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# The Advocate

VOLUME I, ISSUE EIGHT

WEDNESDAY, MARCH 3, 2004

WILLIAM & MARY SCHOOL OF LAW

## Crowned Glory: Rich Hadorn Named Mr. Marshall-Wythe



(Top) Rich Hadorn frolics in the Atlantic City inside us all. (Right) Brad Booth frolics in his underpants. (Photos/composite by Marie Siesseger and Nicole Travers)



(Clockwise from top left) Deans Jackson, Kaplan and Roberts prepare to judge. Mark Ohrenberger sings a cowboy ditty. Runner-up Nate Doan performs a number from Dirty Dancing.



by Marie Siesseger

The Little Theatre took on an air of Atlantic City last Friday night as ten students took the stage to compete for the newly-created title of Mr. Marshall-Wythe. Sponsored by the Public Service Fund, the pageant featured contestants displaying themselves to advantage in swimwear, evening wear, and talent segments. After a fiercely competitive question-and-answer round at the close of the pageant, Rich Hadorn (2L) walked away

with the title and a pair of tickets to Busch Gardens. Brad Booth (1L) was named runner-up after a star turn a la *Risky Business*.

Friday night marked the first crowning of a Mr. Marshall-Wythe. The show was the brainchild of organizers Christine Dealy (2L) and Jen Lavigne (2L), who expressed their delight at the substantial audience the event drew and paid particular compliments to the participants. "We were most impressed with the time and energy that both

the guys and the judges put into their roles. We are hoping that the Mr. Marshall-Wythe Pageant becomes an annual event for PSF," said Lavigne.

Shannon Frankel (2L) and Alana Malick (2L) hosted the event, and Malick, the reigning Miss Roanoke Valley, performed several songs for the audience while the contestants made the requisite costume changes. The celebrity judges were an impeccably turned-out trio comprised

of Dean Jackson, Dean Kaplan, and Dean Roberts.

Perhaps the only disappointment of the evening was that there was no morning-after photo-shoot frolic along the Atlantic City shore for the winner. (The *Advocate* staff has helpfully envisioned what this might have looked like, with compliments to Mr. Hadorn and the reigning Miss America, Erika Dunlap.) The next PSF fundraiser will be the annual Date Auction on Friday, March 19th.

# Professor Hynes: The Economist

by Nick DePalma

This article is not a shameless attempt on my part to portray Professor Hynes as an economist, nor shall it serve as an abridged biography. Its purpose is simply to illustrate his personal life (to the extent that it is either independent of, or dependent on, his children) and to provide his answers to my meager questions, with as little paraphrasing as possible.

**Tell me about your early childhood, growing up amid the evils or benefits of capitalism?**

I would have to say I grew up amid the benefits of capitalism. I was fortunate enough to have a fairly comfortable childhood, partly through the fruits of capitalism. I grew up outside of L.A. in an area with canyons in my backyard. We road our bicycles down the horse trails in the canyons.

**Who were your childhood heroes; Rockefeller, J. P. Morgan, Superman?**

My earliest childhood hero was Bart Starr, who was the Quarterback for the Green Bay Packers. I grew up in L.A., so why I adopted him, I don't know, but it must have been through the influence of one of my four older brothers. I was the last of six children. Apparently I liked him so much that I insisted on wearing this football helmet and carrying his biography around wherever I went. And after I got a little older,

my older siblings became my heroes, because they were bigger than I was, and I always followed them around.

**What are your favorite movies?**

It's hard for me to think about movies lately, because I'm pretty



much restricted to the various Disney movies, and the kids control the T.V. Recently, I'd say *Toy Story*. . . **[Favorite movies of all time?]** I liked *Rocky* a lot, because he lost. Also, one of my older brothers was in *The Champ*. His role in the scene was to get beaten up, and he did. He got his nose broken.

What kind of music do you listen to (for my loyal readers, this is a new category)?

I'm still very restricted in music. I listen to kids music 99% of the time." **[No Eminem?]** No, he's not cleared for the five-year-old set. My favorite band of all time

but it's not like law where you need a J.D. to practice.

**Any traumatic 1<sup>st</sup> year experiences at Chicago Law that you'd like to share, or any remedies for not reading that you'd like to impose on your classes here?**

It really wasn't too traumatic. There was a lot of pressure on 1<sup>st</sup> years, but you basically learn the game and you go from there. Nobody was trying to make life difficult for you, and my fellow students were very bright and very helpful. . . there were no manifestations of the stories of people trying to maliciously interfere with each other's work. So other than the one story. . . it was generally an enjoyable time. **(Editorial Comment: the "one story" involves a Civil Procedure professor that approached the then-law-student Hynes in the hallway after exams and said: "What happened?")**

**Is sitting or standing better?**

You didn't have to stand at Chicago.

**Do you agree with Professor Meese's applications of the Coase Theorem?**

Umm. . . I haven't sat in on Professor Meese's class. I trust that he understands it and would apply it well. I'm not sure what you're asking. **(Editorial Comment: The interviewer was obviously trying to create friction here.)** **[Have you read any of his law review articles?]** I have not seen an erroneous application of the Coase theorem in any of the articles that I've read, but he's far too prolific for me to read all of his articles.

When you graduated from Chicago, and then Penn. (a year later), what did you do?

Well, I didn't go to graduation first of all. Immediately after exams were over, I started working on my dissertation continuously. I went back to Philadelphia to work on my dissertation with my professors, etc., until sometime in mid July, and then I had to study for the bar (CA), which was at the end of July. After the bar I worked on my dissertation as long as [Skadden Arps] would let me. They made me *Hynes continued on page 3*

is probably U2.

**What are your hobbies, besides economics?**

I try to exercise. On rare occasions I will actually hunt with Professor Koch. **[What do you hunt?]** We went quail hunting once, but we mostly hunt clay pigeons. I am not sure I can characterize this as a hobby; I just don't do it enough. But, if you want a hobby, perhaps this is it. My real hobbies are my family and my job. I enjoy both very much and therefore spend almost all of my "free time" on them.

**Georgetown, Penn., Chicago. . . what were you studying and why?**

I went to Georgetown for undergrad. Then I started in a Ph.D. program at Penn. Then, after 2 years I took a leave of absence to do 2 years of law school. Then I took a leave of absence to finish economics at Penn. Then I went back and finished my third year of law school. **[So you actually are an economist?]** Well, I have a degree,

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## Professor Hynes

*Continued from page 2*

show up for work in November of '97. I stayed there until the summer of 2000, when I came here to prepare classes and get ready to start a career as a law professor.

**From California to Virginia? Riches to poverty. How, why?**

It's not poverty. I sometimes joke that first year associates get paid substantially more than junior law professors, but it would be a gross exaggeration to claim poverty. I was working at a good law firm; I enjoyed the practice very much... I must admit the first few months were not so wonderful, but then I found a partner I enjoyed working with, and got to do interesting transactions... everything was new. I just thought that this was a better job. I entered into my graduate work in economics with the intention of becoming an academic some day. For people who are just going to teach economics, the norm is to go straight from graduate work to teaching. The norm in legal academia is to get some practice experience, but this varies from professor to professor... I find the freedom to interact with students and the freedom to research what I want to much more rewarding than law firm life, despite the difference in compensation.

