1995

Amicus Curiae (Vol. 5, Issue 10)

Repository Citation

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Public access vs. privacy
By Lee Ranieri

How much access should we have to government-held information? Does one person’s access violate another person’s privacy? And how worried should we be about governmental abuse of information? These were some of the questions addressed at a conference co-sponsored by the Institute for Bill of Rights Research and the Virginia Council on Information Management. The conference, titled “Access Versus Privacy: Approaches to State Information Policy,” was held on Friday, March 18 at the University Center and featured a panel of experts on legal, technological, and policy areas of governmental management of information.

M-W Professor I. Trotter Hardy moderated the conference and set the stage with an introduction on how technological progress has affected storage and dissemination of information. According to Trotter Hardy, developments such as the photocopyer and, later, the personal computer, have made the collection and transfer of information easy for a centralized government, spawning fears of “Big Brother.” In response, legislation has been passed controlling the government’s use of collected data, such as the Freedom of Information Act.

Profs. Trotter Hardy and UVa-Paper Division

Faculty scrutinizes journals
By Sarah Newman

The newly proposed “Committee on Law Reviews” will meet for the first time this week. This committee will review the academic journals at the law school with several goals in mind. According to a memo from Dean Krattenmaker, the new committee’s job is to “establish policies and procedures for (a) improving new law reviews; (b) awarding credits, both major paper and academic hour, for law review participation; (c) faculty oversight of established law reviews; and (d) resource allocation among law reviews.”

The committee was formed at the request of the faculty after concerns were raised about the present lack of structured policies in dealing with the handling of law

See RESEARCH on 4

College woods, Institute funding probably saved
By Shelley Evans

Last week the Virginia General Assembly restored $1.2 million in proposed reductions in state support of higher education. For M-W, this meant the reinstatement of $69,897 to the Institute of Bill of Rights Law. The lake Matoaka protection bill was also passed onto Governor George Allen. And the Assembly appropriated an additional $400,000 for College initiatives in such areas as curriculum reform, technology development and economic outreach. Apparently, the message sent by the Virginia Business Higher Education Council and its chairman, John T. Hazel...
From the Editor's Desk

Natural Law

Throughout my neighborhood in Manhattan I have seen small posters stating Contract on America, a pun on words regarding the Republican's platform on reality for minorities. While I was home for break, the Democrats made good on their campaign promise and reinstated the death penalty in New York. The Republican Party's grim reaper will now visit affirmative action programs. Presidential candidate Phil Gramm even went so far as to declare that his first executive order, if elected, would be to abolish racial and sexual "quotas, preferences and set-asides."

Affirmative action was instituted during the civil rights era to redress the problem of discrimination. And it has worked, not just for people of color, but for women also. Both minorities and women have entered into job markets previously closed to them. Today there is a middle class of African-Americans where 36 years ago there was none. Sexual discrimination and racism are much less tolerable today than in the recent past. However, progress doesn't mean that discrimination has ended.

People against affirmative action state that such programs oppress white males, but this is not true. White males still dominate in the most highly-paid professions. Meanwhile, of doctors and lawyers, less than five percent are African-Americans. Women fare a little better in both professions, but not nearly as high as white males do.

Such figures suggest that affirmative action is still needed to guarantee equal opportunity. Again, critics like to speak in hyperbole and state that affirmative action means quotas which will lead to hiring the unqualified. Such a statement is utterly racist for it suggests that there are more unqualified minority males than qualified white males.

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See EDITORIAL on 7

THE AMICUS CURIAE

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Letters

To The Editor:

Title: 69/25
In case anyone was wondering about my disappearance at the end of last semester, I thought I'd let you know what happened.

One night in December as I was studying for my last exam, I was hit - fully and finally - with a case of encephalitis. In simple terms, that's a disease of the brain. For those of you who were wondering if I had a brain, you know that's the good news. The bad news was that as a result of the encephalitis, I suffered a number of other problems. To name a few: a cycle of seizures, pneumonia, a collapsed lung, a blood clot, and a coma, which brings me to the title of this letter - 69/25.

That was my blood pressure on New Year's Eve. After failing to elevate my blood pressure or reduce my temperature, which had been 104 degrees for days, doctors at UVa Hospital in the Intensive Care Unit walked to the room where my parents were waiting, explained my condition, and prepared them for a bitter New Year.

An article with these facts should go on to tell you what a nice guy I was, but it won't. I survived. I am alive today because of the expert medical care of a select core of surgeons and because of the prayers of many people across the country.

Fortunately, my blood pressure has risen since New Year's Eve, and I'm feeling better every day. I plan to finish my last semester in the fall. I'll see you then.

Jon Nixon (3L)

To The Editor:

The air freshener is no substitute for Elvis.

Marshall-Wythe School of Law is steeped in traditions that have set the standards for American legal education and student life during law school. The tradition began when Thomas Jefferson appointed George Wythe to the first law chair in the United States. The most recent contribution from M-W to the tradition of American legal education is, of course, the highly regarded (at least outside of Williamsburg) Legal Skills Program. As do many of my peers, I treasure another M-W tradition beyond all others: the homage to Elvis in the student lounge.

Alas, once again, somebody has desecrated the beloved shrine by stealing the coveted lamp emblazoned with the King's epitaph. Last year we suffered the temporary loss of the great Elvis masterpiece. The unscrupulous perpetrator of that heinous violation of the revered M-W Honor Code aggravated the grief of...

See ELVIS on 14
Does the 14th Amendment Let Congress expand liberty?

By Jennifer Tosini
On Thursday, March 16, Professor Douglas Laycock of the University of Texas School of Law delivered the 1995 Wytue Lecture. Laycock is the Alice McKnew Young Regents Chair and the Associate Dean for Research at the University of Texas School of Law in Austin. His speech was formally titled “The Congress and Dennis Cochran vs. The Supreme Court and the Commonwealth of Virginia: The Constitutionality of the Religious Freedom Restoration Act.”

Dennis Cochran is a Virginia prison inmate. His religion requires that he eat only kosher food, which the Virginia Department of Corrections refuses to provide for him. In the past, this would not have been an issue. As long as the state did not single out a particular religion and discriminate against it, the state was not required to affirmatively assist an individual like Cochran in practicing his chosen religion in prison.

All this changed in 1993 when President Clinton signed the Religious Freedom Restoration Act (RFRA) into law. Section 3 of the Act mandates that the “compelling interest” balancing tests of Sherbert v. Verner and Wisconsin v. Yoder. Under RFRA, an aggrieved person need only show that the practice of his chosen religion is being “substantially burdened” by government action. The burden then shifts to the government to show a compelling state interest that justifies the restraint on the individual’s free exercise. The Cochran case is now winding its way through the Fourth Circuit.

While RFRA was being drafted, 23 state Attorneys General--including Virginia Attorney General Janet Reno--did not support the exclusion on grounds that, if the federal prison system, the largest in the country, could handle a “compelling interest” test, so could the states. The prison exclusion amendment was defeated 58-42 in the Senate.

Several states have argued that RFRA is unconstitutional because it violates the separation of powers. They argue that the vague language of Section 5 of the Fourteenth Amendment which states “the Congress shall have power to enforce, by appropriate legislation, the provisions of this article,” does not give Congress the authority to tell the Supreme Court how to balance interests and analyze issues by assigning a particular test for courts to apply.

Those who argue that RFRA is constitutional maintain that it is another example of the “Ratchet Theory” in action, and it is exactly how Federalism is meant to work. Congress, through legislation, may expand on constitutional rights as they have been announced by the Supreme Court, but may not contract these rights. In such a manner, Congress and the courts act as a check on one another in enforcement of Constitutional protections.

This cycle of legislation and litigation has also applied in other areas, including the Voting Rights Act and its 1982 Amendments, Title VII, reasonable accommodation under the Americans with Disabilities Act, and the Pregnancy Discrimination Act. Viewed in this context, RFRA is simply another example of Congress enforcing the First Amendment against the states. The Supreme Court has not yet decided the issue.

Watch for Professor Laycock’s article in the upcoming William & Mary Law Review to learn more about this fascinating area of law.

Recent sexual assaults concern on campus

By Stephen King
Two assaults on female students over the last four months have raised some alarm in the college community as to safety on and around campus. In the first incident an undergraduate was attacked while walking home in the evening; in the second incident a woman was assaulted in the laundry room of her dormitory around suppertime. In both cases the individuals were fortunately able to free themselves from their respective assailants. A suspect in the dormitory assault has been arrested.

According to Campus Police chief Richard McGrew, in the years he has been at W&M, there has been about one serious assault per year. “If you’re that victim, that’s one too many,” but relative to the size of the student body and the trends in society as a whole, that’s not such a bad record.

McGrew cautioned that our “sanctuary is being eroded.” The college community is vulnerable to crime, ranging from sexual assault to property crimes. The two latest assaults that occurred over the last four months have raised the level of anxiety higher than McGrew has ever seen in his four years at W&M. “We’re always concerned,” said McGrew, but the fact that one woman was assaulted in her residence halls “really concerns me.”

There does not appear to be any connection in all of the assaults that have occurred over the past several years. The motivations have not been similar. They “appear to be random acts,” according to McGrew. In a couple of cases the assailants were later arrested in connection with other crimes.

Virginia’s Attorney-General James McGrew indicated that the college took additional measures after the assault that occurred in the residence hall. They increased the visibility and presence of police in the area where the assault occurred. They also encouraged residence halls to go onto a twenty-four-hour card key system. “Students were really bothered by this [assault]. It’s not just a physical attack.

Cutler Lecture on sexual assault and consent

By Caroline Boutwell
To begin the 1995 Cutler Lecture on “The Many Faces of Consent,” Professor William Eskridge of Georgetown University Law Center read an excerpt from a story about two lesbians engaging in consensual bondage. Now that he had everyone’s attention, Eskridge addressed the issue of what constitutes meaningful sexual consent.

Eskridge used the story, which was written by Pat Califia, an author who writes lesbian and homo-erotic literature, to highlight the problems of basing consent laws on status: consent to sex acts can be negated by who is involved in the act and by the type of act being performed.

Virginia law relies on status-based consent laws. Although Virginia law views the individual as an autonomous decision maker, not everyone can engage in certain sex acts even if the act is consensual. Therefore, in Virginia, sex depends less on consent than on the parties and the acts they choose to perform; a valid choice cannot be separated from status and the status of acts an individual performs.

Eskridge discussed six categories where consent is negated either by the parties or the acts involved. First, consent is negated by serious physical injury. This is the marital rape exception which occurs only when nonconsensual sexual sex, such as marital rape, results in serious physical injury. Second, physical coercion, or rape, negates consent. Third, economic inducement negates coercion, and this includes prostitution and sexual harassment in the workplace. Fourth, consent is negated by certain forms of activity. Sodomy, which is defined as oral or anal sex, is illegal in Virginia regardless of the consent of the parties involved. Fifth, the relationship of the parties, such as relationships based on adultery, forcible coition or incest, negate consent. Finally, the identification of one of the parties negates consent, and this includes pedophilia, bestiality, and mental or physical disability.

