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## HAIL TO THE CHIEF!

### A MESSAGE FROM YOUR PRESIDENT



I would like to take this opportunity to thank you for electing me your new SBA President for the 2003-2004 year. It was a close election and every vote counted. I would like to thank the student organizations who endorsed my candidacy: The National Italian American Bar Association, The Irish Law Students Association, DeNovo, The Corporate & Business Law Society, The Latino Law Students Association, Amnesty International, The Criminal Law Society, & The Unemployment Action Center.

I ran this campaign on a platform to make the SBA more accessible to the Student Body, and to use the SBA to help increase the

status & ranking of New York Law School. I hope to accomplish these goals with the help my new executive board and newly elected Senate. However, in addition to them, I look forward to hearing the ideas, and concerns from the entire student body. Anyone who wants to speak with me should feel free to do so.

Thank you all once again, and congratulations to everyone else who was elected. Good luck on your upcoming finals, have a great summer, and I will see you in the fall.

Yours truly,  
Brian J. Kaszuba  
SBA President

## THE NEW STUDENT GOVERNMENT

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## ANOTHER UNSATISFIED CUSTOMER

(THE WRITING PROGRAM)

A FIRST-YEAR STUDENT'S PERSPECTIVE

Fortunately for me I woke up early, took the 7:00am train into the city, and just made it to my Legal Writing Class by 9:15 am. Had I slept a minute longer I might have missed out on some crucial guidance in the most important of law school courses. Who in their right mind would want to miss the verbatim recitation of "the bible", The Lawyer's Craft. I suppose I couldn't possibly have understood the material the first time I read the chapter so NYLS has so graciously hired the busiest practicing attorney to come re-read the book for me at 9:00 in the morning twice every week. Surprisingly this is exactly the way I anticipated my tuition money would be put to such good use. Yeah Right!!

The writing program at NYLS is nothing more than a group of individuals relishing in the undeserved success of their own work. It is run by a group of people who are more concerned with their own economic benefit rather than educating/guiding students in this important aspect of the legal profession. As a first year student I cannot help but feel cheated by the writing program. "The Bible", which is the required text for all first year writing courses, is a horrendous resource for legal writing. It is a book I would have "maybe" expected to be given while in a high school writing class. Its use at that level would probably be giving it too much credit. Using examples from the book resulted in the "professor" taking points off one's paper. The very people that are hired and required to teach from this elementary resource concede that it is poorly written and would undoubtedly never be used in the "real world" as any sort of legal reference material. To point out a few instances, examples in the book do not have parallel citations the in a brief's table of authorities and yet the professor mentions this after grading our papers. The book also says a table of contents is necessary for reply briefs when our professors tell us that we are not to include one. Following the book's colloquial and simplistic style is also considered erroneous. The list goes on and on. How are first year students supposed to rely on such defects and inconsistencies from a book that is expected to provide the foundation of an essential skill required for the legal profession? Do other schools actually assign this book to their first year students? I sure hope not. To put it simply, this book is garbage and first year students at NYLS are forced to purchase it at whopping \$60 a pop. Luckily for the writers of "the bible" the school's entering class this year had 200 more people enrolling than predicted. This must be a good year for the 4 out of the 5 authors of this book, who just happen to be NYLS faculty members. I'm sure they made a pretty penny off of all of the 1L guinea pigs who couldn't possibly know what's good for them. Fortunately for the few students that actually care about being good legal writers there are actually, (conveniently for the authors of the lawyers craft), a limited number of other books in the library that make for MUCH better legal writing textbooks. Students might expect that those charged with running the legal writing program would do their research in finding better textbooks, but why the hell would they do away with their guaranteed yearly revenue from their own work. How would the authors justify their efforts if they couldn't force the students to buy their book? As a student I should be able to use the examples found in my textbook without wondering whether points will be taken off. In addition, if this book is the "PQ" resource I am forced to use, I shouldn't have to waste my time seeking out BETTER textbooks because the one that was issued is virtually useless.

It becomes apparent that no thought was put into the first year writing courses. The student and their legitimate concerns seem to have been the program's last priority. If legal writing is such an important aspect of the legal profession, why is it that these courses are poorly taught so inconsistently by people who ARE NOT, themselves, professors. Just because a lawyer, established in the legal profession, is bored with his life does not necessarily make him fit for being a writing professor. A monkey can re-read and cite erroneous examples from a book he does not agree with. Labeling those that "teach" legal writing at NYLS "professors" does an enormous injustice to the excellent "legitimate" professors who actually give their students something worthwhile. My writing "professor" has admitted that the people running the writing program never read a single one of his briefs, and yet he's now teaching and is expected to endorse their methods outlined in their own book. How are they to know whether his methods are correct? How are we to learn from a book the "professor" does not agree with and from a lawyer whose only experience in writing briefs were from the ones he

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## EASTER RAMBLINGS

We are almost at the end of another semester. Although I intend on returning for CLE classes if possible, that's it for me. (No doubt, I plan on being a good alumnus). The three years are finally about to run. However, reality has started to kick in.

Summer is fast approaching. Many of us have yet to find positions - summer and permanent. If you are a 3L you are thinking BarBri, PMBR, Pieper and the BAR. If you are a 1L, you might want to just take this summer off and enjoy it. It might be your last summer off for a very long time.

Then of course there are the exams in May. Yes, they too are around the corner.

We have a new SBA President, Brian Kaszuba who has great ideas. I wish him and the rest of the newly elected SBA well. I hope the incoming SBA will succeed in getting students more involved in the NYLS community.

In the recent Newsweek law school rankings, NYLS is again in the third tier but the future looks bright and everyone including current students, faculty, alumni and those who wish us well are working together to change that. It has been said that starting with this year's incoming class, the average GPA and LSAT will be much higher. (Luckily I applied three years ago).

Those who are much older will remember that sometime ago, it was a now New York first tier school that was considered a safe school. Obviously things changed. Together we can turn our rankings around.

Also, much has happened in politics and the legal world. The U.S.-led coalition of the willing has freed the Iraqis and Operation Freedom Iraq might soon end. The irony is that a President who before taking office and for the first half of his presidency was against nation building finds himself doing just that.

On the legal front, the U.S. Supreme Court heard arguments dealing with privacy and race. These decisions will affect us all and no doubt the effects will be far reaching. Undeniably, there is much to be accomplished in these areas.

Some people who are for affirmative action believe that it is necessary either for remedial purposes or for diversity. Others are against affirmative action because they see it as one group getting unearned preferential treatment at the expense of the other. Frankly, I do not even know where I stand.

As for the privacy issue, the Supreme Court now has the opportunity to correctly decide what they should have decided some years ago when Justice Powell voted with the majority giving us the holding of *Bowers v.*

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## ISN'T EVERYBODY "PRO PEACE"?

America is at war, and I think it is so ridiculous that people classify those who support the war as "pro-war". The term in and of itself is asinine. Who in their right mind is for war? No one! But sometimes war is necessary, and this happens to be one of those times. It's not that those of us who support the war are against peace, because we all want peace. But when you are dealing with a madman, there is no hope for a peaceful resolution. The sad part is the Iraqi people would like to live in peace as well, but as long as Saddam Hussein is in power they will never experience it. Do all of you who are "pro-peace" (another asinine term because again - who doesn't want peace?) know what the Iraqi people deal with every day of their lives? The thing that puzzles me is that the war protesters claim they support the troops. Well how exactly do they support the troops, when they protest in the streets against everything they are risking their lives to fight for? When the military men and women see Americans vomiting and lying down in the streets of all major cities do you think that makes them say: "wow, I'm so glad those people support us!" I doubt it very much. The soldiers that are fighting this war, and all those who served before them gave these protesters the right to say and do whatever they want against this nation. But it seems the protesters fail to realize that. What I would really like to know is what purpose they are serving now? I can see protesting before the war began, but now that we are at war the demonstrations do nothing but bring division among the nation. Cities around the country are spending millions of dollars on security to keep their citizens safe, not to direct traffic because protesters are lying in the street. Don't you people see that you aren't helping anything by protesting? If you want to help, do something by writing a letter to Congress or other government officials. That way you make the point that you don't agree with the war, without giving the troops a sense that you are not supporting them. Look at the damage that occurred at the time of Viet Nam when our troops were not supported at home. You may think you are doing a good thing, but you are not. You are causing chaos, bringing disunity to our nation and beating a dead horse. Everyone wants peace. By fighting this war we are bringing peace to a nation that has been ruled by one of the most evil men that ever lived, for the last 20 years. When you are protesting, think about the Iraqi people— if they even thought about speaking out against their government they would be put to death. If you want to help and support the troops, try sending a care package to them. Stop protesting in the streets because it is obviously not doing one bit of good.