**Why teach at William & Mary?**

What made William & Mary the most attractive was mostly the quality of the students and the quality of the faculty, and my wife is a graduate of William and Mary and her folks are in Northern VA.

**Is the first year class seriously the smartest, or is this a misconception?**

[Chuckle.] The problem that you have is that your readers are not just going to be first years, but second years and third years. How do I phrase this? I would say that this first year class has impressed me... let me be careful about this. Let me just say that I am continually impressed with the quality of the student body at William & Mary. One of the worst things a professor has to do is grade exams, and when you come across exam after exam that is missing a basic point,

it reflects two things: that students may not understand, or that I didn't explain something well, but the breakdown is becoming less and less... But I don't know if I should attribute this to student differences or the fact that I may be getting better at explaining these issues than I was in the past. But it is difficult for me to tell.

**Does any theory of economics prove that Marxism is superior to capitalism?**

No.

**What is non-Procrustean bankruptcy?**

Procrustes was a mythical Greek villain who had a bed and invited all travelers to fit in the bed and legend said that it was a perfect fit for whoever slept there. But the reason it was a perfect fit was that if they were too tall, he would chop off their legs, and if they were too short, he would stretch them. So, Procrustean means that you have a one size fits all, when really it doesn't. One of the long standing criticisms of the system of debt in our country is that some wealthy people, such as Burt Reynolds, file for bankruptcy and keep a large amount of wealth, while the truly destitute don't fare nearly as well. But why do we have debt relief? The standard answer is that debt relief serves the role of insurance and different individuals purchase different levels of insurance. Therefore, my article argues that a system that offers greater debt relief to some debtors than others merely provides each debtor with the insurance that they should have purchased. However, my article also acknowledges that the justification for the inequality of debt relief relies on strong assumptions that may not hold. **(Ed. Comment: look for this in the 2004 Illinois Law Review.)**

**Do you think your students find you intimidating, friendly, or honest?**

I think I've lost the intimidating edge. During my first year of teaching, I called on a student during one of the first days of class and she refused to answer on the grounds that I was too scary. Sadly, nothing like that has happened since.

*Interview continued on page 4*

## The Rebel Yell at Yale

by Matt Gayle

No matter how short we all get on cash, time, and sanity, there is one thing law students never lack. (No, not alcohol.)

Opinions. Everybody here seems to have an opinion on everything—add politics to the mix and people get even feistier. And let's be honest, we don't always have a chance to express those opinions in Constitutional Law. Finding someone to adamantly disagree with your view of the world isn't very difficult (witness the recent gay marriage debate in *The Advocate*) but finding people to have an intelligent discussion about those views may seem impossible (again, witness the recent gay marriage debate in *The Advocate*).

For those of us with progressive leanings, this problem is solved once a year by the Rebellious Lawyering Conference. Hosted by Yale School of Law, RebLaw is in its tenth year and drew nearly 500 students this year, making it the nation's largest student-run public interest law event.

Reflective of its liberal roots, the conference registration was only \$22.50 and included optional cost-free homestay accommodations for attendees. You might also factor in the psychological cost of encountering more than one student of the "I'm so much cooler than you, I go to Yale" mentality, but even so, the conference is still a good deal.

With eleven panel discussions, four workshops, two key speakers, and a film showing, there was something at The Rebellious Lawyering Conference to interest most every liberally minded law student. Topics ranged from the HIV/AIDS crisis to Campaign Finance Reform to The Alien Tort Claims Act.

The conference's panels were oriented towards activists and focused on discussing new ways to approach and strategize familiar concerns. For example, Jill Morrison of the National

Women's Law Center spoke about using antitrust law to prevent merged Catholic hospitals from limiting a community's medical access, while Sara Sills of Pro-Choice New York suggested ways to use state and local funds to counter federal Medicaid cut-backs—both in the interest of ensuring women's access to safe and affordable reproductive healthcare.

Similarly, Martha Raimon of the Women's Prison Association advocated a feminist analysis of prosecution, which highlighted a corrupt foster care system, while Heather Barr of the Urban Justice Center spoke of the gradual transfer of the mentally ill from state hospitals to state prisons over the past two decades, both in order to propose means of reforming the justice system. Each panel was followed by a thought-provoking question-and-answer session.

Workshops were focused on how to make use of these new strategies, with themes such as "Creating a Legislative Advocacy Clinic" and "How to Win a Class Action." Conference speakers included Marianne Engelman Lado of New York Lawyers for the Public Interest and Bryan Stevenson of the Equal Justice Initiative.

The schedule was chock-full of panel discussions and workshops but there was plenty of time for more informal discussion—both during conference-organized lunches and during the obligatory evening beer-fest.

Although the entire conference was worthwhile, nothing goes better with righteous indignation than a cold beer—the evening bar events were the highlight of the weekend. Plans were hatched, friends were made, and perhaps the seeds of a revolution were sown. Much of the early history of this nation was determined over beer in New England taverns, a fact not lost on the groups of liberal lawyers-to-be sipping and strategizing in the shadow of Yale's gothic spires.

## Citizen-Lawyer Alumni Speak

by Susan Billheimer

Jeannie Dahnk ('85) and Bill Glover ('86) share more than a marriage, two young sons, three large dogs and a successful Fredericksburg law practice; this dynamic duo also share an inspiring commitment to using their law degrees to benefit their community. On Monday, February 16, they visited their alma mater to share their experiences and many pearls of wisdom with students, first over a well-catered luncheon and afterwards during Dean Reveley's Citizen Lawyers seminar.

The core of their message was a simple and important reminder that the skills and abilities that got us to and through law school, irrespective of grades, class rank, honors and activities (or lack thereof), are desperately needed in our community. "It is easy in law school to forget the *rarefied air that you breathe*," Ms. Dahnk cautioned as she urged students to utilize their law degrees in a constructive manner. As president of the Virginia State Bar Association, a board member of the Fredericksburg SPCA and the Red Cross, and a practicing attorney, Ms. Dahnk contributes

70 hours a week towards serving her community, and enjoys almost every minute of it.

At the same time, her duties overseeing the 36,000 lawyers in the Virginia Bar and her husband's experience as the chair of the State Bar's Professionalism Committee and practice assisting "fallen" lawyers have made the pair acutely aware of the many lawyers who drop out of the system and fail to utilize their legal education and natural talents. Sometimes this is due to disenchantment with the law practice, inability to successfully cope with the inevitable failures that arise, or the exercise of poor judgment. Inevitably the unhappiness quotient that leads to lawyer's failures is driven by some failure in the "work-life" balance.