It is hard to tell what law requires of sexual partners,” said Eskridge, and it is easy for prosecutors to choose from a “menu” of crimes. The consent of both parties does not make an illegal sex act legal, and the laws in Virginia “continue to have legal bite” even though they are not always enforced by criminal arrest. However, Eskridge claims that the law is slowly changing, and new ideals are “gradually displacing status based regimes.”

The current legal regime serves to promote marriage. The sanctity of marriage is protected by refusing to allow the government to invade marital privacy, and by allowing the law to regulate sexual acts performed outside of the marital relationship. Also, Virginia’s sex laws promote the “project of marriage,” which is to bear children. Acts such as sodomy do not further the project, and are therefore disfavored.

The feminist and gay rights movements have challenged these status-based sex laws. The feminist movement has caused the marital rape exception to be more narrowly defined. Rape laws have been liberalized so that rape is more broadly defined, and federal prohibitions, such as sexual harassment laws, have been created.

However, the feminist movement has not presented a unified challenge to marriage as the basis of consent laws. The gay power movement, however, has provided this challenge.

Eskridge described the gay experience as being “systematically different” from the heterosexual experience. Same-sex intimacy is not based on marriage or procreation, and it is therefore “openly connected” to other values such as sexual diversity and knowing oneself. The “coming out” process and the gay community’s response to HIV and AIDS has created an environment tolerant of sexual diversity, individualist rather than traditionalist orientations, nonjudgmental attitudes, and an environment in which partners are able to candidly discuss sex. All of these values are included in Virginia’s statutes.

See ASSAULTS on 6

See SEX LAWS on 17
Feminist defends pornographers’ free speech rights

By Walter Benitz

Introduced by JL Scott Drabenstard as a “defender of what is best about our country,” New York Law School Professor and President of the American Civil Liberties Union (ACLU), Nadine Strossen addressed a small crowd at M-W as part of that day’s symposium on religion in the schools sponsored by the Bill of Rights Journal.

Professor Strossen’s presentation did not address the topic of the symposium, but rather centered on her recently released book entitled Defending Pornography, Free Speech, Sex and the Fight For Women’s Rights.

The ACLU president commented that the front cover of the book was purposely designed in very bold and bright day-glow colors for two reasons. One was a marketing ploy, as one of her colleagues thought it would be an attention grabber on the bookstore shelves.

Secondly, Strossen wanted to de-stigmatize the word “pornography.” She commented, “The word has been demonized and used simply to describe something you don’t like.”

To illustrate her point further, Strossen related the story of a bookstore in California which made a poster of the front cover of the book to display in the doorway. The community was in an outrage that the word pornography should be displayed so prominently.

The main argument of the lecture was that notions of obscenity and pornography are inherently subjective. As Justice Potter Stewart said, “I know it when I see it.” As such, if the feminist movement seeks to ban all pornography as degrading, Strossen warned that they might be legitimizing many other subjective views.

It is interesting to note that no two feminists can agree exactly on what is or is not pornography. “Once we give the power to the Government or our fellow citizens to prescribe the sexual content, nothing is safe,” Strossen remarked.

Strossen gave a few examples of how historically anti-obscenity laws have been used to limit women’s rights. She said, “The anti-obscenity laws were at one point used as a justification to squash information about birth control.”

Further, Strossen commented on a recent law passed in Canada that would give the government the power to limit speech that was considered de-humanizing or degrading. The first thing the government did was to close down the only gay and lesbian bookstores.

The law was thereby used to eliminate “unpopular” speech or expression. “It was quite ironic that one of the biggest proponents of this measure was a feminist group whose membership included many of the bookstore owners.”

Strossen concluded her remarks by pointing out that she is not in favor of expressions that blatantly exploit or harm women. Nevertheless, she is strongly opposed to any measures that seek to treat women as a weak lot who need to be protected. “Any laws that treat women as children and men as satyrs is hardly a step forward for women's equality. If you love freedom and like sex, censorship is bad news.”

Monday, March 20, 1995 THE AMERICAN CURRANT

The man behind the tournament: William B. Spong

By Jason Aldrich

The 24th annual William B. Spong Moot Court Tournament was held at M-W on Feb. 24 and 25. Each year, the man after whom this prestigious tournament is named presents trophies to each of the winners. Who is William B. Spong? Born in 1920 in Portsmouth, Va., Spong’s decades-long career has included other things, service to his country, to the state of Virginia and to M-W.

Spong received his degree from UVa and was admitted to the Virginia bar in 1947. In the 50’s, he entered politics. Spong was elected to the Virginia House of Delegates in 1954 and served there for two years before moving on to the Virginia Senate for another ten.

During this period, Spong somehow found time to start a law firm. Along with former Lieutenant Governor Richard Davis, he founded Cooper, Spong, and Davis in 1956.

In 1966, Spong was elected to the U.S. Senate, where he served on the Foreign Relations and Commerce Committees. After serving for seven years, he left the Senate and returned to academics, arriving at M-W in 1973.

Hetaug Constitutional Law for three years before being selected Dean in 1976, a post he held for nine years.

Since leaving M-W, Spong has been a visiting professor at several other institutions, teaching primarily Constitutional Law and foreign policy. He taught at Washington and Lee in 1986, and in 1987, he was an Ewald Distinguished Visiting Professor at UVa.

A half century of work in three different occupations does not seem to have slowed Spong down. He still works every day at the Cooper, Spong and Davis office in Portsmouth, practicing primarily estate law and mediation.

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PRIVACY from 1

One hurdle for the College Woods was being signed the Matoaka bill by the governor. However, due to the amount of...

FUNDING from 1

was heard: Virginia cannot have the best system of higher education in the nation by investing the least.

The next hurdle for the College Woods will be signing the Matoaka bill by the governor. However, due to the amount of...
A servant to the public: The practice of family law

By Shelley Evans

The satisfaction of getting a client through emotional times was the theme expressed by panelists in a discussion on Family Law Practice held on Tuesday, Feb. 21. The panel consisted of Betsy Elliott, Senior Counsel Child Support Enforcement, Merri Hanson-Eckles, of the Peninsula Mediation Center, Lawrence Diehl, sole practitioner in Hopewell, and J.L. Caroline Boutwell who interned last summer at the D.C. Office of Corporation Counsel in the Child Abuse/Neglect Division.

Diehl began the discussion by attempting to dispel the "bad rap of divorce lawyers" by stating the various roles one must play in family law. "One must be a psychologist and sociologist..."

In the public sector, Elliott agreed that her work involves interpreting state policy, property settlements, tax law, and of course non-payment of child support. "It's amazing how many people feel no responsibility to support their children and will do anything to get out of it...and this includes all [economic] echelons," noted Elliott.

The ability to handle people is very important. Diehl compared his practice to "coming to the set of a soap opera everyday, but not knowing what the plot is." On behalf of clients, he has even arranged for dog and bird visitations.

"It's a wild area of law," summed up Diehl. Elliott agreed that "you must be a quick study...but it's something you get used to." As a mediator, Eckles mentioned the angry spouse who calls daily. But she said that in her practice, one sees "less of it as people learn [through mediation] how to focus on problems and to make their lives and their kids' lives better.

Family law can also let one create law. According to Diehl, "Real practice involves building reform as one of the most important elements of her job because once the "obligations are established, more children will be off of welfare." Through her work, Elliott feels that she is "keeping children off the welfare rolls."

Eckles offered the views of a non-lawyer in family law practicing Alternative Dispute Resolution (ADR). Mediation is now viewed as an authority for judges to refer cases to as part of dispute resolutions.

Mediation allows Eckles to help people through not only the legal aspects but with the relationship issues. To this end, she helps attorneys see their roles as coaches to their clients. As a mediator, one cannot advise; one acts with neutrality. "It is difficult for attorneys to take off that hat of advisor and say there are legal ramifications in this," said Eckles.

The rule of thumb for deciding if a family needs mediation is if the partners must have any ongoing relationship. Eckles found that with mediation, "people take more responsibility since these are decisions they have decided on."

Betsy Elliott, Caroline Boutwell (3L), Merri Hanson Eckles, and Larry Diehl

Mediation is a career choice that can begin as early as law school. One can do mediation as a law student and charge an hourly rate. M-W's General and Family Mediation classes fulfill the state requirement. More information on mediation (and other aspects of family law) is available in the Office of Career Planning and Placement, which sponsored this event, or by calling Eckles' office.

As an intern in the division of Child Abuse and Neglect in D.C., Boutwell was given a lot of responsibility without a lot of time to learn. This was because the attorneys had 150 cases open at any given time.

Reports of child abuse came to the division from many sources, most notably neighbors, caretakers, and the police. If the court found abuse or neglect, the options included foster care, drug reform for the parents(s), or parenting classes. In the most extreme cases, the court imposed a Termination of Parental Rights, which severs parental rights to allow the child to be put up for adoption.

Like Elliott, Boutwell was in court almost everyday. It allowed her to "see the court process from beginning to end." Her work involved interviewing children, family members, witnesses and developing trial strategies. "It was a lot of work and very fast paced."

Boutwell enjoyed her work but found it very depressing. Because of the horrors of child abuse that are innate to such a position, there is a massive turnover rate for attorneys. But, said Boutwell, it was also very rewarding because there were success cases where parents did get off drugs, families were reunited, children were adopted by relatives or foster parents.

All of the panelists agreed with the statement made by Elliott that by working in family law "you are doing something to benefit mankind...we're on the side of right and that's good to be on from time to time."
**Law Watch**

**By Joe Sheldon**

**Restriction on Abortion Financing Illegal**

A federal magistrate in North Dakota has thrown out the state’s restrictions on public financing of abortions. The state law banned the use of public revenue for abortions except to save a woman’s life. (U.S.A Today)

Mississippi Bans Slavery

130 years after the “sic transit gloriae” amendment, Mississippi has chosen to finally ratify the bar to slavery. The state was apparently upset at not being reimbursed for freed slaves. (U.S.A Today)

**Abortion-Clinic Access Law Struck Down**

After several federal courts, including the 4th Circuit, have upheld the ban on the obstruction to access to clinics, a federal judge in Wisconsin, Rudolph Randa, has said the law goes too far. (U.S.A Today)

Ban on Doctor-Assisted Suicide Upheld

The 9th Circuit has held that doctor-assisted suicide is “antithetical to the defense of human life” and therefore a law banning such assistance is constitutional. The ruling upheld the state of Washington’s law. (U.S.A Today)

President “Not Above the Law”

Or so said a federal judge in voiding the agreement between former president Bush and the National Archives that allowed Bush to keep some government computer records private. (Washington Post)

**Free Speech on Trains**

Congress cannot simply declare Amtrak a assault. (U.S.A Today)

**Computer Error**

When Evans was stopped for a routine traffic violation, he was arrested and his car was searched, uncovering marijuana, as a result of the warrant. The Supreme Court held that the exclusionary rule should not apply because the police acted in “good faith” based on an error made by a distant computer operator. (U.S.A Law Week)

