have suggested that the best way to do it is to completely ban smoking in the law school. Bad idea.

Our lobby is not a bus terminal; don’t fill it with smoke

Elizabeth Dopp

A group of students committed to good health and the ability to breathe freely on a regular basis has recently begun pursuing a new regulation to limit smoking in the lobby of the law school. We are not trying to subjugate the rights of smokers; we are merely trying to limit where they practice their smoking.

I am a firm believer in the right to die (suicide, living wills, etc.), so do I object to a smoker’s right to kill himself or herself by inhaling cancerous fumes, lethal tar, and addictive nicotine. I do object, however, to a smoker’s ability and “right” to subject me to the same fatal toxins.

As the law in this school now stands, smokers can exercise their privilege to smoke from one end of the lobby to the other. Whether we non-smokers try to converse, study, eat, or lounge near the administration offices or outside the library, a smoker can always intrude on our clean air. Some smokers additionally pursue this privilege down the hallway and around the hanging files, which is contrary to policy. I do not mean to imply that all smokers are rude and inconsiderate and intentionally intrude upon non-smokers. The problem is that smokers have the right to intrude, and non-smokers do not have the right to ask them not to.

Non-smokers have no authority in the current law to ask smokers not to smoke and we have to rely merely on our fellow students’ courtesy and etiquette to refrain from smoking in our presence.

This law should be changed. The Virginia Indoor Clean Air Act, passed in 1990, requires that reasonable no-smoking areas be provided in all public or private educational facilities. Va. Code Section 15.1-291.2 Allowing smoking in the lobby does not provide a reasonable non-smoking area, given the size and student body of Marshall-Wythe. The lobby is the primary means of entry into the building; one must walk through the lobby to get to classes, the library, the lounge, the administration offices, the faculty offices, and the hanging files. Additionally, the lobby is one of only two areas (the other one being the lounge) where students gather to relax between classes, chat with friends, and hold meetings. Often students bring their lunch to this area when the lounge becomes too crowded. To allow smoking throughout this area severely limits non-smokers’ ability to relax and enjoy their time in the naugahyde.

We should obviously restrict cigarette smoking for health reasons. Secondary smoking is known to cause cancer. Additionally, some students are allergic to cigarette smoke. It is ironic that the administration is sensitive to one student’s paint allergies, yet does not recognize the same health needs of students who are allergic to cigarette smoke.

Aside from legal and health reasons, there are also aesthetic reasons which compel restricting the smoking in our presence. We all have our bad habits, and in one way or another we try to keep them off to each other every day of our lives. In a place as small as the law school, these habits can become especially annoying. In a community this size we should place much more reliance on courtesy and mutual respect than in rules, regulations, and zones.

Jarrell Wright is a third-year student from Beckley, W. Va., who received a B.A. in government from William and Mary in 1989. He recognizes that smoking may shorten his life, but he wants to take as many people as possible with him.

"Crossfire" is a regular feature of the Amicus Curiae. It is an open forum for students to present views on controversial issues. Any student interested in writing on an issue for "Crossfire" should drop a note with his/her name, year and topic in the Amicus hanging file. It is not necessary for a student interested in writing on one side of an issue to find a party to write the opposing view. Although "Crossfire" topics are subject to editorial approval, opinions submitted will not be edited by the Amicus staff. "Crossfire" submissions will not be printed anonymously.

Elizabeth Dopp is a third-year student from Alexandria, Va. She received a B.A. in History from Duke University in 1989. She had planned to eventually become a prosecutor and seek the death penalty for all smokers, but now figures that they will kill themselves anyway.
Attention men: Rape is our problem too

Andrew Herzig

Men, try this experiment sometime: Walk down the street alone. Be sure that you know where you’re going and that you don’t linger too long or look lost. Pay attention to the clothes you’re wearing—are all your buttons buttoned? Do your pants hug your butt a bit too tightly? Avoid making eye contact with other men on the street alone. Be sure that you know where you’re going and that you don’t linger too long or look lost.

Attention men: Rape is our problem too

Does all this sound silly? After all, a man has nothing to fear when choosing a parking spot or walking from his car to his apartment, least of all a sexual assault. Those concerns are part of a woman’s reality, right?

That reality has struck home recently for William and Mary women who have been sexually assaulted in the last couple of weeks. Ask any of your female friends if they have given the incidents a second thought. Perhaps a woman already has asked you to walk her from the library to her car. You do it, but by the time you hit the books again maybe all is forgotten.

The fact is, rape, sexual assault, and the threat of both affect men as well as women. The symptoms are much less obvious, and as such much more insidious. One event showed me how deeply the link runs between men’s violence against women and normal interaction between the sexes.

Late one evening I left a friend’s apartment after a visit. It was a nice night so I felt like walking home. As I started down the walk, I noticed a woman about my age across the street and 50 feet ahead of me. She hadn’t yet seen or heard me, we were alone on a poorly lit road. She strolled calmly and seemed to be enjoying her walk and the beautiful evening.

When I crossed the street, she finally caught sight of me out of the corner of her eye. By the time I was on the sidewalk behind her, she had visibly tensed up. She clenched her purse to her side. Her gait quickened. She seemed frightened. I came to a terrible and frustrating realization: I threatened her. To her, I was a potential rapist. I wanted to catch up to her to tell her that I was O.K. I wished I could alleviate her fear and absolve myself of guilt by association. The situation even angered me a bit because I felt as though I was judged unfairly. Of course, I could do nothing. I slowed down and watched her enter her building, looking over her shoulder the whole way.

Later, I understood the profound implications of this encounter. I realized that in this scenario, the woman I walked behind could have been any woman—a friend of mine, a lover, even my mother. And a rapist could replace me. The obvious struck me—any man can be a rapist. Women, for their own protection, must look at all men in this light, even ones they have relied on and loved for years. My tinge of anger disappeared; she had reacted not to me personally, but to the threat that I represent because I am a man.

It all boils down to this: Men, with many important exceptions, are not rape survivors. We do not live with a fear of the violence of the opposite sex. We men need not wonder whether a woman whom we trust could turn out to be a rapist. We have the privilege of this ultimate liberty—freedom from fear. It was one of us, a man, who attacked the four women of our community. Let us try to understand, to stop pushing this terrifying question aside as though it is “her problem.”

LETTER, from page 2

A sore loser at the expense of a judge’s reputation for fairness and integrity. At a minimum, the Board should formulate procedures for dealing with these types of situations that at least affords a person in my position a chance to speak. It’s too late for me, but perhaps the new moot court team can ensure that a judge will not have his or her integrity tarnished because of a crybaby.

Mychal Schulz (3L)

The following are responses the Amicus received from students questioned about the proposed smoking ban debated in this week’s Crossfire:

"... ridiculous idea. There should be a common area where smokers are allowed to smoke.”

Kevin Kroner (2L)

“It seems completely unfair. Where else can they smoke?”

Missy Callahan (2L)

“There should be a common area where smokers can smoke, but I don’t know if it should be the lobby.”