The pair gave advice on how to keep things balanced. The ability to understand the *business side of the law practice* and read the balance sheets, whether one is considering branching out on one's own or becoming a partner at a large firm, empowers each lawyer to exercise sound judgment and make choices about how to best allocate one's time. Ms. Dahnk's eye is firmly planted

on the bottom line, so that the pair knows exactly what they need to clear each day and how much they can afford to spend on other pursuits. Other factors, like sharing a practice together, also grant the pair the flexibility needed to achieve their goals. Although some students expressed skepticism that billable hour requirements at big firms would allow young lawyers to devote time to such community-enriching pursuits, Ms. Dahnk and Mr. Glover emphasized the importance of "building your own paradise" in life: figuring out what makes you happy and setting out to achieve that so as to avoid the pitfalls that accompany failures in the work-life balance.

The pair revisited some of the luncheon topics during the seminar, but they also focused on some of the specific attributes of acting as a "citizen-lawyer." Mr. Glover offered a working definition of "professionalism" as an "ongoing effort to try to apply your abilities and the things you're allowed to do as a lawyer for your clients and for the people in your community who are not your clients." The concept of a lawyer as a citizen in a com-

munity sometimes means saying no to clients, or proposing long-term solutions to clients that benefit the community as well as the client's needs.

Ms. Dahnk advocated bringing more lawyers back to the state legislature, where the proportions have dropped from 2/3 to 1/3 in the past 20 years, because lawyers possess drafting skills, issue-spotting abilities and an ability to reason through conflicting sides to come to a workable solution.

Prior to the two speaking engagements, Ms. Dahnk presented the Law School with a plaque from the Virginia State Bar and the Virginia Law Foundation commemorating the founding of the first law school in America in 1779 at William & Mary. The plaque now stands to the left of the Marshall-Wythe statue at the entrance to the Law School. Both the statute and plaque serve as a fitting reminder of the long-standing tradition of the citizen-lawyer embodied by Jefferson, Wythe, and Marshall. Today, over two hundred years later, the tradition continues in alumni like Jeannie Dahnk and Bill Glover.

## An Interview with Professor Hynes

*Continued from page 3*

I hope my students don't find me intimidating, I hope they find me friendly, and I hope they find me honest.

**Do you think that you are friendly, intimidating, or honest?**

I don't think I'm intimidating. I think that the law school process can be intimidating itself. A student is called on randomly to participate on something they may or may not understand. That may be intimidating, but it's good, because that's life, you may need to think on your feet. Random calling also helps me gauge how well the students understand the concepts discussed in class. As an individual, I think that I'm generally friendly, and I really

do believe that I am honest.

**Tell me about your family.**

I am [married with children]; a son and a daughter.

**Where did you meet your wife?**

I met my wife in graduate school at Penn. My roommate introduced us. She was studying Spanish literature. She actually recently completed and published a novel in Spanish, but she unfortunately has not had that much time to write since our second child arrived.

**Memorable lecturing errors?**

If I did, I wouldn't report them... I try to block those out of my memory.

**When did you know that you**

**wanted to become a law professor?**

I was pretty sure that I wanted to become a law professor when I decided to go to law school. I had originally thought that I was going to become an economics professor, but I was really interested in why the government was regulating markets, and I was more interested in what law professors were writing as opposed to what the straight economic professors were writing.

**Anything else that you'd like to talk about?**

In the summer after my 1<sup>st</sup> law school year, I was a research assistant for a professor at Chicago, Judge Posner, and that was really interesting. The wide varieties of

tasks that he'd bring in were all interesting. There were five of us and we were full time. He would meet with us once a week and give us assignments... It was a lesson not only in intellect but in management skills. It reminds me that I need to become much more efficient in my use of research assistants. If I can write a tenth as many articles as he has, I will be a wild success. **Finally, what was your original aspiration?**

When I was three, I wanted to be Bart Starr. I don't think that I thought that far in advance. I just wanted to have fun. I probably thought that I would go into business and become part of the capitalist system oppressing the working class.

# The Detainees at Guantanamo Bay: Symposium and Moot Court Competition

by David Byassee

Not concerned with civil rights? That's ok, just don't expect to have any.

Through the efforts of the Institute of Bill of Rights Law Student Division, Marshall-Wythe School of Law served as an outlet for education and dialogue concerning a topic that has called into question America's position as an international moral leader. The symposium, directed by Amber Jannusch (2L), and 1L Moot Court tournament, administered by Arista Sims (2L), were held in the McGlothlin Courtroom on February 26, 2004. Both centered around *Rasul v. Bush*, a case currently pending before the Supreme Court.

The Supreme Court granted certiorari to hear *Rasul v. Bush* on the limited issue of whether United States courts have jurisdiction to hear habeas corpus claims raised by nonresident aliens who are not being held in U.S. territory. The D.C. Circuit held that there was no such jurisdiction.

The 1L Moot Court tournament that began several weeks past with 36 original participants concluded after superb arguments were asserted by Joshua Heslinga, for the petitioners (detainees at Guantanamo), and Jennifer Evans, for the respondents (U.S. government). Arguing before constitutional law scholars Erwin Chemerinsky, Scott Silliman, and Linda Malone, and fielding questions regarding cases that were "not part of the record" provided for the tournament, both deserve high praise. By using the opportunity as judges to ignite a flame for the fire of discussion that would follow, Chemerinsky, Silliman, and Malone asked pointed questions regarding the extent of each party's position. Namely, they asked what check would exist upon the executive's power to detain aliens outside the U.S., why isn't Guantanamo Bay United States territory, and what precedent exists for a judicial role in presumably military affairs. In the end, the judges declared a narrow victory for Jennifer Evans.

Joined by Jeffrey Walker, Senior Fellow at the Institute for International Law and Politics at Georgetown, the panel of judges was in accord in realizing the need for some sort of tribunal

for determining whether the detainees are *combatants of war* subject to the Geneva conventions or *civilians* subject to law enforcement. The distinction is critical due to the varying range of potential charges and the entitled level of process of law.

Scott Silliman, a professor from the Duke University School of Law, asserted that the D.C. Circuit got the question of jurisdiction right when it affirmed that there was no jurisdiction by applying a similar case, *Johnson v. Eisentrager*, to the present situation. In *Eisentrager*, individuals apprehended in China during the later stages of World War II were tried in military tribunals, returned to Germany where they were German citizens, and held in custody. The Supreme Court held that the United States did not have jurisdiction and petitioners' habeas corpus claims were denied. Here, Professor Silliman found support for the President's authority to detain those captured incident to an armed conflict through Article II of the U.S. Constitution.