**VA Bar Question on Mental Illness Banned**

A federal judge ruled that the Virginia bar’s broad question on mental health served no valid screening purpose, discriminated against those who have received counseling, and discouraged prospective applicants from getting counseling. The U.S. Justice Department agreed, filing briefs maintaining that Virginia is violating the ADA. The judge also noted that no one on the licensing board has psychiatric expertise. (Washington Post)

**Stanford University Speech Code Struck**

A speech code that bans insults based on violations of the rule was struck down by a California state judge, holding the ban unconstitutionally broad and content based. (U.S.A Today)

**Death Sentence for Graffiti Overturned**

A judge has overturned the death sentence when he was found guilty of writing blasphemous graffiti against the prophet Muhammad. A Lahore, Pakistan appeals court has overturned his conviction for insufficient evidence citing the fact that Salamat is illiterate and therefore could not have committed the crime. Another defendant was killed when Muslim militants fired at him with shotguns on the way to trial. (Washington Post)

**Capital Punishment Returns to New York**

Governor George Pataki signed into law the death penalty, accomplished via lethal injection. (U.S.A Today)

**VA Repealed**

A computer error mistakenly listed an outstanding warrant for Isaac Evans. When Evans was stopped for a routine traffic violation, he was arrested and his car was searched, uncovering marijuana, as a result of the warrant. The Supreme Court held that the exclusionary rule should not apply because the police acted in “good faith” based on an error made by a distant computer operator. (U.S.A Law Week)

**Political Correctness**

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**Free Speech in Other Lands**

The law of treason, § 40(1), of Kenya’s Penal Code: “Any person who encompasses, or encourages, or induces, or procures, or in any other way assists, or aids, or abets, or enlists in the service of, or in any manner promotes or does any act in aid of a foreign power or a foreign state, is guilty of treason.” (London Times)

**Jailbaiting**

Some Alabama prisoners are refusing to be paroled, prison commissioner Ron Jones claimed. (U.S.A Today)

**Mothers’ Advice**

Bromide Advice

Bronx judge Lorraine Backal, 68, was disbarred for telling a felon not to hide $700,000 in the walls of his mother’s house because rats would eat it. (U.S.A Today)

**Lebanon**

A Lebanese radio station transmitted a call-in program from a Beirut prison. The station is licensed by the Lebanese government, which is under international pressure to halt such broadcasts. (London Times)

**Law World**

**By John Crouch**

**Acquittal**

A Teesside, Eng., judge convicted David Draper of possessing racially inflammatory propaganda, and sentenced him to do community service for Pakistani groups. (London Times)

**Capital Punishment**

An electric company may legally rig a man’s coin-operated meter to grossly overcharge him if the company wrongly believes he owes it money, an English High Court held. “I had to choose between feeding the meter and feeding myself,” the unemployed customer said. (London Times)

**Right to Smack**

A social services department could not “de-register” day care provider Anne Davis for refusing to smack children. (London Times)

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Learned feet run marathons
By Lisa O'Donnell and Julie Patterson
Initiated by 3Ls Joe Guarino and Bryan Franklin, running has become a craze at M-W. Joe’s and Bryan’s inspirational completion of the Marine Corps Marathon has encouraged swarms of other M-W students to compete in two local half-marathons: the Pomoza Race in Hampton and the Anheuser-Busch Race in Colonial Williamsburg. Now between the hours of 1 and 4, the lobby looks more like it should be equipped with stretching mats than Naugahyde.

After months of group runs and inspirational lectures given (at no charge) by Joe, those of us running in the Hampton half-marathon (Joe Guarino, Leslie Sides, Louanna Godwin, Julie Patterson, Lisa O’Donnell, and Nina Hval) knew we were ready. The night before the race, the crew planned a pasta dinner to carb-up and strategize. After our initial plan to eat at Leslie Sides, Julie Patterson, Ted Atkinson, and Jonathan Rotter, who made it out to their front of his hopes is that there would be more conference rooms and enough carrels to assign one to every student. These carrels would have full electronic capabilities to link into the campus wide system. The renovations of the current library would include additional classrooms to accommodate small Legal Skills classes and additional space for student organizations.

Without a new library, the administration does not know what to do to maximize its current facility. There are no new plans to wire carrels to the university system. “The library has maxed out its electrical capabilities,” said Heller. Legal Skills classes will still be held in Rooms 119 and 120. Student organizations will continue to make do with what little space they are currently allotted. If a new building is not approved, Heller lamented, “I don’t know what we can do.”

The funding for this capital project has not yet been approved.

Scott 29

at the current rate of growth, Heller said, “the library would be 100 percent by the turn of the century.” A new library would create needed space for patrons and accommodate the college’s collection.

No plan is set for the new facility. Heller stated, however, that 11.8 million dollars minus the renovations of the current facility would leave enough funding for a four-story, 71,000 square foot library building. The outside would have 80,000 square foot facility, but the College has set 11.8 million dollars as the price tag. No plans have been made as to how to use this additional space.

Heller feels that “student input is obviously critical” to help make the best use of the facility. One of his hopes is that the new library would be a place for students to congregate, chat abo ut an)1hing and everything. The library has maxed out its electrical capabilities, said Heller. Legal Skills classes will still be held in Rooms 119 and 120. Student organizations will continue to make do with what little space they are currently allotted. If a new building is not approved, Heller lamented, “I don’t know what we can do.”

The funding for this capital project has not yet been approved.

NEXT AMICUS: MONDAY, APRIL 3
STORY DEADLINE: WEDNESDAY, MARCH 29

EDITORIAL from 2

nities than white males to fill each position available. Such logic continues to strengthen the divisiveness between the races and is promulgated by Presidential candidate Bob Dole, who said that one reason 62 percent of white males voted Republican last year was because “sometimes the best qualified person does not get the job because he or she may be one color. And I’m beginning to believe that may not be the way it should be in America.”

The issue is not race, as the Republicans suggest. The problem is the American Dream and an economy that doesn’t work as well as it did in the past for the working class Joe or Jane. The Republicans have used the issue of race to turn working class people against each other rather than addressing the real issue of the economy.

The education system is failing the working class early by preparing them for jobs that will allow them to prosper. Certainly not everyone can be a doctor or lawyer, but that has always been true.

What has not always been true is that now there is an ever increasing class of working class poor who look at the African-American and female in white collar jobs and resent their presence.

The media and the Republican Party has not increased the library’s public awareness of the minute numbers of minorities in these professions as compared to white males, and so his tie grows as he works harder and attains less.

Affirmative action is thought of by many today to be just a device of discrimination, but in actuality it is a euphemism for economic competition. When affirmative action was first implemented in the 1970s there was a need to hire more women. The trend was reversed to that culture.

Before affirmative action the work force could be viewed as a place of social in-breeding. Langston Hughes wrote in the 1950s that “all bosses are white.”

Affirmative action is not the enemy. It has greatly enhanced hiring, recruitment and human resource management. The losses of affirmative action of a Bakke, do not balance the benefits attained by the equal opportunity gains of affirmative action.

LIBRARY from 1

built in the late 1970s and opened in 1980. It cannot meet the technology demands of today’s world. There is a need for external computer and learning labs that could be accessed 24 hours daily. In addition, the current facility is 80 percent full in terms of shelf capacity. According to Heller, a library is considered full when it reaches 84-86 percent of its capacity. To go beyond that figure would mean shifting books from aisle to aisle. At the current rate of growth, Heller said, “the library would be 100 percent by the turn of the century.” A new library would
Learn About 21st Century Africa Tonight
Michael E.M. Sudarkasa, President of 21st Century Africa, is speaking on the legal and business aspects of furthering the development of African countries through cooperation of American and African businesses tonight at 7 p.m., Tyler Hall, Room 318. located behind Blow Hall. The event is presented by International Law Society and Black Law Students Association.

M-W Commencement Speaker Announced
Judge Abner Mikva will be the speaker at the Law School Diploma Ceremony on May 14. Judge Mikva served as the Chief Judge for the U.S. Court of Appeals for the D.C. Circuit before becoming White House Counsel in 1994.

Law School Ranked 28th
M-W has been ranked 28th nationally in a survey by U.S. News & World Report. That figure is up from the school’s 29th ranking by the same publication in its annual survey last year, and its ranking of number 32 in 1993. M-W jumped ahead of two previously higher-ranked law schools: the University of Washington and the University of California at Hastings. However, the University of Georgia (previously #30) leapfrogged over M-W to #27.
Researchers for the survey, called 1995 America’s Best Graduate Schools, used five criteria: student selectivity, placement success, faculty resources and two separate measures of institutional reputation. U.S. News also reported “disturbing discrepancies” between the numbers that some law-schools self-reported as compared to numbers they gave the ABA. Penn, Iowa and Washington & Lee (all of which ranked ahead of M-W) were among those on the list of shame. The complete survey results are listed in the March 20 issue of the magazine, available on newsstands since March 13. A book with the results will be available on newsstands March 27.

New Leaders for Journal of Women and the Law

Platinum Plunger Contest
The Office of Career Planning and Placement has announced the 9th Annual Platinum Plunger Rejection Letter Contest. For the uninitiated, one must submit the most outrageous, revolting stab at your pride in the form of a job rejection letter to Rita Schellenberg or Dean Kaplan. The awards ceremony will be held in April.

Death Penalty Panel and Discussion
Professor Paul Marcus is moderating a panel discussion on the death penalty on Wednesday, March 22 at 8 p.m. Panelists will include John Tucker, a defense attorney and M-W faculty member; Rick Conway, Assistant Commonwealth attorney for Prince William County, former police officer and member of the Attorney General’s office; and L.L. Lori Sinclair, who will discuss racial bias. The discussion will be held in Tucker Hall, Room 120. A question and answer session will follow. Amnesty International is sponsoring the event.

Justice Ginsburg To Speak at M-W
Supreme Court Justice Ruth Bader Ginsburg will be the recipient of the 1996 M-W Medallion. Justice Ginsburg was President Clinton’s first Supreme Court appointment, and she is the second woman ever to sit on the Court. She and her husband will visit the law school in April, 1996.

No Smoking During Exams
As of this spring, Room 239 will no longer be set aside as a smoking room during the administration of exams.

Free Sumo Suit Wrestling at U.C. Cafe
Students can sumo wrestle from 8 until 10 p.m. at the University Center Cafe on Saturday, March 25. If you can’t be there, you can read about it in the next Amicus.

Asian Food Festival at U.C. Saturday
“A Taste of Asia,” featuring food, dance and performances from seven Asian countries (including India), will be held at 7 p.m. on Saturday, March 25 in the U.C.’s Chesapeake Room. Admission is $1. A dance follows at 10 p.m.

Good News for Madrid Summer Students
Madrid is the world’s cheapest place to have a party, according to USA Today. You and your friends can achieve true happiness for only €63, which is about half as much as it would cost in London or Tokyo.
Featured Commentary

In defense of a campus-wide honor system

Paula Hannaford

No sooner had W&M President Timothy Sullivan announced that the College would adopt a campus-wide Honor System than a sizable number of law students began to gnash their teeth, beat their breasts and rend their garments. In spite of very sound reasons for consolidating the College’s many Honor Systems, the announcement that the College would adopt a campus-wide Honor System has been decided, there is a pervasiveness to the needs of her students that the end of the world is close at hand.