Susan Korzick (2L)

“I don’t particularly like smoking, but the people who smoke don’t have anywhere else ... it’s only fair [that they can smoke in the lobby].”

Stephanie Coleman (2L)
Alum receives Oliver Wendell Douglas Fellowship

To encourage the many students who are feeling deserted about the tight job market this year, I am a reporter for the Milwaukee, Wisconsin to interview noted alumna and attorney (yes, he passed the bar) David Ziemer for his impressions of life after law school. Ziemer's story should prove inspiring, I feel, to all students with concerns about what the future may hold for them in their own legal careers.

Amicus: Congratulations on passing the bar, David. What are you doing now?
Ziemer: Thank you. I've accepted the Oliver Wendell Douglas Fellowship at the Green Acres School of Law in Bumble-fuck, Wisconsin.

Amicus: Fascinating. What area of law does one study there?
Ziemer: The fast paced, rapidly growing field of turf law.

Amicus: Turf law?
Ziemer: Yes. Very big field. There's really no way to properly handle, say, an antitrust suit between Toro and Jacobsen unless you know the difference between dirt and soil.

Amicus: What do you actually do?
Ziemer: Well, in the morning, I sit on the lawn mower and cut the grass and greens on a golf course, and then in the afternoon I sit on a big tractor and pull gang mowers behind me to cut the roughs.

Amicus: So, you're really a groundskeeping peon who's thankful for every twenty-five cents an hour he makes over minimum wage?
Ziemer: Well, if you have a problem with euphemisms...

Amicus: No, it's OK. We can pretend you received some obscure fellowship. But, isn't it rough to have to deal with a bunch of dumb yokels all day?
Ziemer: Yes, it is, but I think my three years at Marshall-Wythe prepared me very well on that score, at least.

Amicus: I understand. Do any other problems arise out there on the course?
Ziemer: Well, it's kind of awkward toward the end of the day, when they don't let you address your customers regarding the Fall from Grace dance. You may rest assured, however, that I will answer all your queries about the annual semi-formal as the wonderful occasion draws near.

Before I begin with today's letters, I feel compelled to comment on a more serious matter. While many consider good manners to be little more than a reflection of good upbringing, polite concern, or manners to be little more than a reflection of senseless adherence to tradition, the continue them in today's environment and traveling together. Walk companions to and from their door, and be certain that they are safely inside. Don't tallow a silly spout to cause a friend to leave a party or group and venture off alone. Simple manners make one more than civil or charming, they keep one safe.

Well, with that said, let us peek into this week's mailbag and answer all the Happy Students' etiquette queries:

Dear Miss Demeanor,
I have mailed literally hundreds of resumes and cover letters to law firms all over the East Coast. Every reply I receive contains the same shallow "thanks but no thanks"—riddled with false hope and forced politeness, yet constantly implying that I am no more than a name and number, despite my many achievements.

I am wondering if there is a firm, yet proper way, to express my desire for a more honest, personal, and therefore constructive, response to my employment inquiries.

Signed "Frustrated 2L

Dear F. 2.,
I am very happy to have received your letter dated 9/23/91 and I appreciate the sincere interest that you have shown in "Ask Miss Demeanor." I regret to inform you, however, that due to the unprecedented number of highly qualified individuals I have received, I am not in a position to answer yours at this time.

I am certain that you and your question's qualifications will prove an asset to some other advice column.

Best of luck in your etiquette career.

Dear Miss Demeanor,
My question concerns proper fashion sense. As this is the beginning of my second year here at Marshall-Wythe, I have been beset by an almost intolerable interview schedule. Often times, I must meet with several firm recruiters in one day. My question is simply: Can't I allow for me to change into a fresh suit for each meeting and to make matters worse, invariably one of the representatives of the larger firms will ask to take me out to dinner at the Trolley or the Inn. I don't want to hang an extra suit in the restroom all day so that I can have a different and fresher look in the evening, but I'm afraid that if I ask for an extra half hour before dinner to change, I will seem pushy and they won't give me a call back. Please help me with some sage advice. I don't know what I'm going to do!

Signed "Wardrobe worries"

Dear Wardrobe worry,
I cannot tell you how strongly I feel for you in this obviously desperate situation. I'm certain that your classmates all have similar feelings as they read about your dreadful plight. It is especially painful because I realize that this problem will continue throughout your career, as you struggle to bill fifty or more hours a week in order to keep up with the other beleaguered associates.

Possibly, if you discuss your dilemma with some of the Happy Students at Marshall-Wythe, they can provide you with some heart-felt advice. Or maybe you could just have Mommy and Daddy buy you a dressing room trailer like the ones they have and park it in front of the building.

Confidential to "Loverstruck 1L.", Yes, Professor Sue Grover is indeed married and has no plans to change her status in the future. No, I am certain that would not be acceptable behavior. No, I suppose no one can stop you from simply dreaming. Yes, it was International Shoe.

Confidential to Walter Felton, No.
Confidential to "M.F.", Oh I most certainly agree that Max Freedom is a much better nom de plume than Maxie Free or Stay Free Max.

Questions for Miss Demeanor should be placed in the Amicus Curiae hanging file. The editors will make sure she gets them. All letters will remain anonymous unless Miss Demeanor figures out who you are.
Is the library thermostat controlled in Richmond?

By MATT HOLLORAN

As a recently indoctrinated member of the Marshall-Wythe Law school community, I have been impressed by several aspects of "THE COLLEGE!" Unlike my undergraduate institution (Loyola-Md.), the administration here believes in full disclosure of news events, even negative ones. The extra-curricular activities are numerous and enjoyable, e.g. the P.A.D softball game in which we 1L's committed assault and battery on the combination 2L-3L team (c.f. the score). Moreover, the atmosphere is friendly and warm.

Speaking of warm, who controls the ski resort in the library? And why do grown men write on the bathroom walls?

The library. Why is it that regardless of the temperature outside, I see students in sweatshirts and winter jackets? Does Mr. Freeze live in the basement? Some students believe in the conspiracy theory, i.e. PSF not only monopolizes drinking cups in the library (albeit for a good cause) but it also manages to keep the AC just above freezing so unwitting students have to buy the forest green "William and Mary Law" sweatshirts. Have you noticed the number of 1Ls wearing these items? It's September, we just experienced a heat wave, and sweatshirt sales are up 25%!

Another rumor is that the thermostat is controlled in Richmond. Could this be true? Do the fellow classmates I see shivering and turning blue have the Big Brother of Temp in Richmond to blame? Do we need a new cable channel to let M-W students know that it will be 85 and sunny outside but we'll need to carry fleece or thinsulate lined clothes because the library is 55 degrees with a wind chill of 10 below? The reason both students and professors carry food into the library is to keep it cold.

And what about the bathrooms, the graffiti? Is this necessary? Why do men — I have it on authority that the women's room is poetry free — persist in writing obscenities? I am assuming, (yes Professor Spencer, assuming) that the cleaning ladies do not scribble messages on the stalls while they work.