## WHERE IS THE INSPIRATION?

Sometime on interviews you get asked, "What is your biggest weakness?" It's a good question actually probably one of the better ones that the other side is bound to ask. Law school requires a lot of self examination into matters of all kinds: time management, study habits, break time activities, future life as a lawyer, area/s of specialization and shortcomings just to name a few. Socrates said the unexamined life is not worth living, and I think he is right. So, as it turns out I often think how I have and how I would answer that question. My goal would be to be as honest as possible, but at the same time try to salvage any chance if getting the job. The treasure trove of weaknesses that I can come up with is rather overwhelming. I am not detail oriented (although getting better), I can be very disorganized, I am bad speller, I tend to speed, I don't have great hair and will lose the rest of it soon, I am not that great looking and I enjoy performing simple tasks that to the untrained I make me seem super competent. That list is not exhaustive and I am not likely to reveal any of those answers during an interview. However, I think I have come up with an answer that is honest, insightful (at least about myself), though provoking and true. My biggest shortcoming is that I work best when inspired. I used to act as a hobby, and I performed in a couple of plays. The characteristic that separated the professionals from the rest was consistency in all circumstances. When I think back to rehearsals and performances I realize that I worked solely from inspiration. My technique sucked and I am not great actor anyway (look another weakness), so I relied heavily on inspiration. That is why I am an idea guy and the details aren't my strength. As far as law school goes it's the same thing to a degree. The work gets done the exam are taken and I can't complain about the results, but when I am not inspired law seems dull and I begin not to care. I recently read the book, "A Civil Action." I had seen the movie but never read the book. Anyway, I picked it up and I was very inspired. It made everything better, studying was easy, the material made sense, time did not seem to be a problem etc. So Mr. interviewer, I need to be inspired. I will still do my job as a professional but inspiration is what keeps me at my best. I think that's a great answer, use it if you like. However, the next question is, what inspires you?

# De Novo

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**Editors-in-Chief**  
De Novo c/o New York Law School  
47 Worth Street, room L2  
New York, NY 10013

Phone: 212.431.2988 x4202  
Fax: 212.202.6432

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OUR THOUGHTS AND PRAYERS  
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THANK YOU FOR YOUR  
DEDICATION.

# LIVING HEALTHIER FEELING LIGHTER, LOOKING BETTER

By De Novo Staff

Let me ask you this: which is worse?

A. The engine on your Lexus freezes up at 160,000 miles instead of 300,000. You take a financial hit and you are forced to buy a Camry this time.

B. You start bleeding during bowel movements. You go to the doctor and get poked, prodded, X-ray'd, biopsied, etc. 3 days later you get a call and the doctor informs you that you have advanced colon cancer at 45 years old. You have anywhere from 6 months to 5 years left to live. He tells you it's time to get your house in order because you'll be checking out soon. Chemotherapy starts today.

The typical situation is that a family member or dear friend who has a budding career, in the prime of his life, will have to say goodbye and leave behind spouse and children who wonder what just hit them. Why? Because daddy, mommy or hubby just died of colon cancer at age 42.

Why do you brush your teeth? Are your teeth falling out right now? Most of us do it so we won't need false teeth and Fixodent down the road...right? We want to be able to eat apples. Hey, I agree with that. Natural teeth are great.

But have you ever seen someone who was forced to endure a colonoscopy? Someone who will now spend the rest of his life carrying a bag around?

Incredibly, this is an area where even the staunchest MDs AGREE. It's a great idea to get your colon checked. NO, I'm not kidding... Better yet, just have it cleansed. This subject is not even up for debate. It's a proven fact. The problem is, most people are not doing anything about it. Please don't be one of them.

\*\*\*\*WARNING\*\*\*\* The next section of this article contains graphic material which may not be suitable for squeamish individuals.

Let's talk stools.

Stool tells you a lot about the health of your colon. If it's dark brown in color and it sinks and stinks, that's not good. Don't feel bad, that's the way most people are. What you want to see is light brown color. That means it's full of fresh bile from the liver. You also want very mild odor and a stool that floats. We're talking low-density here folks. The more compaction you have the darker the color and the faster it sinks. Compaction is not good. Also, moving bowels should be SIMPLE. If the veins are popping out of your neck and you feel like your doing the bench press, you NEED to cleanse your colon.

The first few days following your cleanse, you'll know it's working when you see the above good stuff happening and you are eliminating at least 2-3 times per day.

You may be very surprised at some of the benefits you will receive besides just losing 1-5 lbs of crap from your body and brightening your future health.

People have reported more energy, less allergies, clearing of acne, cessation of migraines and many other results (not to mention restored regularity). When your body is void of old, poisonous toxins that are constantly being reabsorbed through the colon walls, it can begin to heal again. When the colon walls are clean, the good nutrients from your food and supplements can be absorbed again. You will be thrilled with the results.

At this point you are either nauseated thinking about what is inside your own colon, or you're ready to do something about cleaning it out.

Want more info? Consult your medical doctor as soon as possible.

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## EASTER RAMBLINGS CONT.

Hardwick. Should the court want to leave Bowers intact then it could invalidate the Texas sodomy laws on equal protection grounds.

These are interesting cases for all of us. Professors Teitel and Schoenbrod, my con law professors would be proud of me. I did not understand Constitutional Law until way after their classes ended. Only afterwards, I realized that the problem was not the teaching but the 'abstractness' of the class. In any event, I learned more than I realized.

The "14th Amendment," "fundamental rights," "equal protection," are now all part of my lingua. The whole notion that states can't promulgate laws discriminating against certain classes of people unless there is some "rational basis" for the law and a "legitimate governmental purpose" now all makes sense. That was not the case when I was writing in my Con Law blue books a year ago.

But that's all a part of the law school growth process. Poco a poco se va lejos! Little by little one goes a long way. By the end of our law school journey it all comes together.

As we part for our Easter break, let's keep in mind that once we get back, everything will go rather quickly. So my advice to you is do not just sit back. It's still not too late to increase the chances of getting a better grade.

Peace!

## SHOCK AND AWE OR SHOCKING AND AWFUL? By Mr. P

Taking the biggest gamble of his presidency, President George Bush gave the order and since then we have been at war. He ordered Saddam and his sons to leave Iraq or face the consequences. According to the latest polls, a significant majority (more than 70%) of Americans now believe that there should be war and back the President.

As I correctly noted last time, it was definitely not a matter of if but when we would go to war. President Bush was not going to hear otherwise from anyone. No matter what Saddam did it would not have been enough for President Bush.

Expressions such as "shock and awe," "route hurricane" and "Operation Iraqi Freedom" are the latest terms to be added to our vocabulary.

Now that we are at war, we have to support the troops. However, supporting our troops does not mean that those of us against the war can no longer voice our opinion. It also does not mean that we support President Bush's decision. And it certainly does not mean that we are unpatriotic.

I recently came across an article in the *Washington Post* where the President's bully tactics were examined. I was not surprised. President Bush is the COMMANDER IN CHIEF and dares no one not bow to his way. His presidency troubles me. The way he came to power bothers me. His style of governing bothers me. The way he talks bothers me. His words bother me.

This administration seems to silence all opposition. It is not uncommon to be frozen out if you dare say anything contrary to the administration's view.

But I have come to realize that many people like, no sorry, love President Bush. They say he is HONEST. He does not lie to the American people. He is not like former President Bill Clinton. When I hear that argument I can see where they are coming from. They agree that the economy was better during the Clinton years but that they just couldn't stand our former Pres. Then many of the war supporters do not have the facts right. They believe that Saddam is responsible for 9/11. They believe that Saddam and Osama are friends. They believe all sorts of things.

In any event, I will borrow the words of a poster that sums it up best for me. *I would bet anything that had former President Clinton gone for a full-scale war in 1999 and asked for approval from the U.N. he would have gotten it. Even France would have been on board. Simply put, the world's perception of him as well as his motives would be different. Bush's arrogant cowboy attitude has left American foreign policy in shambles. From the moment he was selected, he made it clear he was unilaterally pulling out of treaties even his father honored. The lone John Wayne attitude may work on a ranch in Texas, but it will not fly with the rest of the world. I guess his daddy didn't tell him he can catch more flies with honey (and a killer smile) than you can with vinegar (and cowboy boots).*

Then we are bombarded with the WAR movie on every T.V. channel. The war is beamed right into our living rooms and bedrooms 24/7. What the \*\*\*\*!!!! I have had enough already. Everything has obviously changed. The two sides to this part of the war could be that the U.S. is glamorizing this war or maybe the U.S. just wants to convince the rest of the world that this is a JUST and FAIR war.

One thing is certain and that is the U.S.A. cannot boast of its prowess. To do so would be false. After all, we are fighting people in pick-up trucks. We have sent an entire army, the most powerful army on earth for one man. At the moment the only country with weapons of mass destruction and the only country using them seems to be the United States.

What past American presidents, past European leaders and other world leaders took over half a century to build, George Bush has undone in less than three years. Now the United Nations is left as a joke. It might no longer be a viable international organization. Maybe the fundamental flaw with the organization is its veto arrangement. NATO might also have been damaged. One just has to hope that the damage is not irreparable.

We will have to wait and see if billions of dollars and years later we won't regret this time in our history. I hope the United States can mend its trans-Atlantic relationship with its European friends. I also hope that the Iraq people will be "liberated" and not be ruled by the U.S.A.

The first report regarding the prisoners of war were troubling and we heard the U.S. Secretary of Defense saying that the Iraq action vis-à-vis the POWs was illegal under the Geneva Convention. Was he being serious? Many would argue that under international law it was illegal for the United States to attack Iraq in the first place. Mr. Secretary, we cannot have our cake and eat it too.