The decision to unify the College’s Honor Systems resulted, in part, from the desire for consistency with the new, unified Student Government. A more important factor, however, was recognition that maintaining separate Honor Systems too often produced outcomes that are fair neither to students accused of Honor Code violations nor to students affected by the dishonorable conduct of some of their peers.

The Codes of some W&M schools, for example, lack adequate due process protections for students accused of violations. In addition, many of the W&M Honor Codes contain inconsistent, and often conflicting, standards of conduct. As a result, conduct which is a very serious violation under the standards of some Codes is not even considered under others. For the increasing number of students enrolled in more than one school, this creates an intolerable conflict. On two occasions since enrolling in W&M’s Joint law and public policy program, I have faced this very problem myself.

To be sure, some of the concerns voiced by law students about a campus-wide Honor Code are well-founded. Foremost among these is the possibility that some valuable provisions of the M-W Honor Code may be discarded in the process. There is no question in my mind that the current M-W Code is an extraordinarily well-crafted document. Due to several notorious trials in recent years, a number of substantive and procedural deficiencies in the Code have been identified and remedied. Moreover, we are not only right to insist on high standards of conduct for ourselves, we are also avowedly in specifying equal high standards of our peers enrolled in other W&M schools.

Insisting on high standards, however, does not necessarily warrant the inclusion of strict Honor Code provisions. Before jumping to the conclusion that omitting these provisions will deprive us of an essential moral compass, we should seriously ask ourselves two questions: whether establishing rules to sanction misconduct is the only way to maintain the integrity of law students, and whether those rules can be fairly applied to all students in the College community.

The proposition that Honor Code provisions are an effective deterrent against student misconduct necessarily assumes enforceability. The existence of an exemplary Honor Code, however, should not be confused with the ability to administer it. After being privy to the details of three Honor Code trials in the past four years, I seriously question whether a community of fewer than 600 individuals is capable of policing itself. We sit next to one another in class. We work together on Law Review, moot court, PSF, and a host of other school-related organizations. We live together. We socialize together. We know which students like each other and which ones despise each other. We co-exist in a fishbowl that robs us of our ability to judge one another fairly. Regardless of how stringent we design our self-imposed rules, we could definitely benefit from increased objectivity that would come with a larger pool of potential judges.

Similarly, rules that theoretically are enforceable in a small community of law students does not necessarily mean that they would be equally enforceable in a larger community. Take the M-W Confrontation Clause, for example. Implicit in that provision is the assumption that most law students, even accepting other well enough to be capable of seeking out another student for the purpose of confronting him or her with suspicions about an Honor Code violation. The same assumption cannot be made in many undergraduate classes where students often do not know each other well enough to contact them for confrontational purposes. The effect of retaining the Confrontation Clause in a campus-wide Code would be to create a rule that, for the majority of the student body, would only be observed in the breach. Some law students will argue that holding the entire student body to extraordinariness strict standard has significant symbolic value. For myself, however, I prefer reasonably enforceable rules to the hypocrisy of setting standards that would be almost universally ignored.

Often accompanying these very legitimate concerns about the substance of a campus-wide Honor Code, however, are assertions that non-law students lack both sufficient real life experience and an appreciation for the competitive rigors of law school to be trusted with the task of judging law students. Neither assertion stands up. While extremely remote possibility that an Honor Code trial panel would not reflect a broad range of students (including other graduate students), it is simply not true that non-law students are incapable of understanding the norms under which we operate is nothing less than arrogant and insulting. The fact that, on average, W&M undergraduates are younger than M-W students does not imply

Meet Prof. Dorothy Della Noce

By Ruthie Litvin

After practicing law in a professional setting for almost seven years, Professor Dorothy Della Noce, the tablet of the General and Family Mediation, made a change in her professional life. Between the time demands and the lack of control that comes with being a litigator, Della Noce says she was unable to maintain the type of family life she desired. So for the past four years she has exclusively practiced the art of mediation, focusing primarily on family, domestic and community issues.

But the demands placed on her personally were not the only reasons she began working as a mediator. Della Noce says the litigation process didn’t meet her needs, often hurting them more than helping.

As a divorce lawyer, Della Noce won most of her cases but “clients were rarely pleased with the process,” she says. “Now I get thank you notes from clients.”

Della Noce received her J.D. from Western New England School of Law in Springfield, Massachusetts, and holds a B.A. in Psychology with Special Education from LaSalle College in Philadelphia. She is pursuing a Ph.D. in Dispute Resolution from Union Institute of Cincinnati.

The mediator generally, and Della Noce personally, can best be described as an advocate for individuals’ needs. “The greatest benefit to the client is actual control over their future,” she says, adding that mediation allows the parties to make fully informed decisions. Clients can work at their own pace, present information in their own way (without the hindrance of evidence rules), and save money and time, she explains. One study she cited found that mediation could save anywhere from 67 to 80 percent of the cost of a litigated divorce.

A big misconception by both attorneys and laymen is that the goal of mediation is to make every one feel good, Della Noce says. “The role of a mediator is primarily to facilitate communication.” Mediators are neutral third parties who help clients focus on the issues and reach a solution. In Virginia, the role is defined by statute.

Virginia statutes also make the process confidential by disqualifying anything said, done, or produced in mediation from being introduced as evidence in any court. Virginia does allow exceptions if both parties voluntarily agree to them. For example, most mediators require parties to waive confidentiality regarding information revealed if it relates to future harm to one of the parties or alleged child abuse.

Maintaining neutrality may be one of the most difficult parts of the job. “Often the mediator is faced with things that make you want to step out of the role,” Della Noce says. There are times, however, when a mediator may feel that a solution reached is inequitable.

Under Virginia’s Code of Ethics, the mediator is required to raise the issue with the parties, or if the solution is “manifestly unjust” in the eyes of that mediator, remove herself from the process, Della Noce explains. The parties can then secure a new mediator, negotiate between themselves or pursue other legal avenues.

To be a good mediator, Della Noce believes that a person must not be afraid of conflict since mediators deal with it all the time. Most importantly, she says, “a mediator must be willing to listen more than speak.”

Contrary to what many people may think, mediators do not have to be attorneys in this state. According to Della Noce there are few to this issue. “One mediator must be willing to listen more than speak.”

Della Noce emphasizes that mediation is not designed to replace litigation. “It is an option, not a guaranteed solution,” although she points out that studies have shown that compliance with mediation-born solutions is higher than court-ordered or attorney-negotiated solutions.

See HONOR on 17
The Foster nomination
The issue is credibility — something Clinton should be concerned about

Fat Lee

At the Senate debates the nomination of Dr. Henry Foster, it will consider a man with a controversial past. More significant, it will consider a man who has not been entirely honest when answering questions about his past. The Senate should reject this nominee who tried to hide his record. The Senate also should send a message to the President who nominated him: try again, and do your homework next time.

The controversy surrounding Foster extends far beyond the abortion issue. For example, Foster has admitted performing hysterectomies on retarded women for the purpose of sterilization. Supporters dismiss this as a practice accepted at the time and discarded since. More significant is the allegation that Foster knew of the Tuskegee experiment, which left patients exposed to syphilis for extended periods of time without treatment. Contrary to the rhetoric from the President, this accusation does not come only from extremist groups. Dr. Luther McRae, a physician who practiced near the site of the experiments, claims that Foster was present when he learned of the study and that Foster failed to report it. Sen. Nancy Kassebaum, chair of the labor and human resources committee, has ordered an investigation. Whether it is true or not, Foster will have to answer this serious charge during his hearings.

Perhaps more emotional is the controversy surrounding Foster's performing abortions. The White House first reported that Foster had performed only one abortion. Foster later undercut this claim by reporting that he performed roughly a dozen abortions. That number soon increased to 59. Conservative groups such as the Family Research Council claim that the number may be much higher. These discrepancies should not seem insignificant, even for those who support a woman's right to have an abortion.

This brings back memories of the doubts that surrounded Presidential candidates Bill Clinton when he confronted reports of his alleged draft-dodging, drug use, business-related improprieties, and marital infidelities. Then, too, the public listened to evolving admissions and explanations. Then, too, we had to wonder if the dishonesty was worse than the alleged wrongdoing. How many times do we have to ask the question before we get a complete and truthful answer?

Foster has not been honest with the American people. As someone who seeks to serve as a public officer, he must earn the public's trust.

This lack of honesty has broadened opposition to Foster significantly. The facts do not support Clinton's claims that Foster's troubles stem only from the un

James Connell

Dr. Henry "Hank" Foster, the person nominated to fill the Surgeon General vacancy left by Dr. Elders, has become the newest pawn in the battle over abortion. He is under attack not for his qualifications, but for his pro-choice beliefs.

Foster's ability is beyond dispute. An African American OB-GYN from Tennessee, he was recently endorsed "wholeheartedly and unequivocally" by the American College of Gynecologists and Obstetricians. The president of that organization described Foster as "a fine doctor and a great educator." Ironically, Foster's "I Have A Future" program for young people in housing projects earned him an endorsement from former President Bush as one of America's 'Thousands Points of Light.'

Foster's pro-choice stand, however, has come under attack from conservative extremists. As part of the campaign against Clinton appointees, particularly minorities, the newly galvanized right wing is seeking to defeat Foster's appointment on the basis that Foster has put his pro-choice beliefs into action by actually performing abortions.

In the atmosphere of terror and hate created by groups like Defensive Action, Rescue America, and Missionaries to the Pre-Born, and killers like John Salvi and Paul Hill, the number of gynecologists willing to perform abortions is dropping rapidly.

The legal right to abortion means nothing without access to health care providers. For example, North Dakota has only one clinic that provides abortion services. Dr. Foster has performed abortions as part of an overall commitment to women's health.

Whatever our personal beliefs about the ethics of abortion, we must support the provision of abortion services in a safe and responsible manner. In his "I Have A Future" program, Dr. Foster teaches that abstinence is the only absolute guarantee against pregnancy.

Dr. Foster also provides complete and accurate information about contraceptives, and teaches that abortion is a last resort. This position represents the vast majority of Americans, and Dr. Foster should be applauded for his service to women and to minority communities.

Here are the facts on the other criticisms of Dr. Foster:

Equivocation on the number of abortions. When first asked how many abortions he had performed, Dr. Foster answered off the top of his head, "about a dozen." After checking 35 years of hospital records, he revised his answer to 39, the actual number.

Tuskegee. Anti-choice activists charge that Foster approved the infamous Tuskegee Experiment, where African American men were infected with syphilis, then left untreated.

At the time if the experiment, Foster was in Tuskegee, Alabama, offering obstetric services to rural African Americans, and served on the board of the local hospital.

At one meeting of the board from which Foster was absent, the Public Health Service, which conducted the experiment, described it to the board. There has been no evidence to suggest that Foster knew of the existence of the program, much less approved of it.

The "white right-wing extremists" comment. During a speech to the First Baptist Church-Capitol Hill, Foster said, "I ask for your help and prayers in working with me again to fight the latest attacks from white right-wing extremists that are using my nomination to achieve their radical goals." Amen, Dr. Foster.