Who designed these stalls anyway? The Architectural firm of Master Yoda, the Munchkins and Randy Newman? Are these "quasi-walls" important for male/female bonding? These must be anti-graffiti walls. Why else would the stalls be short? You know, "Don't scribble because someone could be watching."

But, I do not mean to complain without offering solutions. The library solution is an easy one — save a little energy, and turn the temperature from tundra to temperate. When it is cold outside I do not want to be cold inside! If in fact it is true that the thermostat is controlled in Richmond surely a law school can find a remedy, especially one with such a large environmental law contingent.

The bathrooms too have a solution. People probably write on the walls because of boredom! So to counteract, put magazine racks in the stalls. Yes, Time, Newsweek, People, or the National Enquirer would suffice. Just something to occupy the time! (But please don’t put Law review articles in the stalls because these will only beget more profanity.)

Surely a few extra copies of popular magazines is not too much to ask in order to eliminate the embarrassing phenomenon of lavatory limericks. The stalls cannot be shortened any more without violating the "constitutional" right to privacy. So perhaps a little leisurely literature in the "reading room" will do the trick.

Top ten reasons Verkuil is leaving W&M to head AA

By GREG BRUMMETT

10. Free towing.
9. "Hey, things change."
8. Longer beach season and no tunnel.
7. One too many tickets from Parking Services.
6. Tired of hot, humid summers.
5. Wants to live in a house built in the 20th century.
4. Tired of participating in sorority scavenger hunts.
3. Has finally been in every building at the Pottery.
2. Tired of giving directions to tourists.
1. Radar detectors are legal in Florida.

Collect them all! This week: Hanging judges of the Bushrod tournament!

More clip ‘n’ save Marshall-Wythe trading cards

- The Conjugator
- Carolyn
- Mr. Moose
- Elizabeth
Return of Casino Night

The ultra-popular party from last fall, Casino Night, will be held again on Friday, October 18 in the Campus Center Ballroom. Suggested for the weekend immediately after fall break, the event will coincide with the Law School’s Homecoming.

The Public Service Fund is hosting this event for the second time, along with help from the Alumni Affairs Office. Professors and staff members will deal blackjack, craps, and roulette during the evening, leaving a few tables open for high-stakes poker games. Featured mid-way through the evening will be the door prize raffle. Last year, the raffle included limo rides, stays at bed & breakfast houses, aerobics memberships, and fish tanks, among other sought-after prizes.

Tickets for Casino Night can be purchased in advance for $10.00 and will go on sale soon in the lobby. Those attending can enjoy unlimited beer and soda, as well as dancing to a live band, at the event.

Administrative Law Review welcomes members

The Administrative Law Review is pleased to announce staff selections from the Class of 1993:

- Caroline Berrettini
- James Entas
- Theresa Johnson
- John McGowan
- Kelley O’Brien
- Julius Rothstein
- Melissa Callahan
- Matthew Ide
- Laura Kerrigan
- Tammy Moss
- Kevin Olivera
- Eric Star

Moot Court announces new bar members

The Moot Court Bar extends congratulations to the following members of the Class of 1993 who, by advancing to the Round of 32, are now eligible for membership:

- Robert G. Barbour
- Jennifer Z. Brooks
- Deirdre Cohen
- Clifton L. Corker
- Joseph M. English
- Brian P. Golden
- Daniel Lee Hogans
- Richard A. Hricik
- Tim Kermer
- Kevin Kroner
- R. Lee Livingston
- Suzanne McGrath
- Victor Miller
- Joseph J. Quigley
- Julius Rothstein
- Sean N.R. Wells
- Lisa Brook
- Scott M. Browning
- Scott Conover
- Thomas M. Diggs
- Eric R. Finley
- Andrew H. Herrick
- Sean S. Hogle
- Tracy M. Humphrey
- John S. Kockler
- G. Scott Lesmes
- John A.W. Lohmann
- Michael McKiver
- Tammie Moss
- Heather Sue Ramsey
- Lauren Schafer
- William R. Wilder

Plans under way for Bahamas blast

PSF has already begun planning for this year’s Bahamas Blast Suitcase Party. The popular fundraiser, tentatively scheduled for January, is an excellent way to beat the winter blues and help PSF raise funds for students working in public interest jobs this summer.

Once again, U-Travel Service has donated a trip to the Bahamas Princess Resort in Freeport as the grand prize for the Bahamas Blast. U-Travel has been a consistent supporter of PSF since the Fund’s inception, and this year has agreed to donate $5.00 to the fund for every order of $250.00 received from M-W students and faculty who mention the company’s advertisement in the Amicus.

PSF asks that students and faculty show their appreciation by using U-Travel for callbacks and holiday travel. U-Travel makes daily deliveries to the law school.

Free Flicks

Free Movies are shown every Monday evening in the Charles Center in Tucker Hall on the main campus. As a service to our readers, the Amicus provides this handy, clip and save schedule of flicks your student fees have probably already paid for:

**TONIGHT:**
- Jules et Jim (French with subtitles)

**October 7:**
- Drugstore Cowboy

**October 28:**
- Gaslight

**November 4:**
- Bananas

**November 11:**
- The Man Who Knew Too Much

**November 18:**
- Eleni

**November 25:**
- Blow Up

**December 4:**
- Brazil
Tom Petty and the Heartbreakers rock William and Mary

By BOB DICKINSON

"Somewhere, somehow, someone must have kicked you around," Gimbel said of the great lines from rock and roll. See Men's Room, Main Hallway, Stall #3. (Apologies to the Dean, but I feel compelled to cite to authority.)

The author of that line, tune-smith Tom Petty was at William and Mary Hall with his Heartbreakers last Wednesday, September 25. The band celebrates their fifteenth anniversary on this tour, and band is not all flash. The Heartbreakers rock and roll. A cover of a tune by the great Rock and Roll.

Room, Main Hallway, Stall #3. (A polo- cigar storelndian, and a full suit of armor. feet from the first song.

gies to the Dean, but Petty sent a 60s puppets to the Burg. fifteen minute encore, was a showcase for Petty's material from the 70s, 80s, and 90s.

The enthusiastic audience was on its feet from the first song. The biggest crowd pleasers were numbers from Petty's 1989 disc, Full Moon Fever. The crowd knew the lyrics to all, and competed with the sound system on the refrains.

A cover of a tune by the "great Irish poet," Van Morrison was included, as was the Roger McGuinn co-written tune, "King of the Hill." Drummer Stan Lynch was featured on vocals on a cover of the Count Basie and the Heartbreakers rock and roll.

music. A big time was had by those attending, which leads to the only down note of the evening.

Petty commented that this was the "most intimate" concert of the tour. While I'm sure he was referring to the relatively small size of hall, he may as well have been alluding to the small size of the crowd—$500 of available 9000 seats, according to the ticket office.