Erwin Chemerinsky, from the University of Southern California, disagreed with Silliman and stated that the D.C. Circuit got it wrong when it denied jurisdiction to the prisoners in Guantanamo Bay, who, he pointed out, have been locked up in eight-foot-by-eight-foot cages for up to 25 months without hearing or counsel. Noting that there is a possibility that we picked up the Afghan equivalent of a pizza delivery man in the haste of war in a foreign country, Professor Chemerinsky stated that by way of the third Geneva Convention, international law requires that if there is any doubt someone is a prisoner of war they must be provided a competent tribunal. The President's contention that there is no doubt in the present situation amounts to an assertion of an unreviewable power, something the framers of our country were deeply distrustful of and something that was specifically rejected in *Marbury v. Madison*. When the executive has a duty to individuals, then there is judicial review. Next, Professor Chemerinsky pointed out that the detainees in *Eisentrager* had already been provided a tribunal and he rejected its use as an analogy to the present situation. Lastly, he argued that

Guantanamo Bay is United States territory, citing information provided on a United State Navy website describing the history of occupation in Guantanamo Bay, namely that for all practical purposes it is a United States territory and that for approximately 50 years

cable, use the same rules as federal district courts. Yet the President's military order declares that it is impracticable to apply such rules on the grounds that a danger (unspecified) exists for the safety of the United States. In addition, the Manual for Courts Martial states that military commissions are required to comply with applicable rules of international law. Here, a declaration of *national emergency* or request for exception in a *time of war* would have been sufficient for derogation, but the executive has chosen to make no such declaration-proceeding to defy established rules of international law.

Linda Malone, the Marshall-Wythe Foundation Professor of Law here at W&M, indicated that there were three simple things the United States could have done in the present situation that would have alleviated some of the criticism it is currently receiving from the international community. The first is that *prisoner of war* status should have been provided to those captured on the battlefield. The second is that a *letter of derogation* should have been filed excusing the United States from international law. The third is that the Red Cross should have been allowed into Guantanamo Bay. Professor Malone also posited that any argument regarding *self-executing* treaties and those that require ratification should be discarded as such a distinction is a judicial fabrication. Citing the historic canon of interpretation requiring good faith compliance with the law, Professor Malone expressed her fear that the United States' detentions in Guantanamo Bay were riding a fine judicial line at best.

In summation, there was a consensus among the panelists that despite great international sympathy post 9/11, the United States is backsliding from its internationally historic high moral ground. This being a mere fact is one thing, but the consequences of such an occurrence due to the precedent the United States is setting are stifling. Colonel Walker offered that one of the primary incentives for complying with international law is to ensure your own people will not be abused abroad. With that in mind, perhaps the rights of the Guantanamo Bay detainees are a little more relevant to you than you might



Jennifer Evans and Josh Heslinga

the United States has exercised the essential elements of sovereignty.

With 25 years of experience in the Air Force Judge Advocate General's office, Jeffrey Walker stated that none of the *usual suspects* with expertise in military law were part of the President's decisions regarding the detainees in Guantanamo Bay. Walker explained his belief that the President's military order of November 13, 2001, providing for a military commission and indefinite detainment of those in Guantanamo Bay, was a malignant use of military commissions, consciously subverting federal court jurisdiction in the United States. Regardless of the lack of federal jurisdiction, the Manual for Courts Martial states that military commissions should, whenever practi-

## Professor Issacharoff Visits W&M, Delivers Cutler Lecture

by Marie Siesseger

On Thursday, February 19th, Professor Samuel Issacharoff of Columbia University visited William & Mary to deliver the annual Cutler Lecture on constitutional law. Issacharoff addressed a number of topics regarding constitutional and election issues circulating both in the U.S. and abroad during the course of the day, beginning with a breakfast discussion on how to structure constitutional regimes in fractured societies and concluding with the Cutler address on "The Endangered Center in American Politics."

Issacharoff's morning remarks focused on the issue of nation-building and the reconstruction of a constitutional regime in Iraq. Beginning with the question of why the current ethnic divisions in Iraq exist at all, Issacharoff explained that this phenomenon, particular to fractured societies, is "a very simple Hobbesian story" in which individuals, thrust into Hobbes' infamous 'state of nature,' gravitate into groups which can be more and more easily protected, beginning with the family unit and ascending into clans and ethnic groups.

The existence of such entrenched societal divisions, ac-

ording to Issacharoff, requires any sort of constitutional order overlaid on the society to include a "structured restraint on the majority." Federalism, Issacharoff noted, is a significant component of creating a vital constitutional order in that it "emerges as the main form of ensuring that centralized government won't be a one-time event." By addressing the concerns of all facets of society, federalist principles can assist in creating internal stability within divided nations and lend legitimacy to fledgling governments.

Issacharoff also addressed the concerns of establishing a viable electoral system in Iraq. Invoking constitutional conventions past, Issacharoff noted that constitution-making is typically a "completely anti-democratic process," using the American Constitutional Convention as a premier illustration of this proposition. The question of how to have elections is another significant obstacle for post-war Iraq, and Issacharoff discussed a few of the options, including a simple proportional representation model and an interest-based model. Under a system of proportional representation, Issacharoff predicted that a multitude of parties would emerge,

each taking a strong position that may make post-election coalition-forming difficult and expand the current social divide. A system that gravitates towards the center and lessens the stakes of each election should be the goal in re-forming Iraq, Issacharoff said.

In response to student and faculty questions at the breakfast, Issacharoff emphasized the primacy of creating a transparent electoral system in Iraq in order to facilitate political cooperation. Noting that a repressive regime such as Saddam Hussein's inevitably results in strong ethnic identification, he said that it is imperative that everyone now think their vote counts. Issacharoff concluded his remarks by noting that "it is incumbent upon us to leave this place [Iraq] a better place than we found it."

The remarks Issacharoff presented during the afternoon Cutler Lecture had a more domestic political bent—Issacharoff examined the paradox of the American electoral system, in which voters are edging closer to the median than ever before and yet the political parties themselves are moving further towards the extremes. Using the experience of the California gubernatorial referendum

as a bookend for his discussion, Issacharoff noted the disjunction between the Framers' intent and the use of mechanisms of direct democracy like the referendum and the plebiscite. "One problem with the plebiscite is that it seems to violate the Republican Guarantee Clause," Issacharoff said. On the other hand, Issacharoff noted that direct democracy may serve to restore competitiveness to the political process and validate the preferences of the median voter.

Explaining that the confluence of the "one person, one vote" principle, a change in political strategy by the parties, and gerrymandering resulted in the parties' failure to accurately reflect voter preferences, Issacharoff noted that the conventional wisdom that centrifugal forces would push the parties closer together has virtually exploded, resulting in highly polarized parties and increasingly centrist voters. The net result of the gerrymandering process is almost wholly uncontested elections, an outcome Issacharoff deemed inherently undesirable.

Those who missed the lecture can read Professor Issacharoff's article in Volume 46 of the William & Mary Law Review.

## Candor: Reforming Law School

by R.S. Jolly

*"The most effective consolation in every misfortune and every affliction is to observe others who are more unfortunate than we: and everyone can do this. But what does that say for the condition of the whole?"* — Arthur Schopenhauer

Last semester, when Marshall-Wythe treated its entering students to a compulsory lecture on drug abuse, melancholia, and suicide among lawyers, many well-intentioned lawyers sang the praises of reactive approaches to wellness: "Avail yourself of our counseling center when you feel overwhelmed," they seemed to say. "Talk to us when your preoccupation with exams, employers, and debt kills your solicitude for friendship or at least sobriety."

While said lawyers scored points for good motives, they failed to see or say that law school is part of the problem.