As part of the campaign against Clinton appointees, particularly minorities, the newly galvanized right wing is seeking to defeat Foster's appointment on the basis that Foster has put his pro-choice beliefs into action by actually performing abortions.
EASILY MONDAY, PRAYER FROM 1 EARLY BY THE INCENDIARY LANGUAGE OF ROBERTSON'S KEY NOTE SPEECH. ROBERTSON, FOUNDER-HEAED OF THE CHRISTIAN BROADCASTING NETWORK AND REGENTS UNIVERSITY, SPOKE AS A LATTER-DAY JEREMIAH CALLING DOWN FIRE AND BRIMSTONE ON THE HEADS OF THE SECULAR HUMANISTS WHO WOULD PREVENT RELIGIOUS INSTRUCTION IN SCHOOLS. HE LIKED THE PRESENT DAY TENDENCY OF COURTS TO LIMIT RELIGIOUS INSTRUCTION IN PUBLIC SCHOOLS TO "RAPE OF AMERICAN SOCIETY AND OF THE NATION'S RELIGIOUS HERITAGE."

He started by relating the true story of a woman's rape on a pool hall table in which a number of patrons participated or stood by and cheered, while no one stopped the horrible act. Reflecting not just a pervasive lack of morality in today's society, Robertson felt the story was analogous to the brutalization of all members of society by the absence of religious teaching. With much fervor, he exclaimed, "the garments of civic virtue have been torn asunder!"

The response of the audience was asunder! "It is not the only such tale of American society and of the March 20, 1995 THE AMICUS CURiae.

Ask Mr. Smart Guy

Dear Mr. Smart Guy:

When I came to Williamsburg in August, I heard some crazy rumor that there was a serial killer who worked the Colonial Parkway and had never been caught. I was going to ask you about it earlier, but I got drunk and forgot. Is this story true? What else was not told during orientation?

-- Emily Spooked

Dear Spooked:

You'll be displeased to learn that two years ago Brad Wagschul (3L) actually researched this rumor when he first heard about it and discovered that there's some truth to the tale. It seems that every few years a couple disappears and their car is found sitting on the side of the parkway, sometimes with the engine still running. Their bodies are either found nearby, or never found at all. There's never a sign of struggle, and all the victims seem to have gone willingly with the murderer. The last killing was about six years ago. Perhaps the murderer stopped because he started channeling his attention away from minds, frenzied blood-letting and began focusing on doing his job right as a placement administrator again.

The legend of "The Colonial Parkway Killer" is not the only such tale of Williamsburg, however. There's also the myth that deep within the James River lives a beast of such horror that few who see it live to tell the tale. Coincidentally, a rare sighting of the creature occurred last Friday as a group of 1L's gathered on the bank of the river to celebrate St. Paddy's Day. Without warning, the James River Monster emerged from the water and reared its ugly head shortly after 1L Shaun Rose went swimming (in an act which probably roused the creature from its sleep). According to one eyewitness, the horrible monstrosity was described as "very short and very pale." It kind of looked like a weasel. We obviously disturbed it in its lair, because it seemed very angry with us, threatening to strike as it

See SMART GUY on 18

More Clip 'n' Save Marshall-Wythe Trading Cards! Collect them all!!

This week: Clandestine flesh tattoos of Marshall-Wythe
**Outer Limits**

By John Crouch

He's finally lost it

Chief Justice Rehnquist had somebody sew four gold stripes onto his robe. (ABA Journal)

**Genuine health care reform**

A Tampa hospital said it would start writing “NO” in magic marker on everything that shouldn’t be amputated. Doctors there had removed the healthy left foot of a man with a gangrenous right foot. (London Times)

**A Colchester, Engl. judge refused a new trial for contractor Graham Gregory, who claimed the judge's snoring dog kept him from concentrating during his testimony. The judge did award Gregory said he had no idea there was a dog under the bench, and thought it was the judge snoring. (London Times).**

**Jailed for marrying Gisèle Savage and Eugene Roberts of Barre, Vt. were jailed for getting married, which violated a court order that kept them from contacting each other. (USA Today).**

**Illegal mannequin pose**

Lonnie Davidson was arrested for impersonating a mannequin in a Twin Falls, Id. shop window while naked below the waist. (USA Today).

**Fred Ontiveros of San Francisco sued an airline for his injuries in a New York plane crash. The suit was dismissed when TWA proved that the plaintiff was at work in San Francisco when the plane went down. (National Journal).**

**Whatever**

For some reason, residents of Empire Mountain, Arizona are building a wind turbine that they hope will interfere with a new federal radar facility intended to detect wind shear, according to USA Today.

**Blockage**

William Keith of North Pole, Alaska had trouble flushing his toilet after a moose plugged his septic tank. (London Times). **Deer in demolition derby**

Two deer crashed through Philip Grove's cathedral window in Baton Rouge, ripped up his rugs and butted holes in walls. He says they thought their reflections were other deer. (USA Today).

**Most parking meters cheat**

In Keene, N.H., 60 percent of parking meters cheated customers, a study found. (USA Today).

**Neat trick**

Musician Kid Creole has six children by seven women, the Daily Press reported. **Police TV**

A Kidderminster, Engl. man got his shotgun engraved and was taking it home when he was pinned down by team of police on the grounds that he must be some kind of terrorist or something. (London Times). **Breaking the cycle of abuse**

Susan Hornby of Portsmouth, Engl. would not stop playing a tape of irritating sixties pop songs, so her German shepherd ate it. (London Times). **Trial by combat**

A mattress company challenged ZZ Top to a battle of the bands, judged by applause, to settle a trademark suit. (USA Today).

**A man law**

In nearly all the weird news items I come across, the bad guys have made themselves look ridiculous. (This is not intended in any way unduly to draw further attention to Chief Justice Rehnquist in particular.)

However, there are some decadent episodes which offer no such silver lining, no moral victory for those of us who have kept our senses and forgone the rewards of joining in the shrill craziness of the times.

Nonetheless, I have come to believe that it is my responsibility to chronicle every truly unprecedented advance into utter mindlessness, whether amusing or not.

I promise that in the future I will report such grim news only if it is substantially worse than the following two items:

**Milker**

Jose Ramos Nuñez shot a Las Vegas dairy owner and killed himself because of a dispute over milking techniques. (USA Today). **Someone skinned a live beagle in Putnam Co., N.Y.**

a vet was able to put the skin back on. (USA Today).

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**To heighten awareness during Sexual Assault Awareness Week from March 13 - 19, the Avalon Clothesline Project travelled across campus. It consisted of T-shirts decorated by victims of sexual abuse, who included W&M students. The exhibit was intended to promote discussion and educate members of the college and community concerning the issues of sexual assault.**

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**FURTIVELY-PLACED TATTOOS OF THE STUDENT BODY**

<table>
<thead>
<tr>
<th>DRINKING DUCK</th>
<th>FRED FLINTSTONE</th>
<th>HEART</th>
<th>SUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>How did someone who obviously obtained this tattoo in prison wind up at M-W? Could this be some past law student who was expelled for an Honor Code violation or sexually deviant behavior? Or maybe it's a librarian.</td>
<td>Wilma!! Has anyone seen her since the evening of June 18? And what about the plaintive wailings of Dino? And what is Fred hiding behind his back? And what about Barney who was returning Wilma's sunglasses? Keep smiling Fred, it's not over yet.</td>
<td>Abs of steel? I doubt it when a sappy heart lives over one's private parts. At least this one knows where to find good lovin'. One good thing though, this heart will never break unless the individual gains considerable weight. And long live safe sex.</td>
<td>Worship of the sun god continues at M-W. Surely, you've heard the cult members hollering at the sun's rising at the Gradplex. But the sun doesn't also rise on this part of the body!</td>
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Music for the Masses

Two of the year's best:

Matthew Sweet and Live

By Scott Layman

Matthew Sweet: 100% Fun

On his fifth full length release, Matthew Sweet has put out another excellent collection of infectious melodies. 100% Fun is a refreshing blast of guitar-pop in the midst of grunge and punk. It's not that Sweet does not have a modern sound. In fact, 100% Fun was produced by Brendan O'Brien, who has worked for the likes of Pearl Jam. Sweet, who plays several instruments and wrote all the lyrics, has become a master at concocting a pop song.

The CD grabs the listener on the first track, "Sick of Myself," with its crisp guitar riffs and melodic chorus. Sweet writes almost exclusively about his relationships, mostly critiquing and deconstructing them. In "Not When I Need It," Sweet laments that "Late at night I'm filled with fear. That I can't take for granted that you'll always be near. And it makes me hate myself. To think I can't see it." On "Everything Changes," Sweet calmly sings "It's not hard to tell. Like a bird you'd sooner fly away."

Even though many of the songs deal with failed relationships, the CD does not have a depressing tone. The bounce of the music makes this an energetic endeavor. The upbeat "Super Baby" has spacey sounds and a droneing guitar which give it a real funky flavor. Another great track replete with high-soaring harmonies is "We're the Same."

100% Fun is excellent, and perhaps Sweet's best to date. It has a cohesiveness that his previous two efforts, Girlfriend and Altered Beasts, lacked. Furthermore, Sweet has lost neither his talent for crafting true pop gems nor his gift for writing poignant and bittersweet love songs. 100% Fun is highly recommended.

Live: Throwing Copper

This sophomore effort from the band out of York, Pennsylvania is a stand-out piece of rock and roll. Live doesn't fit into a neat category although their music certainly contains the vigor of punk and the abrasiveness of grunge. Produced with the assistance of former Talking Heads guitarist Jerry Harrison, this CD is definitely one of the best of rock's best releases out today.

Throwing Copper is enjoying a boost in sales thanks to the single "Lightning Crashes" which is a haunting song about death and birth. The song begins slowly, then builds up to an emotional climax, both vocally and musically. Lead vocalist Ed Kowalczyk's powerful voice infuses the CD with an energy that conveys a sense of anger and desperation. On "Top," Kowalczyk cries "Pick me up and put me on the ground. Set me up and spin me around! No, you are not the one I wish to see."

The band stirred up some controversy in their hometown with their track "Shit Towne" which rails on life in the small community of York. Yet the song isn't about hometowns and rolling hills too big for their roots, but rather a personal commentary on growing up in York. First rate tracks include the already-released "I Alone" and "Selling the Drama."

Throwing Copper is a vast improvement over the band's debut, Mental Jer­

ny. On the latter, Live sounded muddled, but now the band has a tighter and harder sound. Solid from start to finish, Throwing Copper is one of the best rock albums of the year.

Hold the onions but eat at the Downtown Short Stop Cafe

By Kim Tolhurst and Lori Petruzelli

A reliable menu, friendly service, and good prices await you at the Downtown Short Stop Cafe, conveniently located across the way from FKB Hall (well, convenient if you have any business at all with FKB Hall. Nonetheless, we recommend that you take the half-mile stroll from the law school down Jamestown Road. Why stroll, you may ask? Why can't I drive my spanking new Dodge (with V&M Law decals) in there parking? Sure there is, but there is also a magnificently attractive dessert menu, and with swimsuit season upon us...You get the picture.