The blame for this poor turnout rests not with the College of William and Mary, or with William and Mary Hall as a venue for rock concerts, but should be placed squarely on the shoulders of Cellar Door Productions. I was lucky enough to hear a promo for the concert at Hampton radio station 506.9 the Friday before the show, and friends in Richmond say the publicity there was not any better.

What do promoters do, if they don't promote? William and Mary is a great place for concerts. Cellar Door is the one who deserves to be "kicked around some."

Video reviews

Thumbs up, thumbs down

By STEVE SCHOFIELD and MICHAEL REYNOLDS

Paradise of Glory — (1987; Directed by Stanley Kubrick; starring Kirk Douglas)

A stark, grim tale set in France during World War I, the movie deals with an ill-conceived attack by the French Army upon a German stronghold. The attack was ordered by an egotistical General seeking a victory in order to obtain a promotion. When the effort failed, the General ordered three randomly chosen soldiers to stand trial for cowardice in order to divert attention away from the poor decision to attack and his own incompetence. This film is based on actual events that took place in 1916.

• Steve: This was a very well done small film. The setting is dark and foreboding throughout and it effectively conveys some of the horror that trench warfare entails. It stays within the event and does not spend much time on character development, the war itself is the main character. Kubrick presents this drama to show the absurdity of war and how man loses much of his humanity in the process. Though Kubrick shows examples of the irrationality of men's actions in times of war, he never addresses the larger issue of how one can be rational in the midst of war, which is by nature absurd in contrast to conventional daily life. I recommend this film as an interesting study dealing with war and how it affects attitudes in the various ranks of soldiers.

• Mike: Although I agree with most of what Steve has to say about this film, I didn’t think quite so highly of it. It is indeed very realistic, but I feel too much impact is lost on the small screen, even though it is a black and white film. For a variety of reasons that are hard to articulate Paths wasn't as compelling as it could have been. Perhaps that is because there have been so many other war films, especially since Vietnam, and this one offers little that is new when seen in comparison. Even though this film is available to be checked out of the law school library at no charge, I can only recommend it for fans of Kubrick or grim war films. Those who do check it out should be sure to keep an eye out for the cockroach scene, my favorite part.

Hidden Agenda — (1990; starring Frances McDormand and Brian Cox)

A political thriller set in modern day Northern Ireland, this British production deals with the suspicious killing of an American lawyer investigating civil rights abuses by the police. From this event the movie begins to unravel a larger conspiracy with great impact on the British political scene. This conspiracy is discovered by the high rank­ing police official sent to Belfast to investigate the death. He is assisted by the dead lawyer’s companion. The story becomes more involved, but to reveal any more would simply give away the plot.

• Mike: “Agenda” definitely seems to have one of its own when it comes the presence of the British in Ireland and the machinations of certain Conserva­tives in Britain. Despite its obvious slant, the movie does have some dramatic and suspenseful moments, but those are more toward the end than the beginning, which seems to drag a bit. This movie will also be very difficult for many Americans to wade through if they aren’t familiar with the situation in Northern Ireland or Irish and British accents.

Nevertheless, if you’re an Anglo­phile or just enjoy a thriller, you might enjoy this recent video release.

• Steve: This is a somewhat enjoyable movie, yet it was very paranoid. However, I think is correct in that the movie gains momentum as it went along, yet for me it crashed into a brick wall when it tried to cross the line between fantasy and reality (I can’t spoil the film other than to say it is a conspiracy involving real government officials). I admit I’m biased against movies which purport to tell the story of a government official, which is by nature absurd in contrast to reality.

There were some good Irish folk tunes on the refrains. Tom Petty played mandolin on these numbers. The final fifteen minute encore, was a showcase for Petty’s material from the 70s, 80s, and 90s.

The enthusiastic audience was on its feet from the first song. The biggest crowd pleasers were numbers from Petty’s 1989 disc, Full Moon Fever. The crowd knew the lyrics to all, and competed with the sound system on the refrains.

A cover of a tune by the "great Irish poet," Van Morrison was included, as was the Roger McGuinn co-written tune, "King of the Hill." Drummer Stan Lynch was featured on vocals on a cover of the Count Five’s "Psychotic Reaction," followed by a boogie woogie instrumental featuring pianist Benmont Tench. This number segued into an inventive solo by guitarist Mike Campbell in which he got different feedback lines going on two guitars and then played blistering licks on a third. Campbell and Petty must have a separate tractor-trailer just to carry the many Rickenbackers, Fenders, and Gibs­ons used in the show. For rock concerts, but should be placed squarely on the shoulders of Cellar Door Productions. I was lucky enough to hear a promo for the concert at Hampton radio station 106.9 the Friday before the show, and friends in Richmond say the publicity there was not any better.

What do promoters do, if they don’t promote? William and Mary is a great place for concerts. Cellar Door is the one who deserves to be "kicked around some."
Film Review

The Commitments: guts, soul and following your dreams

By STEPHANIE CANGIN

"Say it loud, I'm black and I'm proud!" That line causes a few peculiar stares as the very white manager of The Commitments urges his very white band to adopt the motto. But in this movie version of Roddy Doyle's novel, the band does indeed find their own soul and become black and proud, in spirit if not in pigment.

The movie's protagonist, Jimmy Rabbitte (played by Robert Arkin), crashes a wedding reception and announces to two friends that he's going to form a band. To find members, he puts an ad in the newspaper asking for people with soul. What Rabbitte gets are people lined up at his doorstep citing musical influences from The Smiths to Barry Manilow. Even his impersonation. (Elvis' picture is prominently displayed in the Rabbitte's home—right above the pope's!)

Rabbitte finally acquires a drummer, a saxophonist, a medical student pianist, a trumpet/guru named Joey "The Lips" Fagan (Johnny Murphy) and a temperamental vocalist (played by 16 year old Andrew Strong). To round out the group (and to get girls) he recruits the Commitments.

Once the band is assembled Rabbitte tries to impress upon them the fact that they are a soul band. "No more Guns 'n' Roses and no more Soupdragons," he instructs them. And soulful they do become. In fact the pianist tells his priest during confession that he has lustful thoughts featuring the song "When a Man Loves a Woman" by Marvin Gaye; "Percy Sledge," the priest corrects.

The film's stars now deserve to be called actors. They were among the 150 unknown Dubliners who auditioned for the movie. Most were musicians before their shot a film stardom in The Commitments but they pull this off well. Director Alan Parker (Fame, Mississippi Burning) has done a fine job in bringing Doyle's novel to life.

The movie isn't one where the band walks off into the sunset, happily ever after. It's about the members struggles—personal, professional, and musical. The Commitments is a tale about guts and soul and following your dreams. It does not feature the green rolling hills of Ireland, and there are certainly no Leprechauns. The film is set in the inner city ghettos of Dublin and reflects a number of people on the dole.

That doesn't mean that the film doesn't provide it's share of laughs. It's one of those "life" movies that takes you along for a rollercoaster ride of emotions, and makes you want to get in line to do it again. The spirit that the band instills in its members is better than any pot of gold.