A proactive approach to wellness requires a willingness among faculty to question their allegiance to tradition. Last semester, a Marshall-Wythe professor reportedly told his first-year students that they would have to endure considerable stress because their predecessors did the same. This approach to justification reminds me of the Etoro people of Papua New Guinea, who believed that boys could not become men unless they acted as multiple-entry receptacles for semen. If tradition as such conquers all doubt, as the professor suggests, then we should abandon all commentary about the moral shortcomings of Etoro insemination and other

time-honored practices, such as the caste system.

It would be unfair to equate law school stressors with the plight of Etoro boys and Indian untouchables; after all, it is far worse to sodomize unsuspecting children or oppress innocents than it is to charge mortgage-sized tuition for a degree in workaholic sophistry. Even still, one should be forgiven for challenging conventionality. With that in mind, I offer the following questions to Marshall-Wythe faculty who read this rag:

I can learn about law and policy by reading casebooks and treatises; why should I attend class if class often amounts to a disjointed reading comprehension contest which adds nothing to my comprehension of law and policy? In fact, if I can learn about law and policy by read-

ing casebooks and treatises, why should I attend law school at all?

It is stressful enough to have to worry about passing the bar examination, finding employment, paying off unreasonably massive loans, and/or avoiding familial dysfunction. So why not assess students on a pass/fail basis? I concede that the Brahmins among legal employers need multiple ways to narrow their candidate pool and that grades help them achieve this purpose; why not allow students with aristocratic ambitions to opt for grades?

I've noticed that professors often have no idea what other classes their students are taking. One wonders: Is there any coordination among faculty with respect to delivery of legal education? What are you, as a group, trying to accomplish?

THE ADVOCATE

## Signs That You're Finding Spring Semester A Little Too Stressful

by Adrienne Griffin

Now that spring break is almost here, I've noticed that many students have already fallen into full-stress-mode. If you've been worried about your friends, roommates, or even yourself, I offer these signs for recognizing when you or someone you know is stressed out.

**You find that you are jealous of your pet.** Come on, admit it. You've found yourself gazing at your cat/dog/fish/canary/guineapig thinking "boy that animal has a nice life. Nothing but eating, sleeping, and chasing that fake mouse/stick/lollipop (don't ask) across the living room on occasion." Some may counter that the pet's life is actually pretty boring, but if you find yourself wishing you could do a "Freaky Friday" with Fido, you're probably severely stressed.

**You develop a monomaniacal devotion to tasks that are not really relevant to school.** This is a symptom of denial and displacement. You may really want to do your Con Law reading, but find instead that you *must* clean your entire apartment first. (Note: this is not my particular symptom of stress, as anyone who has seen my room well knows). Or you decide you really ought to complete your collection of saucepans/shoes/Sopranos DVDs before you can do anything else. I think this symptom is begging you to take a study break. So go ahead, do something unrelated to school for a change, but if you find yourself thinking "if only I could read the entire phonebook, then I'd be ready to read for Sales," please re-consider the nature of that break.

**You say these words: "I really just don't have time to watch TV."** I've heard a lot of you out there say this. But if you really try, you can get your daily allotment of TV-induced fun. How can you swear off TV when the Oscars are on or when Larissa is about to choose her man on *Average Joe*? Of course by the time you read this, you'll already know whether Bill Murray has erased from our

memories his performances in films like *Ghostbusters* and *Stripes* (perish the thought!) by winning the Oscar for *Lost in Translation*. And you'll know whether Brian Worth, America's favorite Homeland Security auditor, is feeling "awesome" after beating out Gil the "hunk." (Note: I couldn't figure out how to spell "awesome" in a Boston accent, but if you've seen the show, you'll be able to hear it in your mind). So the moral of the story is: don't abandon the television; a little mindless entertainment can help you turn off your brain and actually sleep at night.

**Speaking of sleep, another symptom of stress is: you've had a dream about sleeping.** This actually happened to me a few weeks ago. Just think about this for a moment: while I was sleeping, I dreamt I was sleeping. It's like you're looking into a picture of a person looking at a picture . . . oh dear, more stress! In my dream I woke up in a bed that was outside and all these people were standing around me. Then a kid said "boy, lady, you must have been really tired to sleep three days out here." And then I woke up, strangely unrefreshed. Sleep is very important. I recently read in *Newsweek* that sleep may actually be a part of the way your brain stores information. So getting enough rest can make up for some of the time you spent earlier on that study break!

**You develop paranoid fears related to the law.** Will that letter I wrote to my mom be treated like a holographic will if I don't survive the semester? Does my bad driving amount to negligent infliction of emotional distress? When I was selling desserts at the PSF Bake Sale last week did I create an implied warranty of merchantability? If this is your symptom, I can only advise: relax, the answer to these questions is almost assuredly no (especially that last one).

And to everyone who may be stressed: spring break is almost here - enjoy!!

## Moot Court Team Enjoys Continued Success

Congratulations to Adrienne Griffin, Kate Goff, and Phil Chapman who advanced to the semifinals at the Catholic University Telecommunications Tournament last weekend.

Adrienne Griffin also won Best Overall Oralist at the competition.

Further congratulations goes out to Claire Maddox, Jen Maki, and Elsa Nethercott for advancing to the quarterfinals at the American University First Amendment Tournament last weekend.

And last, but certainly not least, congratulations to Chris Clements, Derek Degross, and Rob Driessen for narrowly missing a clean sweep of the George Mason Tournament this weekend. The team won best brief, Chris Clements won best oralist and the team was 1st runner-up after the panel decided 2-1 in favor of Illinois in the final round.

-Reported by Kevin Duffan

Get yourself a  
date!  
(for once)

PSF Date Auction  
March 19, 8:30-12:30  
Tidewater A & B in the  
University Center



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

by Jeff Spann

West Virginia,  
Effort to protect kiddies,  
End the tongue splitting.

(It seems that those wacky Appalachians have taken a fondness to bedeviled self-expression and the state leaders are looking into putting an end to all the fun. Citing a significant risk of permanent speech impediment, the concerned delegates are hoping to create a law that would limit tongue splitting to "medically necessary procedures performed by physicians." Medically necessary? Setting that aside, we at the House of Haiku feel that if West Virginian delegates were truly concerned about permanent speech impediments they might focus their attention on a slightly more well established Appalachian hallmark.)

Shock-jock, Howard Stern,  
Suspended by Clear Channel,  
Boob-gate spillover?

(Last week, Clear Channel Communications, a broadcast company that carries Stern's show in several U.S. markets, suspended the controversial radio personality after a discussion deemed "vulgar, offensive, and insulting ... to anyone with a sense of common decency." Stern, never known to take the high road, blames the suspension on Janet Jackson's now-infamous wardrobe malfunction, which he claims is resulting in a veritable witch-hunt for any hint of sexually explicit on-air content. One Super Bowl boob, a few gay marriages in San Fran, a little Stern on anal sex, and the good money says we're about one more installment of MTV's Spring Break away from C-Span on every channel, 24-7. Too bad they only have one camera.)