Critics are asking how the United States can demand the protection of the Geneva Conventions for U.S. soldiers captured in Iraq while not fully complying with the convention in American treatment of terror suspects held at Guantanamo Bay, Cuba.

Well I am off now. I am going to have some freedom fries and a chicken sandwich. May God be with us all.

## MR. P CONVERTED

By Mr. P

No I am not smoking and neither am I sniffing. However, I am fair-minded. I will admit that I did not like the war or rather I did not like the way we went to war. However, with the US-led coalition of the willing (really just the U.S. and Great Britain), President Bush is closer to making Iraq a better place, freeing the Iraqi people from the grip of their Tyrant leader while at the same time making America safer. Also American companies are guaranteed a stake in the rebuilding of that country.

This might be the beginning of things to come. Of all the Middle Eastern countries, Iraq has all the elements of potential success. It has brainpower, water, oil and a secular society.

Like many others around the globe, I sat and watched that historic moment when the statue of Saddam in the center of Baghdad came tumbling down. It was exactly 11:13 a.m. We can never forget the dancing and clapping of the people in the streets.

President Bush stuck with his conviction, and against the odds went by what he truly believed. His style of governing is different. I do not think we have ever had a president like him before. In his own right, he might very well be remembered as one of America's best presidents. (Did I really say that?) The history books will tell how President George W. Bush defied the odds, shrugged off his allies and the United Nations and brought change to an entire region. This will be part of his legacy.

What seemed to be a Presidency of mishaps has turned President Bush into PRESIDENT Bush.

Now everyone knows that the President will not hesitate to use American power even preemptively to remove tyrants.

Nevertheless, I hope the President remembers that there is a need to reconcile what he does abroad with domestic demands. History has taught us that a president can have a 90% approval rating, but that when it comes to election if the economy is lagging he just might be defeated.

God bless President Bush. God bless America.

# Bar exam.

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# PORTRAIT OF THE ARTIST AS A GOTHIC SCHOOL GIRL:

Teenage angst filled ramblings from the diary of Martin Morris

## Achieving Peace In Our Time: (By ripping Hussein's body to shreds)

I was in "shock and awe" when filmmaker Michael Moore whipped his penis out at the Academy Awards. On live television, he went on a tirade about how it should be a National Monument. He wiggled it around in front of the cameras and undergraduate wannabe hippies everywhere got so excited, they spilled bong water all over their dorm rooms. At this moment, men and women are fighting and dying for their country and punks like Moore are trying to get attention by making asses out of themselves. They think that being free thinkers means thumbing their noses at the sacrifices others are making in these times. Their arguments are inevitably reduced to cultural criticism of our economic structure and values, and somewhere Saddam Hussein became the victim in their warped little minds: "No Blood for Oil. No Racist War". They think exclusively in bumper sticker slogans and actually try to articulate the enemy's best propaganda. I watched one of those morons tell a reporter that people only enlist in the military to get college tuition. The very idea that someone would volunteer their life unquestionably as an instrument for their country is incomprehensible in their sick world-view. These warriors dedicated themselves to be instruments to protect their homeland either by deterrence or by action, without question.

Recently slain soldier Diego Rincon wrote in a letter to his mother: "I just hope that you're proud of what I'm doing and have faith in my decisions. I will try hard and not give up...and I'm doing it all for you mom. I love you." All his mother has now is that letter and these protest punks are waving their arms around like idiots, spitting on his grave and her pain. You don't have to agree on politics to imagine the harm protest publicity stunts like these cause families. If I have one criticism of Americans, it is that they don't know history. When they look to the past, it's usually with an eye to prove some point they want to make. But not even the stupidest protester can honestly say Hussein is the victim here or that the world won't be better with his throat slit. So, here are a few high points in Iraqi history:

July 16, 1979 - President Al-Bakr resigns and is succeeded by Vice President Saddam Hussein. Within days, Saddam executes at least 20 potential rivals (members of the Ba'ath Party and military) and filmed it for posterity. In the film he smokes a cigar, laughing as their names are read and they are pulled from the room and shot in the head.

September 22, 1980 - Iraq attacks Iran.

March 1986 - The UN Secretary General reports Iraq's use of mustard gas and nerve agents against Iranian soldiers, with significant usage in 1981 and 1984.

February-September, 1988 - The Iraqi military operation "Anfal" results

in 50,000-100,000 deaths throughout northern Iraq. Iraq uses chemical weapons, mass executions and forced relocation to terrorize the area.

March 16, 1988 - Iraq attacks the Kurdish town of Halabjah with mix of poison gas and nerve agents, killing 5000 residents.

August 20, 1988 - The Iran-Iraq war ends in stalemate. An estimated 1 million soldiers are killed in eight years of fighting. A ceasefire comes into effect to be monitored by the UN Iran-Iraq Military Observer Group (UNIIMOG).

August 2, 1990 - Iraq invades Kuwait and is condemned by United Nations Security Council Resolution 660, which calls for full withdrawal.

August 6, 1990 - UNSC Resolution 661 imposes economic sanctions on Iraq.

August 8, 1990 - Iraq appoints puppet regime in Kuwait that declares a merger with Iraq.



Property of Comedy Central, South Park and Matt Reifel and Trey Parker

November 29, 1990 - UNSC Resolution 678 authorizes state cooperation with Kuwait to use "all necessary means" to uphold UNSC Resolution 660. The UN orders Iraqi withdrawal by January 15, 1991.

January 17, 1991 - The Gulf War starts and coalition forces begin aerial bombing of Iraq. Called "Operation Desert Storm".

February 24, 1991 - A ground operation begins resulting in the liberation of Kuwait on February 27.

March 3, 1991 - Iraq accepts the terms of a ceasefire. The primary ceasefire resolution is UNSCR 687; requiring Iraq to end its weapons of mass destruction programs, recognize Kuwait, account for missing Kuwaitis, return Kuwaiti property and end support for international terrorism. Iraq is required to end repression of its people.

Mid-March/early April 1991 - Iraqi military forces suppress rebellions in the south and north of the country, creating a

humanitarian disaster on the borders of Turkey and Iran.

April 3, 1991 - U.N. Security Council Resolution 687 (1991), Section C, declares that Iraq shall accept unconditionally under international supervision, the "destruction, removal or rendering harmless" of its weapons of mass destruction and ballistic missiles with a range over 150 kilometers. In addition, Iraq must declare fully its weapons of mass destruction programs and must not commit or support terrorism, or allow terrorist organizations to operate in Iraq. One week later, Iraq accepts Resolution 687. Its provisions were reiterated and reinforced in subsequent action by the United Nations in June and August of 1991.

April 5, 1991 - U.N. Security Council Resolution 688: "Condemns" repression of Iraqi civilian population, "the consequences of which threaten international peace and security". It states Iraq must

adopt Resolution 715, which approves joint UNSCOM and International Atomic Energy Agency (IAEA) plans for ongoing monitoring and verification. UNSCOM's plan establishes that Iraq shall "accept unconditionally the inspectors and all other personnel designated by the Special Commission."

Oct. 1991 - Iraq states it considers the ongoing Monitoring and Verification Plans adopted by Resolution 715 to be unlawful and that it is not ready to comply with said Resolution.

Feb. 1992 - Iraq refuses to comply with an UNSCOM/IAEA decision to destroy certain facilities used in proscribed programs and related items.

April 1992 - Iraq calls for a halt to UNSCOM's aerial surveillance flights, claiming the aircraft and its pilot might be endangered. The President of the Security Council issues a statement reaffirming UNSCOM's right to conduct such flights. Iraq says it does not intend to carry out any military action aimed at UNSCOM's aerial flights.

July 6-29, 1992 - Iraq refuses an inspection team access to the Iraqi Ministry of Agriculture. UNSCOM said it had reliable information that the site contained archives related to proscribed activities. Inspectors gained access only after members of the Council threatened enforcement action.

January 1993 - Iraq refuses to allow UNSCOM to use its own aircraft to fly into Iraq.

June-July 1993 - Iraq refuses to allow UNSCOM inspectors to install remote-controlled monitoring cameras at two missile engine test stands.

Nov. 26, 1993 - Iraq accepts Resolution 715 and the plans for ongoing monitoring and verification.

Oct. 15, 1994 - The Security Council adopts Resolution 949, which demands that Iraq "cooperate fully" with UNSCOM and that it withdraw all military units deployed to southern Iraq to their original positions. Iraq withdraws its forces and resumes working with UNSCOM.

March 1996 - Iraqi security forces refuse UNSCOM teams access to five sites designated for inspection. The teams enter the sites after delays of up to 17 hours.

March 19, 1996 - The Security Council issues a presidential statement expressing its concern over Iraq's behavior, which it terms "a clear violation of Iraq's obligations under relevant resolutions". The council also demands that Iraq allow UNSCOM teams immediate, unconditional and unrestricted access to all sites designated for inspection.

March 27, 1996 - Security Council Resolution 1051 approves export/import monitoring mechanism for Iraq and demands that Iraq unconditionally meet all its obligations under the mechanism and cooperate fully with the Special Commission and the director-general of the IAEA.