The menu offers a wide selection of sandwiches, ranging from elaborate subs to standard one-meat deals. There is also a grilled chicken sandwich, which Lori would have reviewed, but she was threatened with pain or death to feign culinary creativity and order something different. Lori chose the turkey club; Kim chose the vegetarian sub. Kim's sub consisted of a hearty helping of lettuce, tomato, two cheeses, and hot peppers, served on a bed of onions between a toasted roll. Lori asked the waitress to hold the tomatoes, but the waitress seemed to think she wouldn't notice, and left those noxious red onions in their hometown with their track "Shit Towne" which rails on life in the small community of York. Yet the song isn't about hometowns and rolling hills too big for their roots, but rather a personal commentary on growing up in York. First rate tracks include the already-released "I Alone" and "Selling the Drama."

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The dessert menu was tempting. There was a peanut butter pie with Reese's Peanut Butter Cups on top that caused Lori to fantasize. Kim seemed enthralled with the idea of a Bumbleberry pie (apples, rhubarb, blackberries, and raspberries). So enthralled was Kim when she presented the ingredients over and over to commit them to memory for the review. There was also cheese cake, Ore cookie ice cream, and "Hot Brown."

Neither Kim nor Lori ordered dessert because they failed to take their own advice and drove to the Short Stop so that Kim, Virginia Procedure nerd, could once again get class to time on time. Recommendation: Go there for cheap casual eating (slightly over $5 per person).

Cinema Cynicism

Forget betting on NCAA — put your money on the Oscars

By Steve Youngkin

Well, it's that time of the year again. In just one week, the 1995 Academy Awards will be on the air. And like every other movie critic in the country, it's my job to look at the tea leaves and the tarot cards and predict who will get the trophies. I'll also admit that while some of the categories appear to be easy guesses, there are always some surprises. Who would have guessed that an 11-year-old girl with only one movie to her credit would take home the trophy for Best Supporting Actress last year? Because of this fact, and because most of the time the Oscar Academy doesn't go to the person who DOES deserve it, I'm stealing a format from USA Today. For each of the main categories, I'll list who WILL win and who SHOULD win.

With that in mind, let's roll the dice and see what we get:

BEST SUPPORTING ACTRESS: WHO WILL WIN—Dianne Wiest. This is one of the easy categories but also the category with unexpected winners for the past two years. Wiest managed to steal Bullets Over Broadway from everyone as the comic center of the film. Uma Thurman could win as an upset but probably wouldn't because she was clearly overshadowed by her male co-stars. WHO SHOULD WIN—Dianne Wiest. For all of the reasons stated above. While the entire cast was excellent, this was clearly Wiest's show.

BEST SUPPORTING ACTOR: WHO WILL WIN—Martin Landau. The moment he appeared on the screen in Ed Wood, the Oscar was being engraved. The movie has all the qualities that the Academy loves. Landau has a lengthy career (ranging from Hitchcock's North By Northwest to Woody Allen's Crimes and Misdemeanors) that will be honored by his winning. Further, Landau played a real person convincingly. It also doesn't hurt that this would be his third nomination, so the Academy can make up for the first two and give him the trophy this time.

WHO SHOULD WIN—Samuel L. Jackson. To be honest, I would happy if there was a five way tie and all of the nominees took home trophies. There isn't a mediocre performance in the bunch, but since that probably won't happen, I have to go with Jackson. His performance was the very essence of Pulp Fiction. Most of the great moments belonged to his character, and he brought the hilt. Hey, anyone who can make a quote from the Book of Ezekiel memorable deserves an award.

BEST ACTRESS: WHO WILL WIN—Jessica Lange. This is one of the toughies. Jodie Foster's performance ordinarily would be an automatic shoo-in for the Oscar but she already has two trophies in her closet and the Academy might like to spread the wealth. Sarandon has never won and the Academy might like to alter that. But The Client hardly seems the movie to do it for her. Winona Ryder stands a very good chance, but she's a young actress whom the Academy can tell probably will have many more chances in the future to win. That leaves Lange. She managed to overcome one big obstacle: to get nominated for a movie that was actually made two years ago and was just released this year. She also has that impressive career that the Academy would like to reward. I have a feeling this is the category I'm going to be wrong in but I'm going to go with Lange.

WHO SHOULD WIN—Jodie Foster. See OSCARS on 20
Decaying movie biz forces great actors into cheap thrillers

By Steve Youngkin

Before I begin my review this week, I want to make a recommendation. Thanks to the Academy Awards, studios are re-releasing a number of movies that you probably missed because they were out for only a couple of weeks last fall. Now you have the opportunity to see Bullets Over Broadway, Quiz Show, and Shawshank Redemption. In addition, Williamsburg Theater is showing Pulp Fiction and Hoop Dreams this week. All of these films are both smart and entertaining. The studios are giving you a second chance. Don’t blow it.

Now for the review. Before the film, I’m going to discuss television because for years critics and the intellectual elite have denigrated it as a place completely devoid of intelligence or creativity. It was described as a medium where one would be ashamed of what they watched. In fact, there are still a fair number of people who walk around with their noses in the air (Full House and Blossom have been on for HOW LONG??????), there are more than ample shows that respect your intelligence and, in fact, assume you are a thinking adult. If you want well written and well performed entertainment, just watch programs ranging from Friends and Seinfeld to Picket Fences (easily the best drama) and X Files.

Now what about movies? Alas, I can’t give as high of praise for this medium nowadays. Oh, there are still good movies out there (see my list of films at the top of the column) but with the exception of Quiz Show (which was released by Disney studios), all of those movies were released by independent studios. And even Quiz Show was so ineptly directed by Disney, you’d almost be convinced that they were ashamed of it and were trying to get no one to see it.

In fact, it’s plenty obvious which medium is the champ in terms of intelligence and thought provoking works when both movies and television tackle a similar subject: television is clearly superior. That leads me into this week’s movie (and you were beginning to think that I wasn’t going to review one, didn’t you?). Outbreak is about a disease carried over into the US by a monkey exported onto our shores. The disease is contagious as the flu and kills a person within a couple of days.

Naturally, this concerns a group of scientists led by Dustin Hoffman and Rene Russo. Hoffman tries to stop the disease before it becomes an epidemic but is stopped by his superior (Morgan Freeman). Freeman and another general (Donald Sutherland, the best actor to play unfolding SObS) encountered the same disease over in Africa in the late ’60s. Their solution, though, was a tad less humane than what Hoffman would probably suggest (they nuked the village).

ELVIS from 2

A similar group of doctors were written by Arnold Kopelson. Seeing his name on the credits, I was expecting a fictional and highly budgeted version of And the Band Played On. And, admittedly the first hour does work. The movie shows the steady course of the disease as one person after another gets it. But instead of remaining on its promising course, Outbreak abruptly becomes a standard action movie.

Television executives assumed the audience was bright enough to follow a story this complicated through without a plot tangling. Hollywood, though, assumed that the audience couldn’t understand. I think that I recovered Elvis. I will enlighten the rest of you. It seems that Elvis’s appearance was merely a practical joke. A week or two after Elvis vanished, during the earliest morning hours (around 8 a.m.), I sat in a yellow naugahyde chair next to the porcelain monument to Michael Jackson’s father. For George Burns’s sake, I demand that action be taken. We should all hang our heads in shame that the scoundrel was never dealt the swift blows he deserves from the M-W disciplinary authorities.

Elvis, however, returned, for which you all can thank me. Until now, few knew that I recovered Elvis. I will enlighten the rest of you. It seems that Elvis’s disappearance was merely a practical joke. A week or two after Elvis vanished, during the earliest morning hours (around 8 a.m.), I sat in a yellow naugahyde chair next to the porcelain monument to Michael Jackson’s father. For George Burns’s sake, I demand that action be taken. We should all hang our heads in shame that the scoundrel was never dealt the swift blows he deserves from the M-W disciplinary authorities.

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For a while, I presumed that Elvis had gone on tour with the Most Court Team. After all, the team was raking in the accolades from its competitions. Elvis’s charms work magic beyond Las Vegas, you know. I fear my presumption was premature.

Elvis has been gone too long. I miss him. Despair engulfs my soul every time I must walk into that lounge knowing that the porcelain monument to Michael Jackson’s ex-father-in-law will not be there to greet me.

I demand that action be taken. We must restore the shrine to the King if M-W is not going to remain on the cutting edge of American legal education. How can we ever expect to break into the top 20 of U.S. News & World Report’s list of law schools if we continue to demoralize the student body? The crown automobile air freshener with which somebody has defiled the Elvis lamp’s space is no substitute for the King himself. For George Burns’s sake, I demand that somebody do something. But don’t bother searching behind the naugahyde chairs in the lounge. I already checked. He is not there.

Danny Reed (2L)
Monday, March 20, 1995
Recital: Patti Carlson, clarinet; Charles Woodward, piano; and Debra Fong, violin. Ewell Recital Hall, 8 p.m.

Hoop Dreams: The coolest documentary of all time (hey, it’s basketball - what’s more cool than that?). Williamsburg Theatre, Duke of Gloucester Street, 8:15 p.m.

Tuesday, March 21, 1995
A Cappella Concert: The Gentlemen of the College, together with the Intonations, host Northwestern’s “Melodious.” Enjoy great songs and great harmony for only $1 or a similarly priced food item (one box of Kraft Cheese and Macaroni would do). Proceeds go to FISHbowl and local charities. Door prizes, too. Great Hall, Wren Building, 8 p.m.

Moment of Truth: Body fat testing available from in the Rec Center Lobby, 3-4 p.m.

Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Movie: “BARAKA,” (meaning “blessing”), a film shot without words and shot in 24 countries. Siskel & Ebert called it “amazing.” Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Interview with the Vampire,” UC Auditorium, 8 p.m.

Wednesday, March 22, 1995
Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Movie: “BARAKA,” Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Interview with the Vampire,” UC Auditorium, 8 p.m.

Thursday, March 23, 1995
Modern Dance: Orchesis, W&M’s modern dance company, presents “An Evening of Dance,” featuring performances choreographed by senior members of the company. PBK Hall, 8:15 p.m.

Town and Gown Luncheon: Capriole will give a musical presentation. University Center, Commonwealth Room, 12:15 p.m.

Speaker: Conflict Resolution Group brings Bosnian Ambassador to the United States Sven Alkalaj to discuss the current crisis in the former Yugoslavia. Reeves Center, 7:30 p.m.

Concert: Two piano jazz concert with Harris Simon and John Toomey. Ewell Recital Hall, 8 p.m.

Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Friday, March 24, 1995
Modern Dance: Orchesis in “An Evening of Dance,” PBK Hall, 8:15 p.m.

Movie: “Forrest Gump.” Is there anyone out there who hasn’t seen this yet (besides Ellie)? Bring a box of chocolates and go see it again. Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Pulp Fiction.” Does anyone sense an Oscar theme here? Williamsburg Theatre, DOG Street, 9 p.m.

Hegot/Make Up/Slant 6 Concert: WCWM’s concert night in the Little Theater in the Campus Center basement, 8:30 p.m. $5.

Late Show: “Sid and Nancy,” Williamsburg Theatre, DOG Street, 11:45 p.m.