Insurance king pin,  
Calls some lawyers terrorists,  
Speaks for tort reform.

(The head of AIG, the world's largest insurer, likened lawyers opposed to tort reform to terrorists and said class action law suits are a societal blight. Is it just me, or is the terrorist label being thrown around a little too casually these days? Just last week Rod Paige, the U.S. Education secretary told a meeting of state governors that the nation's largest teachers' union is a terrorist organization. It's only a matter of time before someone slaps the terrorist label on the Haitian rebels or the Irish Republican Army. This terrorist finger pointing is simply getting out of hand. George Wythe was a terrorist. You're learning to be a terrorist. Mercy.)

New formal study,  
Reveals connection between,  
Old age and crashes.

(File this under the category, "Dude, I forgot how to drive my car." The study, conducted by AAA, revealed that the ability to drive safely diminished with motor skills. AAA states that drivers over age 85 are four times more likely to die in an auto-accident than middle-age drivers. Elderly drivers are also much more likely to mistake the accelerator for the brake. AAA recommends certain alterations to cars driven by the aged, such as larger mirrors and instrument panels that are easier to read. In addition, why not require annual driving assessments after a certain age? A prohibition on left turns? Rubber cars?)

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The Advocate is looking for senior editors for next year. If you are interested, please contact Shannon Hadeed at slshade@wm.edu

## Angel @ Law

by Shannon Hadeed

Dear God,

I have finally figured out what this place is really about. It is a fanatic cult dedicated to an elusive and all powerful entity called: LAW. Just think about it; it has all the tell tale signs of a cult. People who are in law school or the legal field try to recruit others to join. In order to join, they have to pay a small fee. After they have been accepted into the cult's initiation process (i.e. Law School) they are asked to pay an even larger fee. Every year they get deeper into debt, maintaining their place in the church of the LAW and making it so that they can never, ever leave except by faking their own death. (Student loans from the government cannot be escaped by any other means.)

The first year is the hardest; the recent initiates must pass through a series of tests in order to continue. The first series include teachings from the scripture of property, contracts, civil procedure, and torts. At the end of four months, they are required to pass a test for which the priests will grade their love of LAW and give them love marks. The more time they dedicate to LAW, the more Saturdays their car spends parked in front of the library, the more of themselves they sacrifice in the name of the LAW (i.e. break up with their partners, get rid of their dog), the greater their love.

Do you see what I mean? After the first year of breaking you down with stress; lack of sleep; bad food; zero exercise; and the uncertainty of whether or not you are actually learning anything, they build you back up to fit the image they are trying to promote: a corporate lawyer, one with the LAW. Or, in the alternative, a lawyer with a cause (which of course they are better at defending than anyone else). The Zen lawyer. It's kinda scary. The structure of the cult is nothing short of genius. Check it out-

*The Professors:* These are priests masquerading as teachers. Yes, they are labeled teachers, but in reality very few of them have any teaching credentials at all. Very sus-

picious. No one knows why these people are considered the experts, or what all the initials after their last names stand for, but questioning their authority is prohibited. To become a priest, they all held high ranking positions in the cult for a period of time before they were allowed to begin the brain washing of initiates. They serve as interpreters for the scripture (i.e. case law) and the Ten Commandments, or as they call it, the Constitution. What they say about LAW is the truth, and no other interpretations will be acknowledged. Your love marks will be docked if your interpretation of LAW scriptures differs from theirs.

There is a great deal of voodoo magic and hokus pocus involved in "teaching" LAW. Think about Con law for a moment. What drug induced state of enlightenment brought the words of "strict scrutiny" to jump out at professors? Or really, the whole supposed different levels of scrutiny? Why do they all look alike to non-cult members and first years? And how about Civil Procedure? What vision bore the Erie Doctrine? I am certain that one of these days, in one of my classes, the power point presentation will fail, the smoke and mirrors will fall, and a little man with a microphone will be revealed standing on top of the podium, ala the Wizard of Oz.

*The GPA:* This has been reversed to cover its real meaning: A Proven Genuflector. (Although I like to think of them as love marks.) It's a measure of your ability to be molded. If you are not conforming, this mark can and will be used against you in further hazing techniques.

*The Nine Wise People:* The LAW cult places nine people in a place of honor, and they are the speakers for LAW. I think they are like the tribe's elders, or the three wise men or something. But at the same time, they represent the different faces of LAW, so they are more like the deities of Hinduism.

As far as I can tell, Rehnquist and Scalia are the stern face of LAW, as they represent a harsher side, a meaner, rigid and intoler-



ant LAW. Thomas is the silent side of this vengeful LAW. These three, if they were on your team, Lord, would have wanted to help you back in the good old days of smiting, flooding, and burning evil doers. Ginsberg, Breyer, Souter and Stevens are more new-school; they represent the tolerant, forgiving, and embracing nature of LAW. If they worked for you Lord, they would allow sinners to repent by just singing a few Kumbayas. O'Conner and Kennedy provide the balance to LAW. They give hope and faith to the followers of LAW. They provide miracles to the worshipers of LAW.

*The Firm:* This, as far as I can tell, is the mother ship that picks you up at the end of Law School and whisks you off to a better place. The only difference is instead of blue Nikes and jump suits, you need to be wearing leather shoes and a dark suit. Partners apparently are the operators of the ship, and if you get in good with one of them they will let you aboard even if you didn't have enough love for LAW. If you receive high enough love marks, then you win a seat on the ship. If

not, you are relegated to a lesser position here on earth in a government job, clerkship or something. If your marks were abysmal, you are kicked out of the cult to lead the dreaded non-legal life where you will no longer be allowed to touch the sanctity and glory of LAW.

The people involved in this cult seem to think LAW can fulfill their every earthly desire. They are taught as part of their three year initiation the following Seven Heavenly Virtues:

**Pride:** In order to succeed you must have pride, and an excessive belief in your own abilities. Yes, you are better than everyone else, and make it known.

**Envy:** You must desire others' traits, status, abilities, or situation. You have to be hungry in the pursuit of the LAW if you want to be received into the hallowed and glittering halls of a FIRM.

**Gluttony:** An inordinate desire to consume more than one requires. The message here: consume, consume, consume. There is never too much of a good thing. Buy things, make money. Then make more

*continued on pg. 10*

"Angel" from page 9

money and buy more things.

**Lust:** An inordinate craving for the pleasures of the body. This is why lawyers drink too much, eat too much, and get divorced too much.

**Anger:** You must hate the competition, hate those other students, and hate opposing counsel. If you don't, you will lose.

**Greed:** You must desire for material wealth or gain, and ignore the realm of the spiritual. In fact, aside from your pursuit for material wealth, you should really just ignore everything. After all, you can spend plenty of time with your loved ones after you have worked your life away and are retired/ and or dead.

**Sloth:** The avoidance of physical or spiritual work. Well, hey, it's hard to work out or spend time thinking about your morality when you are busy in the library or behind a desk at the FIRM.

The seven deadly sins of LAW:

**Procrastination:** If you wait, you will lose. Many people find this the hardest sin to avoid. Do not give in to temptation, be strong. Start working on that project right now. What are you waiting for? I said GO!