June 1996 - Iraq denies UNSCOM

continued on next page

immediately end repression of its civilian population and must allow immediate access to international humanitarian organizations to those in need of assistance.

May 1991 - Iraq accepts the privileges and immunities of the Special Commission (UNSCOM) and its personnel. These guarantees include the right of "unrestricted freedom of entry and exit without delay or hindrance of its personnel, property, supplies and equipment."

June 1991 - Iraqi personnel fire warning shots to prevent the inspectors from approaching vehicles. September 1991 - Iraqi officials confiscate documents from inspectors. The inspectors refuse to yield a second set of documents. In response, Iraq refuses to allow the team to leave the site with the documents. A four-day standoff ensues, but Iraq permits the team to leave with the documents after a statement from the Security Council threatens enforcement actions.

Oct. 11, 1991 - The Security Council

# PORTRAIT OF THE ARTIST cont.

teams access to sites under investigation for their involvement in the "concealment mechanism" for proscribed items.

June 12, 1996 - The Security Council adopts Resolution 1060, which terms Iraq's actions a clear violation of under provisions of the council's earlier resolutions. It also demands that Iraq grant "immediate and unrestricted access" to all sites designated for inspection by UNSCOM.

June 13, 1996 - Despite the adoption of Resolution 1060, Iraq once again denies access to inspection teams.

Nov. 1996 - Iraq blocks UNSCOM from removing remnants of missile engines for in-depth analysis outside Iraq.

June 1997 - Iraqi escorts on board an UNSCOM helicopter try to physically prevent the UNSCOM pilot from flying the helicopter in the direction of its intended destination.

June 21, 1997 - Iraq blocks UNSCOM teams from entering certain sites for inspection.

June 21, 1997 - The Security Council adopts Resolution 1115, which condemns Iraq's actions. It further demands that Iraq allow UNSCOM's team immediate, unconditional and unrestricted access to any sites for inspection and officials for interviews.

Sept. 13, 1997 - An Iraqi officer attacks an UNSCOM inspector on board an UNSCOM helicopter while the inspector is attempting to take photographs of unauthorized movement of Iraqi vehicles inside a site designated for inspection.

Sept. 17, 1997 - While seeking access to a site declared by Iraq to be "sensitive," UNSCOM inspectors witness and videotape Iraqi guards moving files, burning documents and dumping ash-filled waste cans into a nearby river.

Nov. 12, 1997 - The Security Council adopts Resolution 1137, condemning Iraq for continually violating its obligations. This includes an Iraqi decision to seek to impose conditions for cooperation with UNSCOM. The resolution also imposes a travel restriction on Iraqi officials who are responsible for or participated in instances of noncompliance.

Nov. 3, 1997 - Iraq demands that U.S. citizens working for UNSCOM leave Iraq immediately.

Dec. 22, 1997 - The Security Council issues a statement calling on the government of Iraq to cooperate fully with the commission. It stresses that failure by Iraq to provide immediate, unconditional and unrestricted access to any site is an unacceptable and clear violation of Security Council resolutions.

Feb. 20-23, 1998 - Iraq signs a Memorandum of Understanding with the United Nations on February 23, 1998. Iraq pledges to accept all relevant Security Council resolutions, to cooperate fully with UNSCOM and the IAEA and to grant to UNSCOM and the IAEA "immediate, unconditional and unrestricted access" for their inspections.

Aug. 5, 1998 - The Revolutionary Command Council and the Ba'ath Party Command decide to stop cooperating with UNSCOM and the IAEA until the Security Council agrees to lift the oil embargo as a first step toward ending sanctions.

Nov 8, 2002 - UNSC adopts RES 1441 outlining provisions for enhanced weapons inspections. Iraq has been and remains in material breach of prior Security Council resolutions. The resolution gave Iraq a final opportunity to comply with its' disarmament obligations and obliged them to deliver a currently accurate, full, and complete declaration of all aspects of its programs to develop weapons of mass destruction and delivery systems within 30 days. It further stated that false statements or omissions in declarations and failure by Iraq to comply and cooperate fully in the implementation of the resolution shall constitute a further material breach of Iraq's obligations.

Dec. 7, 2002 - Dr. Mohammed El-Baradei reports to the Security Counsel that Iraq's declaration "did not provide any new information relevant to certain questions that have been outstanding since 1998".

Jan. 27, 2003 - Dr. Hans Blix reports to the Security Counsel that "Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament which was demanded of it."

Now, I like peace as much as the next guy and am probably just as anxious as we all are. I'm just saying that we passed the point of no return a while ago. Peace will be at hand when our troops get the job done and can come home. I think we should do all we can to support both them and their families. This Hussein guy cannot be reasoned with. You are not going to impress him with some sort of appeal to intrinsic goodness or some similar hippie crap. In 1938, Gandhi wrote a letter encouraging among other things, German Jews to engage in hunger strikes to defeat Hitler's Nazi government. He urged pacifistic resistance. He wrote: "I am convinced that if someone with courage and vision can arise among them to lead them in non-violent action, the winter of their despair can in the twinkling of an eye be turned into the summer of hope. And what has today become a degrading man-hunt can be turned into a calm and determined stand offered by unarmed men and women possessing the strength of suffering given to them by Jehovah. It will be then a truly religious resistance offered against the godless fury of dehumanized man. The German Jews will score a lasting victory over the German gentiles in the sense that they will have converted the latter to an appreciation of human dignity".

With the hindsight of history, we can see Gandhi's fallacy. Fundamental goodness, love or publicity stunts didn't defeat Hitler. We settled that one with bullets. The same is true for the Hussein regime. History will be the judge of us all.

## as if you don't have enough to read!!!

by Lisa Pitito

"Girl's Poker Night" by Jill A. Davis is a very entertaining book, because it is broken up into very short chapters and makes for a very quick and easy read. It's the story of a group of six girlfriends who get together every Wednesday night to play poker. It's told through the narration of Ruby Capote, the host of Wednesday night poker. Each of the six girls has their own unique story. Skorka is a Russian model who is having an affair with a married man. Jenn works for a tyrant, she has no self esteem and has never had a boyfriend. Lily is a lesbian but refuses to accept it. Danielle has been divorced several times and now changes men like she changes her clothes. Meg has the most normal life- a house in the suburbs, great husband and a child, but starts to doubt that is what she really wants. Ruby has her own problems, but refuses to admit to any of them. She listens to her friends' problems and helps them, but never confides her inner thoughts to anyone. As the story unfolds everyone seems to accept their problems, and deal with them in a more positive way. Even Ruby's life turns out to have a happy ending. Overall I think it was an entertaining book. It's about real life, real problems and how friends can help you overcome life's challenges.

## BRAIN FEED

1. WHAT IS THE MOST POPULAR MECHANICAL MEANS OF TRANSPORTATION USED BY NEW YORKERS?
2. WHAT IS THE CAPITAL OF SENEGAL?
3. WHAT ARE YOU AFRAID OF IF YOU HAVE ALLIUMPHOBIA?
4. WHAT IS THE LARGEST BODY OF FRESH WATER IN THE WORLD?
5. HOW MANY SIDES DOES A DODECAHEDRON HAVE?

ANSWERS  
 1. ELEVATORS  
 2. DAKAR  
 3. GARLIC  
 4. LAKE SUPERIOR, MICHIGAN  
 5. 12



# Indeed.

(Music News, Rumors, and Releases)

BY Joseph S. Hadala

(Here Lies Rap-Metal)

With the fate of a musical genre resting atop their sophomore shoulders, **Linkin Park** buckled. Late in 2000 I heard the first single off *Hybrid Theory*, "One Step Closer" and an interest was more than peaked, within days I had hunted down the "proper" spelling that eluded me and within minutes the music director had requested a copy of the album from Warner Brothers (I used to be General Manager of a small college radio station). After a few days of sifting through CD's from bands I could care less about, (sorry, I was on a mission) it finally came. Track after track I was thoroughly enjoying every minute, putting aside my "musical-a.d.d." and keeping my finger away from the skip button.

And then, from the same speakers that so many times before had induced merely a yawn, the same CD-player that read discs whose only air-time would be its flight to the trashcan, came the heavily echoed and distorted keyboard intro that has become all too familiar. Track 8, "In The End" would be played over and over again, as I reveled in the harmonics, beats, and the overall depth of feeling that poured out of the stereo. "I tried so hard, and got so far, and in the end it doesn't even matter", became a lyric that would follow me to law school, applying every time the mailman delivered my GPA. *Hybrid Theory* took its place among the select few albums that I listen to from beginning to end.

Less than 2 years later came *Reanimation*, an album of remixes. I was not a fan of this release to say the least, but I grew to respect it somewhat, and rationalized that they must be trying to work their way out of a not-so-favorable record deal.

*Meteora* hit the shelves March 25 and I had mixed hopes about it, mainly due to how much I enjoyed the first, and how disappointing the remix release was. This album thoroughly let me down. Lack-luster, mundane, and average seem to quantify my review; disheartened, dejected, and let down describe my feelings for the 36 unremarkable minutes I subjected myself to, in hopes of finding but one song to win me over. Unfortunately nothing won me over, and I haven't even been able to listen to it since. My only hope is that it will somehow grow on me, but right now I'm focused on not letting it change my love for their debut.