Saturday, March 25, 1995
Modern Dance: Orchesis in “An Evening of Dance,” PBK Hall, 8:15 p.m.

Auction: Child Development Resources auction to benefit CDR’s services to young children and their families. Free child care. Bruton High School, 11:30 a.m.

Movie: “Forrest Gump,” Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Pulp Fiction,” Williamsburg Theatre, DOG Street, 9 p.m.

Late Show: “Sid and Nancy,” Williamsburg Theatre, DOG Street, 11:45 p.m.

Music: Sam I Am at the Machine.

A Taste of Asia: Festival of food, dances and performances from seven Asian countries, including India. 7 p.m. at U.C. Chesapeake Rm. $1.

Sumo Suit Wrestling: Dress in 500 pound sumo suits, get in the ring, and slam each other to death. Really, that’s the premise of this activity - anyone can become a sumo wrestler. University Center Cafe, 8-10 p.m.

Sunday, March 26, 1995
Chamber Music: Gallery Players, Muscarelle Museum, 4 p.m.

Movie: “Forrest Gump,” Williamsburg Theatre, DOG Street, 6:30 p.m.; matinee, 3:00 p.m.

Movie: “Pulp Fiction,” Williamsburg Theatre, DOG Street (I get so sick of typng that - does anyone not know by now where the Williamsburg Theatre is?), 9 p.m.

Music: Verucca Salt at the Boathouse.

Monday, March 27, 1995
Movie: “Forrest Gump,” Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Pulp Fiction,” Williamsburg Theatre, DOG Street, 9 p.m.

Tuesday, March 28, 1995
Speaker: Political science experts Cr. Richard A. Norton, Prof. James A. Bill and others discuss “Quest for Change: Civil Society and Political Reform in the Middle East.” University Center, Tidewater A, 7:30 p.m.

Movie: “Forrest Gump,” Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: “Pulp Fiction,” Williamsburg Theatre, DOG Street, 9 p.m.

Wednesday, March 29, 1995
Music: Sublime at The Abyss.

Thursday, March 30, 1995
Piano Recital: Christine Niehau, artist-in-residence. Ewell Recital Hall, 8 p.m.

Friday, March 31, 1995
Movie: “Ready to Wear,” Roger Altman’s new film about the Paris fashion industry. Williamsburg Theatre, DOG Street, 6:45 & 9:15 p.m.

Music: Weezer at the Boathouse.

Saturday, April 1, 1995
Movie: “Ready to Wear,” Williamsburg Theatre, DOG Street, 6:45 & 9:15 p.m.

Final Four: Prediction: all ACC! (I know - wishful thinking.) For those of you who can’t get to Seattle (would that be everybody?), CBS has kindly agreed to broadcast it.

Music: Live, Love Spit Love, and Sponge. ODU Fieldhouse. You’d better have tickets for this one - it’s sold out.

Sunday, April 2, 1995
Movie: “Ready to Wear,” Williamsburg Theatre, DOG Street, 9 p.m.

Movie: “Nobody’s Fool,” a Paul Newman showcase. Williamsburg Theatre, DOG Street, 3 & 7 p.m.

Please submit your entries for the Amicus Events Calendar to Monica Thurmond (2L) or the Amicus hanging file. Entries may include activities sponsored by law school organizations, main campus or community events.
A Duck Out of Water

Jordan’s a has-been; Duck prefers replacement baseball

By Alan Duckworth

You know what I used to like about sports: the true escapism available while watching and discussing them. Now, sports are as rotten as the rest of the world. Major League Baseball has committed hara-kiri. A look at the top sports stars is like looking at a police blotter, including the most famous murderer of all time. Greg Leuagian has just revealed that he has AIDS. The real world has invaded my haven.

Michael Jordan returned to the NBA yesterday. It appears that making the Bulls the favorite to be the next NBA champion. Or not.

Amicus computer-like rankings

End-of-semester nickname contest: MBA Blue edged out

By Neil Lewis

Some of the most outrageous, stupid-est, and the weirdest nicknames in the history of athletic competition have been seen this year in IM Sports. The competition was open to all grad schools in the school of Marine Science; The law school’s most notable entries—The Brothers Felch, Cunnin Lit- ners.

Special NCAA tournament preview

By Todd Sherer

Once more, Spring Break has ended and the law students have wearily returned to M-W to see a certain third year’s smiling face with his arms filled with NCAA brackets begging for your money. Yes, it is that time of year again. March Madness is in full swing. I’m sure everyone wants to know who will win it all and since I have this information I’ll let you in on it. First, in order to build dramatic effect, let’s see who can’t win the tournament. As a no-brainer, scratch Wake Forest, Villanova, Kentucky, and Oklahoma State. They won the ACC, Big East, SEC, and Big 8 Conference Tournaments, respectively. Only once in the last five years has a major conference winner won the whole shooting match, and this year will be no exception.

In the Midwest Region, Aminu Timberlake makes his triumphant return to the tournament. Better known as the man who saw the soles of Christian Laettner’s shoes in the legendary Duke-Kentucky game, Timberlake returns with the Southern Illinois Salukis only to have his team get stomped by the best seed in the dance—Syracuse.

Virginia will finally wake up from the month-long coma and realize that pretentiousness doesn’t add to the final point total. This leaves Kansas and Arkansas as potential winners.

Arkansas can be eliminated by the three strike method. They are the defending champions (Strike 1) and must play Kansas, in Kemper Arena where the Jayhawks are undefeated in tournament play (Strike 2). Add to this mix the fact that Bill Clinton is their “biggest fan,” and we know what kind of year he’s had. (Strike 3) and Arkansas is on the outside looking in come April. Although the Jayhawks have stumbled a bit as of late, they should have enough talent to emerge from the Midwest.

North Carolina has no depth, especially with the return of Pat Sullivan taking valuable minutes from Peaches Landry. In combination with Rasheed Wallace’s ankle injury, Carolina will get no further than the Sweet Sixteen. Teams with one star also don’t fare particularly well in the tournament, so scratch Shawn Respert and Michigan State.

Georgetown is the sleeper in this bracket. Allen Iverson moves in hyper-speed and can give defenses fits, however sometimes his head doesn’t move as fast as his body, see the Big East Tournament. Georgetown is as likely to lose in the first round as they are to advance to the Elite Eight. Without UNC, look to Kentucky to come out of the Southeast Region.

In the East Region, Wake, Villanova and Oklahoma State have already been eliminated by winning conference titles. Minnesota, Illinois, and Stanford all had below .500 records to finish their seasons. That leaves Massachusetts and Alabama. Alabama has no starter over 6-9 and Massachusetts lost its best clutch shooter in but being a cool nickname anyway is for alumnus Dr. J, and the rest of the Massachusetts faithful to go to Seattle after beating Alabama in East Rutherford, N.J.

Look to Maryland to emerge from a weak West Region. UCLA has not had a decent tournament since the Carter Administration, and all the O’Bannons in the world can’t change the fact that Jim Harrick is a terrible tournament coach. Connecticut has struggled terribly over the past month and even Ray Allen, the most underrated player in America, won’t prevent their early exit. Watch out for Mississippi State in the West, balanced scoring and victories over Kentucky, Arkansas and Florida make them a legitimate sleeper.

And then there were four. Pick Kansas to best Kentucky and take Maryland over Massachusetts. And the winner is… Kansas. Too many big men who can run the floor, if the outside shooting from Jerod Haase and Sean Miller returns to normal form, they will be champing “Rock Chalk, Jayhawk” long into the night in Seattle.

The business school’s entries—MBA, MBA-Blue, MBA-Red.

The school of Marine Science entries—VIMS, Co-Vims.

The law school’s most notable entries—The Brothers Felch, Cunning Litt-
early goals...and then Gerson, [who had scored five goals earlier for The Joke] put the finishing touches on a hat trick of his own." Lumpsless gravy was next to go down 6-1 behind the feeling goalkeeping of King and the relentless offensive pressure provided by 2Ls "Big Head" Todd Sherer, Gerson, and "Saman" Eric Misener. The fourth win, 10-0 over APO was a showcase for the defense prowess of McInerney and Fisher. Not content merely with playing the entire game with no break they felt that they had contributed offensively...and they did as McInerney put in a goal from beyond the half court line, with an assist from Fisher. Sherer had a hat trick for the offense.

The joke on The Joke as their last game was lost 3-1 to bring their season record to 1-5. The Joke had started the regular season in fine shape shutting out their first two opponents 6-0 and 10-0 and winning their third game 4-1. The impetus behind their strong defense? Why it would have to be law school groupie Bitsy "Hee Hee" Haws in goals. As any guy who's tried to slip past her defenses can tell you, she's a tough nut to crack. Haws attributes her prowess to growing up in the corn fields of Gary, Indiana in the 19th century in a prior life. "That was hard living back then," Haws said. "It really sucked." Standouts on the Joke include Co-Defensivewoman of the Year 2L Snead, "if you want a goal," said Haws. "I've been around." The Joke was a showcase for their offensive stuff with a 3L team that never before had been held accountable. 

HONOR from 9
that they are not less intelligent—or that they would be any less conscientious if they were not students on the Honor Code trial panel—than older, more worldly students. More troubling to me personally, however, is the extent to which these unsubstantiated assertions camouflage a pervasive sentiment among law students that they will not be held accountable for non-law students. The justification which is sometimes offered to support the contention that we should adhere to a "higher" standard of conduct is that this assumption is reasonable for the different standards that will be expected of us as we become lawyers.

The argument is facially attractive, but contains much inherent danger. It tends to breed self-delusion, hypocrisy, and outright cynicism. In part, declining to be accountable for the legal profession stems from lawyers' stubborn insistence that only lawyers should be permitted to define rules for the legal profession. Disregarding for the moment lawyers' embarrassing reluctance to enforce the rules of a public's legitimate interest in contributing to this process. I seriously question the wisdom of extending this self-serving logic, which is so prevalent in the legal profession, to the process of formulating standards of academic conduct for law students.

More to the point, this argument ignores the reason for having different standards for lawyers. Lawyers play a very specific role in society that differs from the roles played by physicians, accountants, teachers, economists, engineers, and other non-law professionals. To be able to properly fulfill that role, lawyers are often prohibited from acting in ways that are permissible for non-lawyers. Conversely, lawyers are sometimes permitted to engage in conduct that would be impermissible for non-lawyers.

Acknowledging the different roles between lawyers and non-lawyers in maintaining a good and just society, however, does not change the fact that we are not lawyers. We are students of law. And in the context of the College community, our role is no different from that of students in other fields of study. Our role is no different from that of physicians, fine arts, computer science, or photography—saving a life, a computer science, or photography, or the existence of roommates. If there is a principled distinction to be found between any of these situations, I fail to see it. The process of formulating a new campus-wide Honor Code doubtless will continue to generate criticism, uncertainty, and unadulterated partisanism. And to be certain, law students are not the only ones unsettled by this process. Similar arguments are emerging from all corners of academia. Moreover, the level of hysteria becomes too excessive, I would like to offer the possibility that both law students and non-law students might actually benefit from the consideration of our respective Honor Systems.