**Balance:** There is no balance allowed in LAW. It is the LAW or nothing. You are not allowed to have a life. No working out, no family, no friends (unless they are part of your cult sect), and certainly no fun outside of cult meetings. No activities outside the LAW. No biking, no singing, no sports, nothing.

**Non-participation or Indifference:** This is not allowed; you must care about your position in the cult, you must join, join, join everything: a club, moot court, a journal, whatever you can get into. The goal is to dedicate more time to the worship of LAW. It increases your chances of being picked up by the mother ship.

**Creativity:** Do not try to think for yourself. Let the priests or the mother ship pilots tell you what to do and how to do it. Do not try to create anything that you are not directed to do. This includes anything outside the LAW.

**Sobriety:** Drinking is a fundamental part of the cult. Sobriety is not allowed. In fact, if you haven't had a drink yet today you can start right now. Remember, it's always after

10:00 am somewhere.

**Humility:** Really, humility, unless of course it's feigned, will get you nowhere in the cult of LAW. How would you even write a cover letter? Just forget about it. Think ME. ME ME ME. Practice this mantra at home: "I am the best. Better than all the rest. Nah, nah, nah, nah, nah."

**Non-competitiveness:** Who recruited you if you are non-competitive? How did you get here? Start now. You must have higher love marks than everybody else. Try some sabotage. Take the air out of their tires if their car is at the law school longer than yours. Destroy a memo or two. And always, always gossip and back-stab.

The worst part of being surrounded everyday by fanatics is that if you let them know that you are not a believer, they will try to convert you. Everywhere you go, they will try to convince you that the mother ship is coming to take them to a better place and that you, too, could come if only you wanted to. They check the parking lot to see if your car was parked outside long enough. They ask you about your grades, your sacrifices. They watch you for any sign of weakness, any break in your belief that there is more to life than LAW. Then, they swoop in for the kill, and before you know it you are stuck in a small spaceship chained to a desk cranking out memos.

I am tired of being manipulated. I will not become one of THEM. And further, I refuse to feel bad about it. I would like to free my fellow classmates with the truth, but I am afraid they are too far gone. So, I have decided to keep my secret. I leave my car in the parking lot 24 hours a day, and now use my bike. I re-park the car to make it appear as though I still use it. I have placed my name on all of the club lists at the first meeting and then use the LAW end-all-be-all excuse for missing meetings "I didn't have the time." I turned in a one-page essay entry regarding life as an amoeba for the moot court competition and conveniently acquired a lisp for the day. I meet my friends, and we pretend to study together to avoid suspicions of non-cult related fun. I also lament loudly my lack of a secured position on the mother ship and state that I am sending out hundreds of resumes per day. Meanwhile, I have secret

plans to get out of this crazy maniacal dump and disappear forever into the bliss of non-legal life. So far I don't think anyone has caught on. I'm safe for now.

Please God, get me out of here before it is too late.

Desperate,  
Al.

P.S. For those of you who don't know or don't remember, this column is based on the plights of an Angel who was sent down to law school as punishment. He will only be allowed back into heaven at the end of three years if he manages to maintain his morality, sanity, and integrity.

## Democratic Primaries: What Happened?

by Nick Heydenrych

Despite the lessons of the Gore campaign, we somehow ended up with John Kerry. The party faithful have yet again stacked all their chips on "electability," which apparently means the candidate who stands for as little as possible. Sadly, in the rush towards finding the most centrist candidate, it seems no one has stopped to ask "Is John Kerry progressive enough to inspire the Democratic grass roots? Or anybody?"

Kerry apologists like *The Nation's* David Corn concede that Kerry is not the perfect candidate. Corn acknowledges that Kerry, like George Bush, is a member of Yale's cryptic Skull and Bones society, and that Kerry supported NAFTA, the WTO, and other questionable trade pacts. And that he voted for Bush's Iraq war.

In response, Corn and other Kerry loyalists uphold Kerry's senate voting record as evidence of his credibility as a Democrat. Corn argues that Kerry has voted consistently in favor of "abortion rights and environmental policies," and (gasp) opposed the Bush tax cuts. He points to liberal causes where Kerry has "lent support." And let's not forget, Kerry is not George Bush. You don't want George Bush to win, do you?

None of this does anything to make Kerry a credible Democrat. "Lending support" is Washington talk for pandering to an audience while knowing the legislation they support will never pass. It's merely posturing. If you really want to know what type of Democrat

Kerry is, take a look at how many of the bills he "supported" made it into law - six. That's right, six bills over a 19-year career.

According to the Boston Globe's Derrick Jackson, Kerry has built a career lining his pockets with corporate donations. For one, he has cozy relationships with huge media companies such as Viacom. Jackson argues that in return for campaign donations, Kerry helped telecom lobbyists control the timing of airwave auctions and voted for telecom deregulation in 1996. This fact becomes particularly interesting when you consider that shortly after Dean announced he opposed media conglomeration, Kerry became the media-anointed front-runner, even before any votes were cast and despite polls to the contrary. Perhaps the Kerry-Big Media alliance had something to do the distinct anti-Dean media bias later discovered by the non-partisan Center for Media Research and Public Affairs.

There is a larger problem at issue here - the lack of a positive message. The problem is not just isolated to Kerry - it's endemic in the entire Democratic Party. Just as Kerry implicitly sends the message "Vote for me - I am not George Bush," the Democrats send the message, "Vote for our party - We are not Republicans." Only time will tell whether the public finds this message compelling. Personally, I believe Franklin D. Roosevelt said it best: "When given the choice between a Republican and a Democrat who acts like a Republican, voters will chose the Republican every time."

THE ADVOCATE

## The Triplets of Belleville

by Nicole Ayn Travers

Most of you aren't going to see this film.

I'm writing this review for anyone who believes that the details are more important than the big picture. That beauty can be found in the grotesque. That you can play music with a newspaper, a vacuum cleaner, a refrigerator, and an old bicycle wheel. And most importantly, that a film can satisfy without the use of dialogue, or even a discernable plot.

You know who you are, people. Get into your car right now and drive to Hampton Roads before they stop screening this film.

*The Triplets of Belleville* is writer-director Sylvain Chomet's first feature and is less a movie than a work of art. The visuals are stunning, alternating between Chomet's hand-drawn animation and Peter Van Hout's 3-D CGI. Everything in this film is fantastically out of proportion, a gritty wonderland where skyscrapers clustered together look like castles,

houses are pushed to a diagonal to accommodate elevated train tracks, and cars are so top-heavy that they can flip over backwards while driving up steep hills.

But "stunning" does not by any means mean "pretty." In fact, aside from a few landscapes, most of the visuals in the film run from the odd-looking to the downright disgusting. This is no Disney film with Barbie-shaped heroines and oddly adorable wild animals. Its characters are all malformed in some way—either huge with distended rolls of fat bulging from under their too-tight clothing, or so thin they cannot support their own body weight. Even the "star athlete" of the film, bicyclist Champion, grows from a rotund little boy to a question mark-shaped man with thigh and calf muscles so huge that they must be massaged with an egg beater and a push mower.