While *Meteora* solidifies the death of rap-metal, a drop in sales or change in sound of bands such as **Korn**, **Papa Roach**, **Crazytown**, **Disturbed**, **P.O.D.**, and **Limp Bizkit** (irrelevant album due out this summer), had the genre on the ropes. However, the knock out resulted not solely from the floundering of rap-metal alums; the rise of pop-punk was also a key contributor. **Good Charlotte**, **New Found Glory**, **Simple Plan**, **Bowling for Soup**, and **Unwritten Law** among others are selling like hotcakes, and dominate playlists and charts, perhaps even more so than their rap-metal predecessors. So as rap-metal joins the proud tradition of grunge and hair bands try not to think of it as a funeral, but more like your favorite player's jersey being raised to the rafters. You may still see him at an old timers game, but it will never be the same.

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## ANOTHER SATISFIED CUSTOMER CONT.

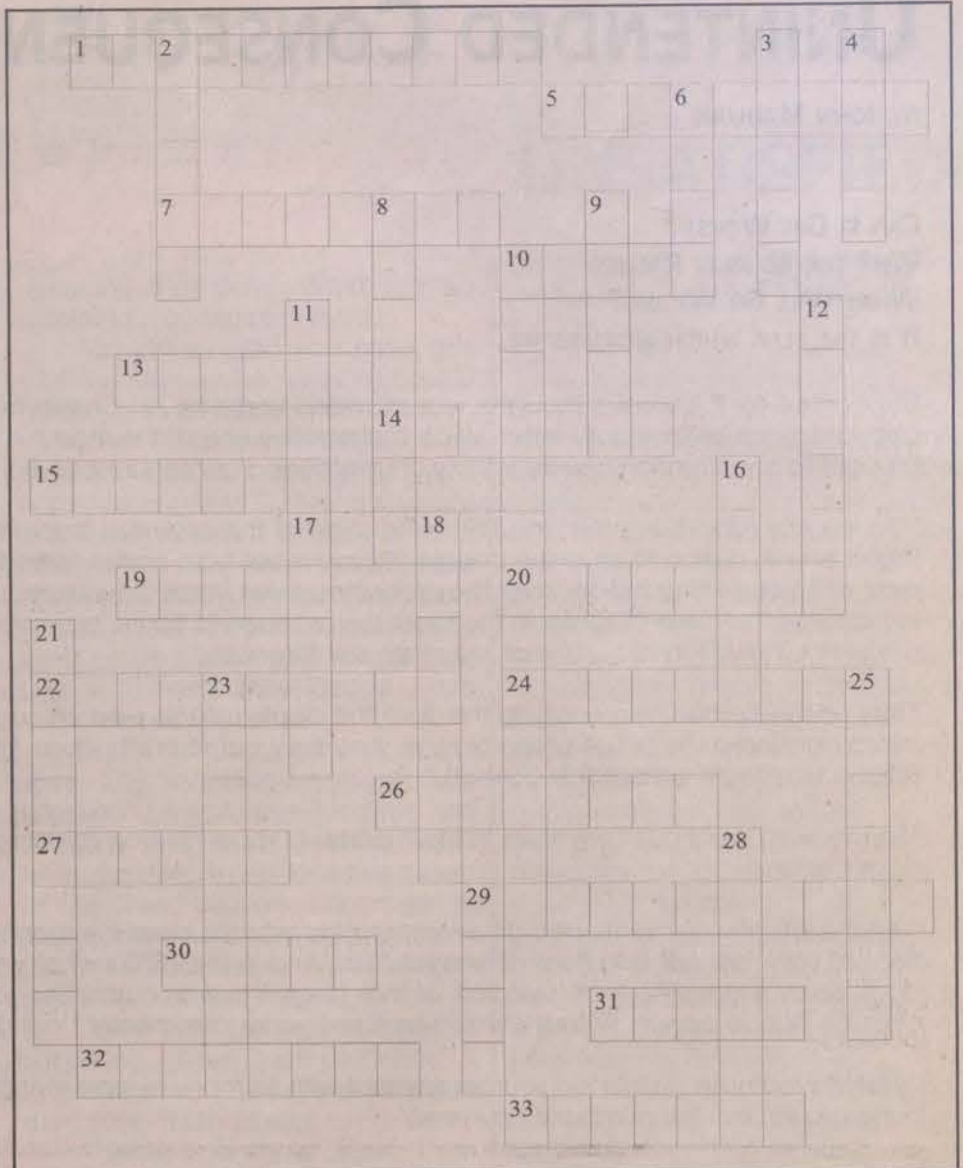
Grading within the writing program is atrocious. The opportunity for biases to EASILY play a significant role in the grading of papers under the current system is too great of a detrimental issue not to be addressed. There is no clear standard for grading whatsoever, and it is left completely to the discretion of "practicing attorneys" who have no experience teaching in such a competitive law school environment. Their concerns undoubtedly lie only with obtaining their CLE credits. It seems to be the consensus of many students that no matter what they do from one assignment to the next, their grades will never change. To quote one student, "I went to see my professor and asked him why the G was erased from my paper and replaced with an S." According to that student "professor" simply replied, "I read your paper first and didn't want to set the standard for the rest of the class so high." Why do these professors keep the curve in their minds at all times? They shouldn't even be considering the curve when they grade papers. The curve is something that is supposed to affect everyone evenly at the end of the course, is it not? Another example is when they claim that, "You're all improving." This is simply a marketing sham for the defunct writing program. If the grading range is always set between G to P, throughout the entire semester for every assignment, then maybe the person moving from an AC to an S would in fact be improving. But when the "professor" changes the grading range at his discretion whenever the hell he feels like it, for example, from VG down to an AC, then person moving up from an AC to an S under this new range will essentially not be improving in relation to his classmates. The curve plays a role, the student in this case goes nowhere, and feels as though he hasn't improved at all. The program certainly does not help discredit this feeling. In addition, many students, myself included, cannot help but feel that the same people, regardless of the quality of their work seem to consistently get the same grades. To further illustrate the "You're all improving" fallacy, the person who gets the "G" in the G to AC range always seems to get the "VG" in the VG to AC range. The people who always get one grade below the highest grade consistently do so, and the people who get the worse always seem to do so. In the end the curve will be applied, and the comment that "you're all improving" is complete bullshit. While "collectively", all the papers have gone up one grading range, individually, students' grades, as compared to their peers, have not.

This sort of grading does nothing to help the student understand why they received the grades they did. It gives these practicing attorneys more opportunity to be biased in their grading whether they realize it or not. When the curve is on his mind, and two papers are "qualitatively" the same, his decision on which paper to bump up to the higher letter grade (G to a VG) will "subconsciously" come down to who kissed his ass in class the most, who was the least disruptive, or even worse, how that person scored on their previous assignment. This sort of favoritism should have absolutely no effect on our papers. Favoritism also occurs when errors that are verbally addressed by professors during class, are always noted and marked on the "G" papers, but the same errors which are blatantly obvious and appear in the "VG" papers written by Mr. or Mrs. Model student, nothing is mentioned, nothing is marked up and no clear reasoning is given as to why their papers should "stand out" above the rest. What gives? Where's the consistency? All other law school classes make sure this does not happen through anonymous grading. What is so impossible about making sure it doesn't happen here? The curve keeps people exactly where they have been throughout the entire semester. The writing program denies that biases ever play a role in grading, but how are they to know? The only way they can assure that they don't is if they either have people other than the professors doing the grading or if the system is purely anonymous.

If a suggestion for resolving this grading issue is in order then I suggest that grading be done numerically. For example, when papers are reviewed and graded, the writing program has conveniently given these "professors" guidance by offering 20 categories to consider when evaluating papers. Instead of using the PQ - P range, which as it stands, makes things much more difficult and leaves so much room for many inconsistencies and biases, I suggest a change in the overall grading range to a numerical point system. (ie: 1 to 100.) Each of the 20 categories can be worth 5 points, and the students can be evaluated 1 - 5 for each. Add the points for all the categories, and grade according: 100 - 90 = A, 90 - 80 = B, 80 - 70 = C, etc. etc. even when the number for the highest grade for consecutive papers can always change numerically, the range of grades will always remain the same and will not be at the discretion of the "professor." Professors will not be inclined to think about the curve, before grading. They shouldn't be in the first place. Everything is done numerically and essentially should make the professor's job easier. This would, at the very least, minimize the subconscious biases that can easily come into play in the absence of anonymous grading. It will also give the student better feedback on his/her performances from one paper to the next, and will give more value to the student-teacher interaction when reviewing papers. Also, the curve will properly serve its purpose at the end of the course, not prior to reading papers. Under this proposed method telling the students, "You're all improving" will finally have some sense of veracity.