Law students have a great deal to contribute in the formulation of a campus-wide Honor Code. In the wake of several well-publicized Honor Code trials, we have acquired a unique expertise in drafting carefully tailored Honor Code trials. We are trained to be sensitive to the importance of due process for all students subject to Honor Code trials. And we are justified in demanding high standards for ourselves and our peers. But we should not overlook the many ways that we can benefit from being held accountable to others than ourselves.

SEX LAWS from 3
in the concept Eskridge calls "mutuality." According to Eskridge, mutuality is a more acceptable basis for consent laws than the marriage/ status basis currently used. By allowing for sexual diversity, Eskridge envisages several effects over time: procedural protections, including an end to the legal status of what was once a woman's body, and substantive protections, including a reduction in the existence of sexual orientation and gender identity. Virginia proposed a fiduciary duty law in 1993, and a similar law was recently passed in New York. The law was passed in response to the concerns raised by the legal profession. The law was the result of a national debate on the rights of women and men in relationships. The law was passed to protect women from sexual abuse and exploitation. The law was passed in 1993, and it has been amended several times since then. The law was passed to protect women from sexual abuse and exploitation. The law was passed to protect women from sexual abuse and exploitation.
Dear Hooky:

Informal polling suggests that most folks had a great break and came back refreshed, except King Tower, who inexplicably came back with a shell-shocked glazed look in his eyes, muttering something about two-month's salary or something. Folks went to Jamaica, Bermuda, the Bahamas, and other tropical paradises. Others went and visited loved ones and significant others.

Here's a question for you. What did you do?

— Playing Hooky 'Til May

Review

Reviews include Professors Schaefer, LaBel, Douglas, Dickerson and L.J. Jackson. The Committee chair is Vice Dean Jayne Barnard who stated there is no need for students to "worry about" what the committee's decisions might mean for their journals. She added that the Committee's work "may or may not result in new policies." According to Garand, the overall goal is to "streamline" the processes that the journals go through for credit approval, supervision, etc. in order "to make [them] work most efficiently." The Committee will establish a time line for implementing any new decisions at their initial meeting on Thursday, March 27 at 10 a.m.

Friday, March 24 at 2 p.m.

Arizona video conference and courtroom demonstration (Nick Leonard)

No real time reporting; Video required

Monday, March 27 at 10 a.m.

Canadian Lawyer demo/interview via two-way video from Toronto, Canada

Monday, March 27 at 2 p.m.

Singapore court administrators. Real time reporting (2:15 p.m.); Optional Executone video (3:15 p.m.)

Thursday, March 30 at 11:30 a.m.

ABA/AALS inspection team. Possible real time.

Thursday, April 6

Multi-service Military Judges Conference Courtroom 21 presentation at Maxwell Air Force Base, Alabama

Friday, April 7

Inside the Law ABA television production in New York City.

Saturday, April 8 at 1:45 a.m.

M-W admitted applicants

Sunday, April 9

Judges from Moldavia (tentative)

Monday, April 10 at 1:30 p.m.

Williamsburg-James City County Courthouse Committee. Real time transcription (1:40 p.m.)

DEAR MR. SMART GUY:

I had to stay in town over break because I was broke. So instead of fun and sun like last year, I spent the week in the 'Burg watching law review types kick back and unwind with O'Douls and a light sub-check while they tanned themselves under fluorescent lights.

Needless to say, I contemplated taking my own life. What did I miss? And now that break's over, what the hell am I supposed to do for the rest of the semester with this chronic case of Spring Fever I now have?

— Playing Hooky 'Til May

Monday, March 20, 1995 The Amicus Cursae

There's no end to the fun you can muster!

Dear Mr. Smart Guy:

For an advice columnist, you hardly ever discuss sex, so here's one for you: I'm dating another law student, and our sex life is becoming mundane. How can I spice up the relationship?

— In a Rat

Dear Rat:

According to eminent brainy sex therapists in Cosmo, nothing jazzes up the lovemaking like experimentation. As you are both law students, use that commonality to try things both of you might feel excited by and yet comfortable with. According to a survey, 'Feminist law students' favorite bedroom activities: Polling the Jury, Entering the Plea, Getting to 'Oh God Yes!', Filling the Subpoena, 'Here Come De Judge!,' Banging the Gavel, Oral Advocacy. Thumb Through the Briefs, Eminent Domination, The Hardwick Shuffle, and, of course, The Learned Hand Job. Good luck!

Attention 3Ls and people with parents!

Subscriptions for next year

Subscriptions cost $12 per year. To subscribe, mail checks and subscription forms to the Amicus Curiae, Marshall-Wythe School of Law, P.O. Box 8795, Williamsburg, Virginia 23187 — or drop them in the Amicus hanging file.
Pet parade, pony rides will hit DOG St. Saturday

The Merchants Square Pet Parade begins at 11 a.m. at Merchants Square this Saturday, April 1.

At 11:30 a.m. prizes will be awarded for the best pet costume, the best-dressed litter [or human family of five or fewer], adult and child costumes, and the best-decorated umbrella. Prizes are considerable gift certificates and free meals at restaurants.

Pony rides will be offered in front of Binn's from 11:30 a.m. to 2 p.m.

Music and other performances will continue until 4:30 p.m.

Proceeds from the event will benefit the Animal Shelter Association of Williamsburg.

Q: Well, a dentist's office doesn't have any trade magazines such as Farm Machinery, does it?

A: You have been going to the wrong dentist!

Q: If your children tell two different stories about which child broke the cookie jar and you simply cannot decide who is lying and who is telling the truth, what do you do in a case such as this?

A: I call their mother. She will always know.

Q: Do you think it is important to tell the truth?

A: Yes. You know where all the liars go?

Q: Do you understand that things have to be done the way they're done?

A: Huh?

Q: Do you know anyone who may have been killed in an auto accident?

A: Say that again.

Q: What are you going to do when you retire?

A: Sit back and watch everyone else go to work.

Q: Did you enjoy your prior experience on a jury?

A: To this day I wonder what really happened.

Q: Mrs. Smith, are you related in any way to the [criminal] defendant, Mr. Smith?

A: Oh, my, no!

Q: I see that you have a large family [of 16]. Have you and your husband been able to spend any time alone together?

A: That is apparent, isn't it?

Q: Men are not looking for sex all the time, are they?

A: Well, maybe not all the time.

Q: I see you have 11 children.

A: What does that have to do with this case?

Q: I assume by your last name you are Irish?

A: You know there are only two kinds of Irish.

Q: Yes. You know where all the liars go?

A: Huh?

Q: I see that you have a large family [of 16]. Have you and your husband been able to spend any time alone together?

A: That is apparent, isn't it?

Q: I don't think I will ask you that question.

More voir dire questions from the Third Judicial District of Iowa, reported in Trial:

Q: Men are not looking for sex all the time, are they?

A: Well, maybe not all the time.

Q: I see you have 11 children.

A: What does that have to do with this case?

Q: I assume by your last name you are Irish?

A: You know there are only two kinds of Irish.

Q: I don't think I will ask you that question.

CROSSW RD® Crossword

Edited by Stan Chess

Puzzle Created by Richard Silvestri

ACROSS
1 Toy-pistol ammo
2 A heap
3 Struck an attitude
4 Algerian port
5 Agenda segment
6 Mary Richards' best friend
7 Star Wars princess
8 Point at the dinner table?
9 Tended to the Tin Man
10 Koester novel
11 Print the newspaper
12 Hogwash
13 Cone-bearing tree
14 Steady
15 Cat, perhaps
16 The College Widower author
17 _ you say?
18 Bread
19 Head of the Secret Squadron
20 You, once
21 Comic lead-in
22 Tablecloth
23 Joining alloy
24 Sit a spell
25 Whaever
26 Neighbor of Col.
27 He ran against DDE
28 Harry Fonda movie
29 Kerman native
30 Swordplay
31 Memento
32 Newspaper section, briefly
33 Grain
34 Memento
35 Name from U.N.C.L.E.
36 Tournament combo
37 Smasher's brother
38 Saint
39 "_you say?"
40 Kind of vision
41 Eyewitness
42 First Class
43 Name of 1969 Berlin casualty
44 False Alarm
45 Reserved
46 "Got a birthday party for his lab, Neptune. From left to right: Rigby, Delilah, Molly, Beau, Neptune, Murphy, Scout."
47 Jaw
48 "_ you say?"
49 World's oddest
50 Buddy
51 Name of 1969 Berlin casualty
52 "_ you say?"
53 "_ you say?"
54 "_ you say?"
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72 "_ you say?"

DOWN
1 Without preparation
2 Precinct
3 Stud holding
4 Plumber's tool
5 Educated folks
6 Soul singer
7 Redding
8 Slap on
9 PDO
10 Riverfront
11 The man from U.N.C.L.E.
12 Delightful region
13 TV's Major
14 "_ you say?"
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72 "_ you say?"
OSCARS from 13

Her performance was remarkable in Nell, although not for the reason you might suspect. It wasn’t because she spoke in a complete unintelligible language (Van Damme does that in nearly every movie he makes). It’s that Foster took a part that could have been over the top and overacted by lesser actresses and took away all of the gimmicks. A remarkable performance by a remarkable actress.

BEST ACTOR:

WHO WILL WIN—Tom Hanks. This is another toughie. Hanks ordinarily would have been an easy pick. In fact, the only obstacle he is facing is himself—he just won Best Actor last year for Philadelphia. If Hanks takes home the award, he would be the fourth actor in history to win two years in a row in the same category (Jason Robards, Spencer Tracy and Louise Rainer were the others). However, because he won last year, the door is open to either John Travolta, the sweetness in a very dark Pulp Fiction or Paul Newman who is “Paul Newman,” the last of the true movie stars. Hanks will probably overcome that obstacle to speak on the Dorothy Chandler stage again.

WHO SHOULD WIN—John Travolta. Prior to Pulp Fiction, he was completely forgotten by most of the public (yours truly included) who doubted Travolta could actually act. And he could have easily just blown this movie off, but he didn’t. While Jackson was the brains of Pulp Fiction, Travolta was the heart. He took scenes that could have been gristy and dark and lightened them up enough for the audience to enjoy them.

BEST DIRECTOR:

WHO WILL WIN—Robert Zemeckis for Forrest Gump. He is already a foregone conclusion because he won the DGA award last year for Forrest Gump. His work was the most inventive and energetic of all the directors. Unlike Oliver Stone, who also used a lot of different film styles in Natural Born Killers, Tarantino’s efforts didn’t leave you numb like Stone. Tarantino energized the audience leaving it wanting for more when the closing credits rolled.

WHO SHOULD WIN—Quentin Tarantino for Pulp Fiction. His work was the most inventive and energetic of all the directors. Unlike Oliver Stone, who also used a lot of different film styles in Natural Born Killers, Tarantino’s efforts didn’t leave you numb like Stone. Tarantino energized the audience leaving it wanting for more when the closing credits rolled.

Monday, March 20, 1995 THE AMERICAN BAR


Call Joe Woitko at 564-3901 if you have it or know someone who does.

Correction

Hazelton beating victim Matt Korb’s mother did not set up “Drugs Fry Your Brain” speeches.