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Book Review

Exercise your sexual psyche

By NATALIE GUTTERMAN

I Shudder at Your Touch: 22 Tales of Sex and Horror
Edited by Michele Slung

"There is no sexual act that is not dangerous. And every caress, no matter how innocent, has the power to open our lives to the dark mysteries of desire, the places where outrageous fantasies and fears are held in check."

This is just the book to let those fears loose. I Shudder At Your Touch is a macabre compilation of stories penned by 22 of the most compelling horror writers, including Clive Barker, Stephen King, Carolyn Banks, and Ruth Rendell.

Each author has a very distinctive style of writing and a different way of playing with your mind and making your flesh crawl.

Although the topic of each story in some way relates to sex and horror, with every succeeding tale you read, you get a new perspective on how our basic drives of sex and survival effect our everyday lives, and how easy it is for these instincts to rage out of control.

Reading this book is truly an exercise of the sexual psyche, for as you delve deeper and deeper, you are unsure whether you are driven by horror or pleasure. You'll encounter a wide array of kinky, perverse, and bizarre characters, such as a cricket-playing vampire, a sleek sea creature, a feline native girl and a Tiger Man, a plastic religious statue that preaches X-rated enlightenment, and a salon owner who knows the price people will pay for perfection.

A caveat: Do not be misled by the title. These are tales of sex and horror. Not sexual horror, or horrible sex. They are not about sex crimes, nor are they love stories gone awry. Rather they are a unique collection of tales that force you to confront the fact that we are human, and the basic forces that drive us are perpetuation of the species and survival. These tales manipulate our erotic anxieties and turn them into a form of art, so that we can take a closer look at those things we are constantly trying to avoid.

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The Commitments pay homage to American soul idols

By KEVIN WALSH

"The Commitments" Soundtrack: True-Edy Soul

"The Commitments", Original Motion Picture Soundtrack

Rock and Roll, before it was a means to sell cars and floor wax, was a blues idiom for sex. It just means use your imagination that divide them, ending with the plea "Safe sex doesn’t mean no sex / it just means use your imagination," it sounds real preachy on paper, but the bounce back

writing credit for the song; other artists, including Led Zeppelin ("Whole Lotta Love", "Bring It On Home") and the Rolling Stones ("Time Is On My Side") have ripped off whole songs from black artists and gotten away with it.

The Commitments (though technically not a real band) are one of the latest in this long line. Rather than ripping off their soul idols, the Commitments pay them tribute. And what a tribute it is.

The attraction to soul music is not only its melodic beauty, its incisive lyrics and its bouncing beat, but also its feel. There's a dedication and emotional depth to soul music, perhaps especially the singing, that is undeniable as it is inescapable.

To their credit, the song choice here is hard to second-guess. The powers behind the Commitments have for the most part avoided obvious, though marketable, Motown re-treads and "Big Chill"-isms, concentrating instead on relatively under-appreciated soul talents like Otis Redding and Wilson Pickett. This might even explain why a hot version of Redding's (and more recently, the Black Crowes') "Hard To Handle", was left off the soundtrack, despite its being played in the movie.

The vocals of Andrew Strong are this album's biggest revelation. From the incendiary "Mustang Sally" to an energetic take on "In The Midnight Hour," the kid belting out these songs with a freshness and exuberance that is nothing short of exhilarating. Though he does mis-step a few times, as in his uncharacteristically stiff reading of "Dark End of the Street" and the occasional "ad-lib" that sounds a little forced, Strong's performance on this record is inspiring. Listen for his version of "Try A Little Tenderness" to be one of the big songs of the fall.

The rest of the cast acquits itself nearly as well. "Destination Anywhere" is a dynamic sing-along tale of a woman who just wants to get out and doesn't care where; the backslapping vocals and fluid instrumentation combine to make this one of the album's standout tracks. "Treat Her Right" and "Slip Away," sung by Robert Arkin — who played the Commitments' manager, Jimmy Rabbitte, in the film and never sang a note—are also both impressive. Maria Doyle, from the Black Velvet Band, contributes two stunning performances to the album, the emotionally charged "I Never Loved A Man" and "Mary (My Guy)" Well's swinging kissoff "Bye Bye Baby".

"The Commitments" soundtrack is a surprisingly satisfying and faithful homage to a great era of American music. If it leads one kid to go out and investigate James Brown or Otis Redding then it will have accomplished its mission. It teases one kid the difference between Wilson Pickett and Wilson Phillips, the world a much better place.

Dancing about architecture

Don't Try This At Home: Melodic pop with an edge

By KEVIN WALSH

Billy Bragg, Don't Try This At Home

Don't Try This At Home is Billy Bragg's fourth album of melodic pop with an edge. Sometimes the edge is self-deprecating, sometimes it's heart-breaking and sometimes its political. But it's always surprising and it's always thought-provoking. He's an absolute rarity on today's pop scene, an English Angry Young Man in the tradition of Van Morrison, Graham Parker and Elvis Costello. And unlike those three lately, he's consistently on-target.

Billy Bragg is a Socialist. Let's get that out right up front. It turns out some people have the point where they can't listen to him. Some of his earlier songs do have the feel of a political speech to them and the preaching can get annoying at times. What makes it so easy to listen to is that it's always done tunefully and it's always done with a sense of humor. His Day-Glo tour T-shirts proclaim "Sun - Surf - Socialism.

His political views are toned down a little on this album and he concentrates instead on personal politics — the games two people can play with each other. One of the album's best songs, and the first single (look for the hilarious MTV video) is "Sexuality" which deals with..., well, sexuality.

It's not as goofy as it sounds. The lyrics ask that people break down the walls, tear down the sexual distinctions and hang-ups that divide them, ending with the plea "Safe sex doesn't mean no sex / it just means use your imagination," it sounds real preachy on paper, but the bounce back

at his best when conveying complex sentiments, as on "Tank Park Salute"— a tribute to his late father — or his exploration of the connection between professional athletics and organized religion in "God's Footballer".

Only two of the songs are covers: "Everywhere," a look at World War II racism through an angry British Chuck Berry on speed and you have a good idea of what those records sound like. It is perhaps this training that spawned his unerring ear for melody. As on his last album, however, Bragg is backed by a full band for most of the album's 16 tracks, including an all-star cast of progressive pop stars including Peter Buck and Michael Stipe (of REM), Johnny Marr (ex-Smiths) and Kirsty MacColl. The album's sound is impressive and varied.

The songs cover a variety of topics, from hometown ("Trust") to regret ("You Woke Up My Neighbourhood", "Mother of the Bride") to English right-wing fanaticism ("The Few"). Bragg is
African art exhibit at Muscarelle is clearly a “must-see”

BY KATHRYN O’CONNOR

Those who revel in the visual arts must experience the new exhibit at the Muscarelle Museum of Art. African Art: Power, Wisdom and Passages will be on display through November 10.