In their policy, the program explains that, "anonymous grading would be impossible for it would severely impede the student-teacher interaction." This is an outrage. To me this means, "we're too damn lazy to actually make it work for our students." Brooklyn Law School has made anonymous grading work. One student was shocked when I explained to him that things didn't work that way at NYLS. He told me that every time they hand in their papers they are allowed to make up pseudonyms. The professors never have any idea whose paper they are grading. The student-teacher relationship is not impeded, because students can still go see their professors about their papers. I'm not exactly sure the intricacies of how this works at Brooklyn Law School; all I know is that he was happy with his writing program and that anonymous grading, when legitimately thought out,

continued on p.11



### ACROSS

- 1 To form a legal corporation. (11)
- 5 The determination of what constitutes a fair price. (9)
- 7 Legally amenable to a lien. (8)
- 10 A pat-down search to discover a concealed weapon. (5)
- 13 A disagreement with a majority opinion. (7)
- 14 A note, that instead of appearing at the bottom of the page appears at the end of the book, chapter or paper. (7)
- 15 A person or entity subjected to a freeze-out. (7)
- 17 Protection of usu. political refugees from arrest by a foreign jurisdiction; a nation or embassy that affords such protection. (6)
- 19 A person who is put above the rest. (5)
- 20 One who commits arson. (8)
- 22 The failure to exercise the standard of care that a reasonably prudent person would have exercised in a similar situation. (10)
- 24 A person who keeps official records; esp., a school official who maintains academic and enrollment records. (9)
- 26 A person connected with another by blood or affinity. (8)
- 27 A petty thief; pickpocket. (6)
- 29 [Law French "fair pleading"] A fine imposed for bad or unfair pleading. (11)
- 30 A connection or link, often a causal one. (5)
- 31 A group of people, things, qualities, or activities that have common characteristics or attributes. (5)
- 32 A market in which long-term futures or options contracts sell at a premium over short-term contracts. (8)
- 33 To treat (as laws or court orders) with contemptuous disregard (7)

### DOWN

- 2 To inhibit or discourage. (5)
- 3 The daughter of a person's brother or sister. (5)
- 4 To give; to deliver. (4)
- 6 The chance of injury, damage, or loss. (4)
- 8 The application of force to another, resulting in harmful or offensive contact. (7)
- 9 The time from sunset to sunrise. (5)
- 10 An entailed estate in which the donor retains control of the land by refusing to accept feudal services from the donee (usu. the donor's daughter) for three generations. (13)
- 11 From now on. (9)
- 12 A statement of an organization's estimated revenues and expenses for a specified period. (6)
- 16 Common to or shared by two or more persons or entities. (5)
- 18 The party against whom a libel has been filed in admiralty or ecclesiastical court. (7)
- 21 To cause; to bring about. (8)
- 23 Advantage or profit, esp. of a financial nature. (8)
- 25 The illegal taking of property from the person of another, or in the person's presence, by violence or intimidation. (7)
- 28 Goods that after being abandoned at sea, sink and remain underwater. (6)
- 29 A person, usu. a woman, who solicits customers for a prostitute; a madam. (4)

# UNINTENDED CONSEQUENCES

BY JOHN MAULDIN

**CAN IT GET WORSE?**  
**WHY THE MARKET RALLIED**  
**WHAT WILL GO WRONG?**  
**IT IS THE FLEA WHICH WORRIES ME.**

The context for this week's thoughts was provided to me by Art Cashin, head floor trader at UBS Warburg and also of CNBC fame. He writes a privately circulated and brilliant daily letter which is absolutely one of the most fun and informative tomes I read every day, without fail. My reading this week has brought to my attention a wide variety of unintended consequences. But first, Art's story:

"On this day (approximately) in 1349, in the midst of the infamous Black Plague epidemic, the forces of government, science and academia came together with a plan to save the people. As you recall from earlier episodes, the Black Plague had spread from the eastern Mediterranean throughout most of Europe killing millions over the preceding three years. People searched everywhere for the source of the plague...a heavenly curse; a burden of immigrants; the result of spices in the food. It was tough to figure, however, since whenever they held a conference either the host area caught the plague or the visitors did...so...not too many conferences."

"Then in the six months preceding this date the death rate leveled off...or seemed to. So in castles and universities and town halls across Europe, great minds pondered the cause of the plague. And they came pretty close. The collective governmental/academic wisdom was that the source of the Black Plague was fleas - (absolutely correct)."

"So the word went out from town to town across Europe - to stop the plague - kill the fleas - by killing all the dogs. And immediately the slaughter of all dogs began."

"But like lots of well-intentioned governmental/academic ideas it was somewhat wide of the mark...and had unexpected consequences. The cause was fleas all right, but not dog fleas...it was rat fleas. And in the 1300's what was the most effective way to hold down the rat population? You guessed it - dogs. So by suggesting that townsfolk kill their dogs, the wise authorities had unwittingly allowed the rat population to flourish and thus a new vicious rash of Black Plague began. Before it was over, three years later, nearly 1 out of 3 people in the world had died of the plague."

"(Historic footnote...Published sources say that with so many people dying, millions of estates had to be settled - result...the fallout of the plague was a huge growth in...the number of lawyers.)"

Finally, a few comments on the possibilities for unintended consequences resulting from the invasion of Iraq.

The French are openly dismissive of an American president, who does not understand how important it is to listen to world opinion, and especially that of France. They are determined to have their way, even though Americans have sacrificed much to support France in the past.

Bush in 2003? No, it was Woodrow Wilson after World War One. France (and Britain) were determined to punish Turkey (the Ottoman Empire) for supporting Germany and insisted on carving it up. They created whole new countries, like Iraq, that had never existed, lumping in tribes and regions with long histories of fighting. They split families and regions as they carved up the Middle East as they expanded the colonial empires, over the protests of Wilson.

The most negative unintended consequence was the removal of a central Islamic religious authority in the caliphate and the establishment of some Saudi tribal princes as leaders who were under the sway of the Wahhabi sect, a radical and militant group within Islam founded by Abdul Wahhab (1703-1792), known for its strict observance of the Koran and flourishing mainly in Arabia. With the finding of oil, Saudi princes have bought off this group by funding their schools and mosques, and their adherents have "grabbed the mike" in most mosques throughout the world. In 1920, they were a distinct minority and few, if any, Islamic scholars of the day were associated with them. Today, they are the principal sponsors of religious based terrorism.

Islam is not the enemy of the West. Wahhabis are a different matter. Those who listen to them are taught to hate us. They are an unintended consequence.

Let us make no mistake, for good or ill, Bush is going to remove Saddam. US polls (Fox News) show a growing 71% behind the war (this probably means that 71% of my U.S. readers are behind the war and 29% are not, with the reverse of these percentages for my European readers) with a growing percentage wanting it done now. Polls show Bush would lose a significant percentage of his support if he does not act soon. He will. The war may start before next week's letter reaches your email box, or shortly thereafter.

For the record, this war is not about oil, despite the conspiracy theory buffs. It is not about America wanting an empire, despite George Soros's insipid accusations. It is not about the Carlyle Group wanting to rule the world.

I know George W. Bush somewhat, having dealt with him on occasion as I was involved in Texas politics when he was governor. I think I know somewhat of his character and personality. He is an impressive man, but more than that he is a genuine man. One of my minor regrets in my life is that I did not get to know him before he ran for governor. He is precisely the type of man you want to have as a friend.

This president was profoundly animated by 9/11. He does not want another event like that to happen on his watch, or because he left a problem to the next generation. It is as simple as that.

Conspiracy theories, oil cartels, empire and world domination and the like are a lot more fun to think about. But sometimes the real reason is the most simple. In this case it is.

## What Will Go Wrong?

The things that concern me are not the ones most discussed in the media. I am not worried about a break in US European relationships. If you count countries, there is a clear majority of European countries supporting the US position, something like 15 to 5, with a few neutral countries. My friend Dennis Gartman, speaking at a conference in Portugal, writes of a very moving speech by the Portuguese president on why Portugal is supporting the US.

Since the actual people (and voters) of Europe are against the war by an overwhelming majority, are European politicians suicidal in their support for the US?

No, they are not. If you ask most Europeans in the countries which are supporting the US, they will say they are against the war. But there is more to the story.

In polls in the US, people overwhelmingly think the US education system is bad, but their schools are good. The medical system needs reform, but their doctor is just fine, thank you.

In Europe, the Iraq war is not something that will change the lives of most citizens. While the average voter is against the US war, they are far more concerned about how a French and German led Europe might force their nations to adhere to rules which would not be good for their countries, could hurt their opportunities for growth and limit their freedoms.

continued on p.14

# An Affair to Forget

(part 5) by Frank Raphael

The professor and I were on our second date, this time at a Thai restaurant in Brooklyn. He said he wanted to go on a date some place different, so I suggested Brooklyn since I never go there. I don't know why I never go there, I just never make it to the borough, unless I'm going to JFK and drive through it.

We took the subway- that magical underground train that I swore I would never take again once I got some money together. I would get a good job, or a rich husband, or both, and never descend into the seedy depths of the subway. Ten years later, I'm still underground, and single. Oh and the subway will soon cost upwards of two dollars.