The three cabaret singers morph from Betty Boop cute to grizzled toothless old hags, and the unlikely heroine stomps around on a club foot. It's actually rather re-

freshing after *Finding Nemo* to see characters with abnormal physical features who don't feel the need to beat the audience over the head with proof that they can do things just like everyone else. (Don't get me wrong, I love *Nemo*, but even it falls prey to the Disney insipidity that plagues children's films nowadays.) One of the funniest scenes in the film involves the old lady beating a bucktoothed boy scout for trying to help her cross the street.

The story features Madame Souza, a tenacious granny who is raising her grandson Champion. Champion is a roly-poly young lad with a perpetual frown and bleak, dead eyes. What could possibly make him happy? A puppy? Bruno, Champion's dog, only sits with him on the bed echoing his sighs. But finally a present comes which elicits a smile—a new tricycle. Flash forward about ten years in the future. Bruno is a morbidly obese hound, tottering on spindly legs, passing the time by barking incessantly at the train which runs about a foot from Champion's bedroom window. Madame Souza is



Madame Souza and Bruno watch the Tour de France

as lively as ever, and now she is training young Champion for the Tour de France. But on the big day, Champion is kidnapped from the race and is taken, along with two other cyclists, to the giant city of Belleville.

Souza, with only her quick wit and trusty dog to help her, travels to Belleville to save her grandson. But she has no money, and the gigantic, flabby residents of the city (wearing tiny T-Shirts proclaiming "I LUV BIG") are of no help. Late one night, however, she meets three ancient cabaret singers, who take her in and

Continued on pg. 12

## Starsky & Hutch: Cheap but Easy

by Jon Garlough

In his newest offering, director Todd Phillips responds to the financial success of *Old School* in true Hollywood fashion; he applies the same formula (cast three of the funniest comedic actors working today + a can't-miss comedic premise = hilarity) to a television show remake. The result is *Starsky & Hutch*, an uneven comedy that surrounds its few moments of inspired humor with flat, easy laughs.

Landing in, and lampooning, the buddy-cop genre, *Starsky & Hutch* matches the intense, overzealous Starsky (Ben Stiller) with Hutch (Owen Wilson), a detective whose ties to Bay City's criminals while going undercover are too close for his sergeant's (Fred Williamson) taste. Paired together, and later predictably thrown off the case, by the sergeant, Starsky and Hutch investigate suspected baddie

(Vince Vaughn) and his possible connection to an impending drug sale in Bay City. When in need of information, the detectives turn to their loyal neighborhood informant Huggy Bear (Snoop Dogg). It's clear from the outset, however, that the audience shouldn't concern itself too much with sticky plot details (such as, what exactly does Huggy Bear do?). In *Starsky & Hutch*, the jokes are the thing.

Like *Old School*, the success of *Starsky and Hutch* depends on the chemistry between its comedic leads Stiller and Wilson. If there was any doubt after *Meet the Parents*, *Zoolander*, and *The Royal Tenenbaums*, the duo's latest effort makes it clear that Wilson and Stiller should never appear in movies without the other (for purposes of proof—rather than entertainment—see *The Big Bounce* and *Duplex*). And in the moments in which the film allows the two actors to play off each other, contrasting Stiller's

uber-intensity with Wilson's casual, not-as-deep-in-thought-as-he-looks delivery, *Starsky* shines.

The film fails when it tries to get cheap laughs by playing off the 1970's setting of the film. After *I'm Gonna Git You Sucka* and *That 70's Show*, among others, jokes at the expense of 1970's fashion have become tired and *Starsky's* pokes at gold chains, chest hair, and disco seem trite and generate little more than flat laughs. In fact, a disco dancing scene between Stiller's Starsky and a competitor brings to mind the "walk-off" competition between Stiller and Wilson in *Zoolander* more quickly than the disco scenes of *Saturday Night Fever*. Unfortunately, the one truly funny 70's homage, in which the stars dress like Peter Fonda and Dennis Hopper in *Easy Rider*, generated little laughs among the teenage crowd at a recent screening.

Yet, surprisingly, as *Starsky*

progresses and the 70's jokes take a back seat to the stars and the story, the jokes generate deeper laughs. The detectives' investigation leads them to a charity event where the anticipated drug sale is to transpire, thus providing another excuse for the detectives to don costumes. The charity event sequence is among the film's funniest and Stiller is a revelation here. His costumed character allows him to break out of his familiar, too-nervous persona and Stiller responds with his funniest scenes since the "car wash" scene in *Zoolander*.

As the hilarious charity scene and subsequent chase wrap up, you may forgive and forget the earlier attempts at cheap 70's humor and leave *Starsky & Hutch* happy. But the film cannot help itself from tacking on some unnecessary, easily-anticipated cameo appearances. And then you are reminded of the earlier easy jokes and flat laughs and all is not forgiven.

*Triplets from pg. 11*

help her rescue Champion.

That's pretty much it as far as plot goes. But the genius of the film lies in Chomet's attention to the tiny details that comprise the lives of his characters. Bruno in particular gets star treatment, as Chomet chronicles his daily activities of barking at trains, running down the stairs to wait for Champion to come home, running up the stairs to bark at another train, and running back down again. When Champion does come home, Bruno jumps with excitement, because he knows he will get Champion's leftover dinner. (In fact, if Bruno's barks are counted as dialogue, he gets more lines than anyone else.) At night, he dreams of his food dish, and of trains. If nothing else, this film probably chronicles the life of a dog more accurately than any other in history.

The entire movie is devoid of dialogue. There are maybe three full sentences spoken which can be deciphered and understood (but when they are in French,

there are no subtitles). Even the songs are a hodgepodge of English and French words, which seem to have no relation to each other except that they occur in the same piece of music. However, the film's audio features are as inventive as its visuals. Souza repairs her grandson's bicycle wheels with a tuning fork, and later uses one as a xylophone to accompany the title characters' cabaret act. The rest of the music for the act is played with household items which, when not in use, are cooed over and patted by the triplets. All the songs in the film are infectious and will leave fans of hot jazz humming as they exit the theater.

*The Triplets of Belleville* is certainly not a movie for everyone. If you have even the slightest idea that the film could appeal to some of your artistic sensibilities, however, please go see it. Some of the scenes will confuse you, and some will have you squirming in your seat; but the whole will astound you and hopefully put a smile on your face.

Congratulations to the winning teams of the well-attended in-house Representation in Mediation Tournament!

1st Place: Carlos Alarcon  
Heather Johnson

2nd Place: Geneva Perry  
Michael Lockaby

Best wishes to both teams, who will represent William & Mary at the Regional Representation in Mediation Tournament on March 5-6.



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**11:00 AM - 3:30 PM**

**Mexican Night every**  
**Monday**

**Wednesdays:**  
**\$4 Sandwiches**  
**after 9:00 PM**

**Talk to the Leafe about your**  
**Commencement Party needs!**