The exhibition is on loan from the Minnesota Museum of Art and presents a wide variety of objects created by peoples of sub-Saharan West Africa and the Congo region. Included are masks, figurative sculptures, spears and knives, textiles, sceptre, fly whisk, stool, pipe, ladle and divination tray. Many of these pieces were owned and used by chiefs and important persons, while others were functional objects. All show a careful attention to detail and aesthetic beauty.

The objects on display represent the diversity of African culture. The artists’ works are not only visually pleasing but challenge the viewer intellectually as well. For example, ornate masks are used by councils of elders in decentralized African society to communicate council declarations and judgments. The masks are powerful symbols of authority common to all citizens of the larger society. In centralized society, however, individual chiefs or kings exercise power through the ceremonial use of masks.

Visual arts are more than expressions of beauty in African culture. They are used to foster social harmony and personal growth. Motifs on gold weights and cloths illustrate directive proverbs. Many of the objects on display are used in ceremonies of passage. Most African cultures believe in the concept of the extended family which includes the dead as well as the unborn. Birth, adulthood, marriage, and death are celebrated with affirming traditions that provide a sense of connectedness for the individual and society. Relief decorated, functional pottery adorns graves of ordinary citizens while royal gravesites display terracotta likenesses of the dead.

The Muscarelle exhibit will be accompanied by several informative talks and films. Mary Lou Hultgren, Curator at Hampton University Museum, will present a gallery talk, African Art: Power, Wisdom and Passages on Sunday, October 6, at 3:00 p.m., followed by two short films A Great Tree Has Fallen and Benin Kingship Ritual at 4:00 p.m. The films will be repeated on Monday, October 7, at 12:15 p.m.

On Sunday, October 13, two films, African Carving: A Dogon Kanaga Mask and African Craftsmen: The Ashanti, will be shown at 4:00 p.m. and repeated Monday, October 14, at 12:15 p.m.

Dylan Pritchett, a nationally known storyteller, will present African Stories and Myths on Sunday, October 20, at 3:00 p.m., followed by a film Toguna and Cheko: Change and Continuity in the Art of Mali at 4:00 p.m. The film will be repeated Monday, October 21, at 12:15 p.m.

The Muscarelle Museum of Art is on Jamestown Road next to Phi Beta Kappa Hall. There is no admission charge, so be sure to take advantage of this visual feast.

The museum is open Monday through Sunday, from 10:00 a.m. to 4:45 p.m.; Saturday, from 12:00 to 4:00 p.m.

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TUESDAY, OCTOBER 1
• DRAPERS’ SCHOLAR: Chris Haiman, the 1990-1991 Drapers’ Scholar will answer questions about the program, 4 p.m., Room 127.
• MARY & WILLIAM SOCIETY: Open meeting, 5:30 p.m., Room 239. For more info contact Judy Conti (1L).
• STUDENT PUGWASH: rooms A&B, 8 p.m.

WEDNESDAY, OCTOBER 2
• LECTURE: “Issues in Education” by Secretary of Education for Virginia, James W. Dyke Jr., sponsored by Student Education Asso., Dodge Room, PBK, 7:30 p.m.
• MEN’S SOCCER: W&M vs. American University, Busch Field, 7:30 p.m.

THURSDAY, OCTOBER 3
• TOWN & GOWN LUNCHEON: “The Civil War in Yugoslavia,” Anne Henderson, assistant professor of government, Campus Center ballroom, 12:15 p.m.

FRIDAY, OCTOBER 4
• SUGGESTED OCPP DEADLINE FOR NATIONAL GOVERNMENT AND PUBLIC INTEREST JOB FAIR: OCPP learned this week that 22 new employers have registered since they received the initial materials. You should check the revised employer list to identify new employers. Registration materials for second- and third-years are in OCPP. Although the suggested deadline is October 4, you may contact employers after that date.
• MEN’S SOCCER: W&M vs. UNC-Wilmington, Busch Field, 7:30 p.m.
• PHYSICS COLLOQUIA: “Advanced Sensors for Industrial Applications (Photons and Phonons from KT to 30 keV),” speaker: David Scott, E.I. du Pont de Nemours and Co., Small 109, 4 p.m. (Coffee at 3:30 p.m., Small 123).

SATURDAY, OCTOBER 5
• HOUSING PARTNERSHIP: 9am - 5pm, for more info contact Andrea Miller (2L) or Cheryl Ballard (2L).
• “70’s SUPER GRAD THING: Indoors at Trinkle Hall, 8pm - 1am, admission $3.00. Free beer and sodas, DJ music and prizes.
• RECYCLING PROGRAM COLLECTION: W&M Hall parking lot and Crim Dell amphitheater, 9 a.m. to 1 p.m.
• GIFTED LEARNERS CLASSES: 9 a.m. to 11:30 a.m. For info, call ext. 12362.
• CHILDREN’S ART CLASSES: Muscarelle Museum, 9 a.m. to 12:30 p.m. For information call ext. 12703.
• FIELD HOCKEY: W&M vs. Univ. of Pacific, Busch Field, 3 p.m.
• W&M vs. West Virginia University, Busch Field, 7:30 p.m.
• WOMEN’S TENNIS: Eastern Region Team Qualifiers, Busch Tennis Courts.

SUNDAY, OCTOBER 6
• FILMS: “A Great Tree Has Fallen,” and “Benin Kingship Ritual,” Muscarelle Museum, 4 p.m.
• WOMEN’S CROSS COUNTRY: W&M High School Invitational.
• WOMEN’S TENNIS: Eastern Regional Team Qualifiers, Busch Tennis Courts.

MONDAY, OCTOBER 7
• FIELD HOCKEY: W&M vs. UNC, Busch Field, 3 p.m.
• FILMS: “A Great Tree Has Fallen,” and “Benin Kingship Ritual,” Muscarelle Museum, 4 p.m.
• CISSY PATTERSON LECTURE IN UNDERGRADUATE MATHEMATICS: “The Gambler’s Ruin: An Excursion in Applied Mathematics,” by Joel V. Brawley, Mathematical Sciences Department, Clemson University; Andrews 101, 2 p.m.
• PAPER: “Sex, Confession, and the Lash: Changing Legal Regimes in New Haven,” speaker: Cornelia Hughes Dayton, History Department, University of California, Irvine, IEAH, Swem Library, 7:30 p.m.

TUESDAY, OCTOBER 8
• HACE GENERAL MEETING: Bill Merc will speak on “The New University Center,” Campus Center, room E, 1 to 2 p.m.

WEDNESDAY, OCTOBER 9
• WOMEN’S STUDIES BROWN BAG LUNCH SERIES: “Women and Communication: Achieving Credibility and Autonomy,” Ann Chaney, speech, Charles Center lounge, Tucker Hall, noon to 1:15 p.m.
• STUDENT ASSN. SPEAKER SERIES: “An Evening with Maya Angelou,” Trinkle Hall, 8 p.m.