"Do you really think the subway is really worth two bucks?" I asked my date. The professor has this annoying habit of never having an opinion. I think its because on the first date he doesn't want to have any "unconventional" viewpoints because it may shock me. The only problem is that I know his profession, he's a law professor, and as a law professor and shouted, "MFC abuses its chickens every day. They keep them isolated and brutally slaughter them. Can you support this restaurant knowing what it does to animals?"

Then the manager jumps out from his hole and says with a straight face, "we are very concerned about the welfare of our chickens." He said it so seriously that I just couldn't help it. In the middle of this very tense standoff between the earnest manager, the wacky chicken activists, and my dumfounded (and dumb) date, I took one look at the kid in the chicken costume and I exploded in laughter. I mean, I really laughed, more than I had done in years.

"Oh you think this is funny?" The redhead demanded, and I just couldn't stop. The guy in the chicken costume was just the icing on the cake. I just laughed and laughed, I was laughing so hard that my ribs ached and tears flowed from eyes like a river. Everyone looked at me like I was insane, how dare I taunt the chicken activists, but come on!

They're Chicken activists!

And then it happened- the chicken spoke. "Hey I know her," the chicken said, and it removed its head. "She's my con law professor!" Oh no, this can't be happening, I teach the chicken constitutional law. I look at her real close, and I don't even recognize her face. I even make a slight hand gesture like who the hell are you and why are you wearing that stupid costume.

"Do you even know my name?" she clucked.

"Oh sure," I said, "its um, Feathers..."

"My name is Suzanne," she said angrily, "and tomorrow we will march into class to protest your support of the cruel treatment of animals!"

I thought for a moment, "what was your name again?" I asked.

"Suzanne Manson," she said.

"Okay, I know someone whose getting an F," I said.

"You can't do that," the chicken said, "its anonymous grading!"

"Quit your squawking," I said, "You don't really think we really have anonymous grading do you? Those exam numbers can't stop me! I have a plant in the registrar's office!"

Then I decided to storm out. As I ran out I looked over my shoulder a few times to make sure I wasn't in danger from the chicken people.

"Where are you running off to?" the professor asked.

"Back to my apartment," I said, "do you want to come?"

"Sure," he said. Here we go...

Back at the apartment, I slam the door behind me and grab him. I look into his scared eyes for a moment before I kiss him. His lips are rubbery and cold, so I quickly pull away.

"What's wrong?" he asks.

"Um, nothing," I say as I walk to other side of my apartment. "Would you like a drink?"

"No thanks," he says, "I don't like to drink." But I do, I think. I sat down and poured myself a drink as he took his clothes off and said, "I would like to put some music on." He speaks in a low whisper, very quiet and frightened.

"Go ahead," I reply in the same soft tone, now he's got me

speaking that way! What are we planning a conspiracy here?

"Oh I'm so glad you have this CD!" he says as he takes out a CD from my very small collection.

"Which CD is that?" I ask as I walk over and look at it. It's Celine Dion! Is he kidding me! I refuse to have sex over Celine's twenty-minute high notes. The only reason I have that stupid CD is because my sister bought it for me and if she doesn't see it on the shelf she freaks out! Like if I don't play Celine I am somehow ungrateful.

Then I take a good look at my date. This may disgust you (it sure grossed me out) but his face had so many wrinkles in it! Many, many lines ran deep in his face like a map of the Grand Canyon. I don't get it; he's not that old. Oh wait...

"Did you lose a lot of weight recently?" I asked him.

"Why yes," he says somewhat surprised. Then back to Celine, "I love this song," he says as that god dam song from *Titanic* came on.

"Okay, you know what, I am suddenly very sleepy," I said, as I pretended to yawn. Of course I am wide-awake, but enough is enough.

"What, what do you mean?" he protests.

Now I know that I shouldn't be honest with him, because we work together, but the hell with it. "Look, this isn't going to work between us. Now please turn off Celine and leave." After some more arguing he leaves.

I lock the door behind me and breathed a sigh of relief. When someone makes you laugh once or twice and then asks you out, and your desperate, you said sure. After all, no one's perfect you figure. And I was just tired of ebbing alone, but I made a mistake. It's nice to be with someone, to be in a relationship, but if there's no spark, no attraction, then it's just not going to work. Should I have sex with a pompous law professor that will annoy me with his legal theories and love of Celine Dion, just because he's easy to be with? Easier isn't always better.

I'm glad I threw him out, and I'm even happier I'm alone. Now where's that doorman I had sex with a while ago?

## UNSATISFIED CUSTOMER

can and will work. If another suggestion is necessary, give students numbers each time papers are to be handed in. Give the "professor" a list of the numbers pertaining to the students enrolled in his class. Let the professor grade the papers accordingly. Have him submit these grades to the writing program. When students want to review their papers with their professors they still can knowing that a separate set of numbers will be issued for the next time they submit a paper to be graded. A few years ago, the writing program did, in fact, have a working system for anonymous grading, so the idea that it would be impossible is simply untrue. Again, the students' concerns are ignored.

Furthermore, to comment on student-teacher relationship, in my class there isn't any such relationship. I, along with many of my peers, have sent emails to our professor, who has always encouraged us to do so, only to realize that he never reads them and never replies. Anonymous grading would not impede the student-teacher relationship when there is none to begin with. If anything, anonymous grading would ensure that biases are eliminated. Other courses enforce this type of grading. If legal writing is so important why doesn't the writing program ensure that everyone is given equal opportunity to succeed?

In conclusion, the writing program is an embarrassment to the NYLS community. The people running it have put minimal effort into it. They have only been interested in ensuring that SOMEONE would buy the book they worked hard to write and publish. I am undoubtedly not the only one who is upset about the program, and am sure others have voiced their opinions and complaints. The program's unwillingness to address the concerns of its students is evidence that they are either too lazy to resolve these issues or simply that they don't care. The program has failed its students. It's nothing



## C O N S T I T U T

SEX

## THE SUPREME COURT TRIES SODOMY AND DISCOVERS THAT TEXAS IS CONFUSED ABOUT IT TOO.

*Slate*, March 27, 2003  
By Dahlia Lithwick

Before we get hung up in the nuts and bolts of *Lawrence v. Texas*, let's be clear: There are two kinds of homophobia, at least in Texas. The first is a hatred of all things homosexual. That's bad. The other involves a certain fondness for gay people—an acceptance that they are A-OK, so long as they don't commit any of those sex acts they're inclined toward. This sort of Will & Grace ("gays are so cute, but don't show me what they do in bed") homophobia seems not only to be defensible according to the state of Texas; it also appears to be the lynchpin of their argument in today's long-awaited gay sodomy case.

The facts of *Lawrence* are straightforward and mostly undisputed: Texas police entered the apartment of Houston resident John Lawrence in response to a neighbor's fabricated claim that a man in there with a gun was "going crazy." What the cops actually found was Lawrence and Tyron Garner having anal sex, for which they were promptly arrested under a Texas law prohibiting "deviate sexual behavior" (i.e., oral or anal sex) between persons of the same gender.

Pause here to consider that bestiality is not considered "deviate" under Texas law.

Lawrence and Garner were jailed, prosecuted, and fined over \$200 each. They challenged the law, arguing that it violated the 14th Amendment's promise of privacy in intimate sexual matters and its guarantee of equal protection under the law. They prevailed in the Court of Appeals for the 14th District of Texas, but lost, 7-2, when the court reheard the case en banc. So they appealed to Texas' highest appellate court, which declined to hear it, and on to the U.S. Supreme Court, where their argument was heard this morning.

Lawrence and Garner have two possible routes to invalidating the Texas law, and today they press both. The "fundamental rights" argument tracks a line of contraception and abortion cases holding that certain intimate, private, family-related choices may be protected from state interference. This was the basis of *Roe v. Wade*. The "equal protection" argument holds that states can't promulgate laws discriminating against certain classes of people unless there is some "rational basis" for the law and a "legitimate government purpose" behind it. Since the Supreme Court decided their last homosexual sodomy case, *Bowers v. Hardwick*, in 1986 on the grounds that the first theory (privacy and fundamental rights) didn't apply to gay sodomy, they could overturn the Texas law on equal protection grounds without throwing out the *Bowers* precedent. So confusing is the argument, as it pings back and forth between due process and equal protection analysis, that at some point Justice Antonin Scalia asks Paul Smith, who represents Lawrence and Garner, to raise his left hand while arguing one track and his right while arguing the other.

Chief Justice William Rehnquist immediately challenges Smith on the claim that there is some longstanding privacy right to commit gay sodomy. This was the basis of the *Bowers* decision—a decision in which Rehnquist was in the majority. "The right has to have been recognized for a long time," he argues. Smith responds that laws banning homosexual conduct didn't even exist until the 19th century. Scalia argues that sodomy laws have been on the books from the beginning of the republic, they just included heterosexual and married couples.

"It's conceded by the state of Texas that married couples can't be regulated in their private sexual decisions," says Smith. To which Scalia rejoins, "They may have conceded it, but I haven't."

Scalia insists that a liberty interest (under the fundamental-rights theory) needs to be "deeply rooted in tradition," and the mere fact that some of those state anti-gay laws have since been repealed doesn't guarantee a fundamental right. He suggests that even if all states had "repealed their laws against flagpole-sitting," there would not necessarily be a fundamental right to flagpole-sit.