THURSDAY, OCTOBER 10
• TOWN & GOWN LUNCHEON: Speaker: Hans von Beyeren, Physica professor, Campus Center ballroom, 12:15 p.m.
• W&M THEATRE: “All the King’s Men,” PBK, 8:15 p.m.

FRIDAY, OCTOBER 11
• WOMEN’S SOCCER: W&M vs. Notre Dame, Barkdale Field, 4 p.m.
• W&M THEATRE: “All the King’s Men,” PBK, 8:15 p.m.
• WOMEN’S SOCCER: W&M vs. George Washington University, Busch Field, 7:30 p.m.

SATURDAY, OCTOBER 12-TUESDAY, OCTOBER 15
• FALL BREAK

SATURDAY, OCTOBER 12
• RECYCLING PROGRAM COLLECTION: W&M Hall parking lot and Crim Dell amphitheater, 9 a.m. to 1 p.m.
• GIFTED LEARNERS CLASSES: 9 a.m. to 11:30 a.m.
• CHILDREN’S ART CLASSES: Muscarelle Museum, 9 a.m. to 12:30 p.m.
• W&M THEATRE: “All the King’s Men,” PBK, 8:15 p.m.

SUNDAY, OCTOBER 13

MONDAY, OCTOBER 14
• CAPRIOLE: ODU Recital Hall, Fine & Performing Arts Center, 49th and Elkhorne, 8 p.m.

TUESDAY, OCTOBER 15
• CAPRIOLE: Great Hall, Wren Building, 8 p.m.

October is Reggae Month at the Green Leaf

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Mychal's Myopia

Dream team chosen; Smolla will not join Skyhawks

By MYCHAL SCHULZ

As all law students are aware, few things in life are certain. Death, of course, taxes, and a few others, such as a Toronto Blue Jay swan dive in September. The most talented basketball team in the American League—and yes, that includes the Minnesota Twins—are poised to lose the division to Boston for the third time in the last five years. The only question is, who chokes more? The baseball team on the field, or the fans in the seats, who have to pay more than seven dollars for a hot dog?

Well, the dream team that will return the USA to basketball glory has been named. The expected bevy of stars are there: Jordan, Ewing, Robinson, Magic. Conspicuous by his absence, however, is Isaiah Thomas. Whatever one feels about Thomas’ antics on and off the court, and especially the gross immaturity he displayed when the Pistons lost to the Bulls this past spring, the fact remains that he was one of the best and most consistent powers that be in American basketball. Do you pay more than seven dollars for a hot dog?

This week, the Professor Charles Koch Award — which goes to a person who actually possesses athletic talent, though you’d never know it by looking at them—is shared by third-year Dannon Williams and first-year Susan Fitzgerald. Dannon was recently seen on a tennis court at Steeplechase, dispelling notions that her idea of athletic endeavor was to go shopping. Onlookers were amazed that 1) she was actually playing tennis, and 2) Laura Ashley apparel was versatile enough to wear on the court.

Meanwhile, Susan, desperate to watch the Notre Dame-Michigan State game at Second Street Café, threatened to lay the bartender out if she did not switch the game onto the television. The bartender quickly complied upon realizing that Susan was serious. Nothing gets between Susan and her Irish.

While Professor Rodney Smolla will be visiting Duke University next spring, there is no truth to the rumor that he is really going to Durham to join the Raleigh-Durham Skyhawks in the World Football League. Professor Smolla contends, and I paraphrase to avoid tort liability, that this move does not mean that his athletic career is over. To which this writer asks, what career?

A struggle of titanic proportions will take place Monday night, September 30 at 10:00 on Busch Field. At that time, the second-year softball team Abuse of Discretion, who should know all about the Titanic after the Bushrod Tournament (it also went down), will meet Marshall’s Marauders for bragging rights in the law school. Be there.

Finally, a note about college football. Washington turned some heads a week ago by pounding Nebraska in Lincoln. The Huskies totaled over 600 yards in offense against a team ranked ninth in the country. That victory, coupled with Notre Dame’s blowout of Michigan State, indicates that, despite all the talk about parity in the college game, there is still an upper elite. Granted, Florida was upset by Syracuse, but there is no greater home field advantage in college football than the Carrier Dome. The Gators will rebound. For once, there is no clear-cut favorite to win the national championship, especially since all the big-name teams play each other. And the Heisman race, despite the media attention focused early on David Klingler, is wide, wide open. Ty who? Doesn’t he play for that 0-3 team? All this makes for a great college football season. It should be fun. Until next time, peace.

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Break out the lycra shorts — try bicycle commuting

By ROBERT F. CHURCH

Now that the Law School parking lot has been bulldozed and the administration has suggested parking in Toano and taking the shuttle bus in, it seems an appropriate time to make some notes on bicycle commuting. This is also a seasonable topic since the United States is again gearing up for war in the Persian Gulf, underscoring our nation's insatiable addiction to oil.

There are basically four good reasons to leave the car at home, break out the lycra shorts and hop on the bike: 1) it's good for the environment, 2) it's good for you, 3) it's probably just as fast as driving when you consider the long odyssey in from satellite parking, and 4) it's fun.

Consider these statistics. Fifty-four percent of all working Americans live within five miles of their job, but only 1.67% commute by bike. In Japan 15% of the population engage in bike commuting; in Groningen, Netherlands 50%; and in Tianjin, China 77%.

Automobiles in the United States consume almost ten million barrels of oil daily, but if American commuters bicycled to work an average of 1.25 times a week, the need for Middle East oil would be eliminated.

In terms of Marshall-Wythe students, faculty and staff, a conservative estimate of daily gasoline consumption would be 300-400 gallons a day, — roughly 60,000 gallons a school year. To put this in perspective, you could drive 1,200,000 miles on the amount of gas members of the law school community use each year to commute, which would be 40 times around the planet, or two and a half round trips to the moon.

The environmental impact of automobile use is, of course, not limited to the destruction of the planet's fossil fuel reserves. Car emissions are the primary source of air pollution, and 30,000 deaths in the U.S. can be attributed to auto emissions annually.

In addition to being a clean and practical means of transportation, cycling provides tremendous fitness benefits. With the exception of cross-country skiing (a rare pleasure on the Peninsula) there is no better aerobic workout available. Safer on the joints and bones than running or aerobic dance, cycling can provide an excellent form of alternative exercise for anyone whose legs have revolted against pounding cement or doing the Jane Fonda drill.

Consistent biking will increase aerobic capacity, give the body more energy for carrying heavy books and staying up late nights, and will produce a set of gams that would make Greg LeMond proud.

Cycling at moderate speeds, the body burns between 600 and 1000 calories an hour. Without aerobic exercise, the average sedentary person (law student) will use only 1800-2400 calories a day. This means that if you commute by bike and spend an hour in the saddle you will burn up over one third more calories than if you drove. That’s like an extra meal, two jelly doughnuts or three packs of peanut M&M’s and a Coke every day you cycle.

Clock yourself someday door to door when driving and then biking. Once you’ve factored in tourists, cross-walks, confusion corner, and the half mile walk from the parking lot, you may even be able to do the commute faster on a bike.

What’s more is that Williamsburg is a truly great town for cycling. It’s small, the traffic is light, drivers are generally considerate, and when — after you leave this sleepy ‘Burg — you will be able to bike commute again.

Lastly, cycling is really cool. When else can you wear rubber pants, leather gloves and mirrored Oakleys without being arrested? But please, remember Mr. Safety and always wear a helmet.

(Editor’s Note: Statistics cited in this article are from Bicycling magazine.)

Golf tip: A steady head is the key to good golfing

By TOM BOOK

With the graduation of Dr. Love last May, I have assumed the awesome responsibility of offering golf tips to my law school colleagues. The first tip I have is to forget everything Dr. Love ever told you about golf.

No matter how you look at it, putting is going to make up about 43% of your score. As the old saying goes, “Drive for show, putt for dough.” Because good putting is essential to getting in the hole, I think it’s best we start there.

One of the most important things in putting is finding the sweet spot on your putter. You need to know your putter — hold it whenever you get the chance. Your hands, the shaft and the head should all work as one.

The best way to find the sweet spot is to put 10 or so balls in a circle about 5 feet from the hole and put them all toward the hole. Experiment with hitting on different places on the head. Even though most putters have a mark on them to designate the sweet spot, very often the true sweet spot is somewhere else. Once you find the sweet spot, make your own mark on the club and then head to the first tee.

Once you are on the green, inspect the surface of the green between your ball and the hole so you can read how the green will break (how the ball will roll once struck). The head and shoulders remain steady while the putter swings through the ball. If you move your head, your shoulders will follow and the ball will be pulled off line.

The disappointment of missing the hole when you were so close will no doubt haunt you until you reach another hole. However, just put any bad puts behind you, it happens to everybody once in a while, and it’s nothing to be ashamed of. All ways remember, you usually can go for it again in about 15 minutes.

To reiterate, the key to good putting is a steady head. If you keep a steady head and keep a firm grip on your shaft, (don’t squeeze too hard), your patience and concentration will be paid off with the sweet, blissful relief of getting in the hole. See you on the links.

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MOOT, from page 1

Supreme Court granted certiorari to hear arguments on two issues — whether salvage law or the common law of finds should apply to the case, and whether an injunction barring disturbance of the human remains on board could issue.

Competitors received the problem and some relevant cases on September 6th and had approximately two weeks to prepare for the first round of arguments. Those weeks were spent reading the problem and cases and doing additional research to prepare for judges’ questions on the appropriate standard of review, the lower courts’ findings of fact and law, public policy, and intrinsic fairness.

The competitors were evaluated on the effectiveness of their opening and closing arguments, their knowledge of the record, the substantive content of their argument, their extemporaneous ability, and their composure and courtroom presence.

Each had fifteen minutes to argue, and petitioners were given the option of reserving some of their time for rebuttal. All competitors had to be prepared to argue either side of the case.

This year the entire law school had the opportunity to participate in the tournament. The ninety-four second-year competitors took part in 157 arguments before three-judge panels, which required 471 judging hours and 157 bailiff hours. These tasks were performed by first-year bailiffs, and both student, alumni, and faculty judges.

Moot Court Advisor Judy Ledbetter and Chief Justice Robert Bryant both described this year’s competitors as outstanding, and both noted comments made by alumni and faculty judges about the level of skill displayed by the student advocates.

The high level of competition and the quality of the student participants contributes to Marshall-Wythe’s success in national moot court tournaments. In two of the last three years, William and Mary has won first place in the prestigious National Moot Court Competition.

ASSAULT, from page 1

have been reported with the single phone the college maintains in the law school parking lot.

McGrew said his office has been working to increase student safety by checking campus lighting and keeping hedges trimmed, but said that there “probably hasn’t been” an increase in police patrols in the wake of the recent assaults. In addition to the two assaults on the 70th, two William and Mary graduate students reported being sexually assaulted earlier in the month.

Several students voiced concern about the seeming lack of police patrols in the law school area, particularly during last week’s Bushrod Tournament. Some participants in the competition remained in the building until 1:00 a.m. pending posting of the evening’s results. When questioned as to why his office did not increase patrols, McGrew said that his office was not informed by the law school administration of the tournament.

Associate Dean Conite Galloway said that her office failed to inform McGrew of the increased use of law school facilities in the evening hours during the tournament. Galloway said she would keep Campus Police informed of such events in the future.

PREVIEW, from page 1

An important Supreme Court case from last year, Marshall-Wythe Professor Michael Gerhardt, expressed grave doubts about Thomas’ honesty, saying that if Thomas’ response to the Senate were truthful, there may be cause to question his intellectual capacity.

Even more virulent criticism was aimed at Thomas by The Baltimore Sun’s Lyle Denniston, regarded by many as the Dean of the Supreme Court press corps. Denniston felt that Thomas either has an unbelievable capacity to forget or is “just dumb” because he appeared to be at a total loss on many questions asked by the Committee.

In a more positive vein, Aaron Epstein, Pulitzer Prize winning correspondent for Knight-Ridder, said that although Thomas may not be the most qualified person for the court, he is the equal of the two most recent appointees, Justices Kennedy & Souter. Epstein also said that Thomas displayed a strong streak of independence that may enable him to disregard the intellectual slings and arrows that Chief Justice Rehnquist and Justice Scalia may aim at a new justice.

Bruce Fein, columnist for the Washington Times, said Thomas will probably make a fine jurist. Fein said Thomas is the most qualified Black judge in the “Bork mold”, which is why Bush chose him.

Most of the panelists felt that Thomas would be approved easily by the Senate. “He will be approved by the end of this coming week,” said Stephen Wermiel, the Supreme Court correspondent for the Wall Street Journal and this year’s visiting Lee Professor at M-W. “I will be surprised if there are more than 30 votes against him.”

Most of those attending expressed dissatisfaction with the direction that the Court nomination process has taken in the last five years. Denniston said the process has become political theater, with serious rising only to the level of what is a political necessity. According to him, Thomas gave vague answers to avoid being “Borked” and the Senators, though huffing and puffing did not press too hard, for fear of insulting part of their constituencies.

The result, said Dellinger, is the confirmation of justices like Kennedy, Souter, and apparently Thomas — men with little experience and no solid views on legal matters. Dellinger suggested that either all presidential appointees be approved without question or a system be created requiring full concurrence between the President and the Congress in appointing Supreme Court members.

Among cases on the Court’s docket this term, and explored during the preview, were Bray v. Alexandria Women’s Health Clinic, which deals with protests of activists such as Operation Rescue at abortion clinics and Dawson v. Delaware, which questions whether a defendant’s membership in an organization may be used against him in the penalty phase of trials seeking capital punishment.

Asker to comment on his impressions of the Preview, Professor Wermiel said, the two day session “really put into focus, in a very powerful way, the kinds of changes taking place at the Supreme Court now and for the foreseeable future.”