(Flagpole-sitting is not a crime in Texas, by the way, unless said pole has been very strategically placed on your partner's anatomy.)

Smith explains that fundamental rights are understood to apply to decisions about "sexual relations in the home" and decisions about "procreation and non-procreation." Rehnquist interjects that the laws at issue have little to do with "non-procreation." Smith says these laws say "you can't have sexual activity at all" if you are gay and Scalia objects: "They just say you can't have sexual intimacy with a person of the same sex." See? No problem. Homosexuals remain perfectly at liberty to have heterosexual sex in Texas.

Justice Sandra Day O'Connor—who speaks very little this morning—asks Smith whether he objects to laws criminalizing heterosexual sodomy. (Nine states currently have such laws on the books; four others—Texas, Oklahoma, Kansas, and Missouri—proscribe only gay sodomy.) Smith responds that all 13 state laws are unconstitutional under his first (fundamental privacy) point. Then Scalia wonders whether state statutes that criminalize rape or adultery only among opposite sexes are similarly unconstitutional. Smith argues that this is quite different from "giving all people free rein to make sexual decisions except one small group of people." Scalia retorts, "You can put it that way. You can make it sound puritanical. But lots of laws make moral judgments. What about the laws against bigamy?"

Smith argues that there are neutral justifications for bigamy laws—but none for homosexual sodomy laws. And Rehnquist, in an odd little celebration of the narrow-minded and the judgmental, offers, "Almost all laws are based on disapproval of some people or some conduct. That's why people regulate."

Smith explains that the anti-sodomy laws have pernicious secondary effects—keeping gay parents from gaining child visitation or custody or employment, for instance—and Rehnquist wonders whether, if these laws are stuck down, states can have laws "preferring non-homosexuals to homosexuals as kindergarten teachers." Smith replies that there would need to be some showing that gay kindergarten teachers produce harm to children. Scalia offers one: "Only that children might be induced to follow the path to homosexuality."

Charles A. Rosenthal Jr. is the district attorney from Harris County, Texas, and it falls upon him to produce some rational reason for the Texas anti-sodomy law.

## HISTORY OF THE ISSUES

It all began five years ago when a neighbor reported a "weapons disturbance" at the home of John G. Lawrence. When police arrived they only found two men having sex. Lawrence and another man, Tyron Garner, were held overnight in jail and later fined \$200 each for violating the state's Homosexual Conduct law. The neighbor was later convicted of filing a false police report.

In *Lawrence v. Texas*, two gay men say the state of Texas deprived them of privacy rights and equal protection under the law when they were arrested in 1998 for having sex in a Houston home.

The case is now before the US Supreme Court. Oral arguments were held on March 26, 2003. A decision is expected at the end of June or beginning of July, 2003.

Thanks to the school which picked up the hotel tab, and the GLBT Law Student Association, some NYLS students were able to attend the oral arguments.

# IONA L L A W

# RACE

"RACE" HAS BEEN USED IN EVERY WAY IMAGINABLE TO SYSTEMATICALLY LIMIT THE PARTICIPATION OF PEOPLE OF COLOR. UNTIL "THE PLAYING FIELD IS LEVELED," RACE WILL NEED TO BE A FACTOR THAT IS USED TO SYSTEMATICALLY INCLUDE PEOPLE OF COLOR. UNFORTUNATELY, AT THIS TIME, SO-CALLED RACE-NEUTRAL POLICIES "JUST WON'T CUT IT."

Robert W. Ethridge, Ph.D.  
President, American Association for Affirmative Action

## AFFIRMATIVE ACTION

by DeNovo Staff Writer

President Bush has chosen to take in the debate on affirmative action. Specifically, the President has denounced the program as nothing more than an illegal "quota" system. It is clear that he intentionally overstated his case in order to influence the decision of the U.S. Supreme Court Justices, before they heard arguments in the University of Michigan cases. President Bush is knowingly, (or, perhaps even more alarming) unknowingly, playing the "race card" because he is aware that using race as one of the factors in an admission decision was declared Constitutional in 1978 when the Bakke Case was decided.

Affirmative action is the nation's most ambitious attempt to redress its long history of racial and sexual discrimination. But these days it seems to incite, rather than ease, the nation's internal divisions.

An increasingly assertive opposition movement argues that the battle to guarantee equal rights for all citizens has been fought and won - and that favoring members of one group over another simply goes against the American grain.

But defenders of affirmative action say that the playing field is not yet level - and that granting modest advantages to minorities and women is more than fair, given hundreds of years of discrimination that benefited whites and men.

Born of the civil rights movement three decades ago, affirmative action calls for minorities and women to be given special consideration in employment, education and contracting decisions.

Institutions with affirmative action policies generally set goals and timetables for increased diversity - and use recruitment, set-asides and preference as ways of achieving those goals.

In its modern form, affirmative action can call for an admissions officer faced with two similarly qualified applicants to choose the minority over the white, or for a manager to recruit and hire a qualified woman for a job instead of a man. Affirmative action decisions are generally not supposed to be based on quotas, nor are they supposed to give any preference to unqualified candidates. And they are not supposed to harm anyone through "reverse discrimination."

President Clinton, asserting that the job of ending discrimination remains unfinished, strongly defended affirmative action. "Mend it, but don't end it," he said.

Conservatives, however, see ending affirmative action as a powerful political issue. Heartened by recent Supreme Court decisions that have limited affirmative action - and by the passage in 1996 of a California ballot initiative abolishing sexual and racial preferences - Republicans are taking up the battle wherever they can.

The debate over affirmative action takes on a particularly bitter tenor in the trenches. "Angry white men" blame affirmative action for robbing them of promotions and other opportunities. And while many minorities and women support affirmative action, a growing number say its benefits are no longer worth its side effect: the perception that their success is unearned.

Judging simply by the results, the playing field would appear to still be tilted very much in favor of white men. Overall, minorities and women are in vastly lower paying jobs and still face active discrimination in some sectors.

At this point in our nation's history, does affirmative action make things better or worse? The debate rages on.

An example of the efforts to influence the decisions of the Court is the reference to a 1997 case that was heard during the Clinton era. In that "reverse discrimination" case, a white high school teacher alleged that she was laid off of her job and an African American teacher was retained. She claimed that the only reason she was laid off (and the African American teacher was retained) was because of the school district's desire to maintain its affirmative action gains. Clearly, that school district could have handled the case differently if attention had been paid to *Wygant vs. Jackson Board of Education*. In that case, it was determined that Ms. Wygant, a white teacher in the Jackson School District, could not be laid off and an African American teacher retained to maintain the affirmative action gains that the district had made. The decision did not overturn Bakke, the 1978 landmark case that supports using race as one of the factors in hiring decisions. The Clinton administration did argue that the school district's affirmative action policy did go too far and could not be justified by the notion that a diverse teacher corps is a worthy goal. Bakke continues to be the case that enables the University of Michigan to use race as one of the factors in the admission process at the undergraduate and professional levels.

Those individuals who understand the complexity of the admissions process in higher education would insist that the process has been reduced to race rather than a combination of grades, test scores, alumni status, athletic prowess, region of the country, ethnic status, administrative fiat, extra curricular activities, number of seats in a given program, relationship to a benefactor, and autobiographical sketch, to name several of the criteria. Clearly, the preponderance of the decision-making does not rest solely on race - so why is it, exactly, that "race" has become the focus, particularly when it is among the most divisive factors to add to any equation?

Affirmative action programs were developed to eliminate the current effects of past discrimination and to provide equal opportunity to individuals and groups of individuals that have been systematically discriminated against because of their race and/or gender. Because progress for a select few has been made - at least according to recent statistics - there are some who believe that all affirmative action programs should be eliminated. The effort is to ensure that African Americans, in particular, should not be entitled to attend the more prestigious colleges and universities. Keeping African Americans out, or minimizing their opportunities to attend the more prestigious institutions, invariably causes them to lower their sights. A few will be admitted, but it will be very difficult to achieve the critical mass necessary to ensure diverse thinking. It is well known that colleges and universities actively recruit international students in order to strengthen the education of American students and study abroad programs provide American students with a real life exposure to a different way of life. The existence of a critical mass of students of color has a similar impact on the culture of a campus. Additionally, the opportunities to interact with students who are different are at the very root of a liberal education.

In Texas, it was suggested that "racial preferences" could be eliminated in favor of making the top 10% of all graduating classes eligible for admission. Supporters of the plan claim that diversity was enhanced through this program. However, enrollment statistics clearly show that the number of applications of African American students dropped to levels that existed before the implementation of affirmative action programs.

The statistics that we continue to see regarding minority enrollment in higher education support the need for affirmative action in the recruitment and admission processes. The *Bakke* case permits using race as one of the factors in the admissions process (in the same manner that "child of alumni" is but one factor). We, as professionals in the field of equal opportunity, affirmative action and diversity, encourage the U.S. Supreme Court to rely on the precedent set by the *Bakke* decision to decide the two University of Michigan cases that will come before it in the next few months. To do otherwise would be a grave mistake indeed.

## S O D O M Y   C A S E   C O N T .

He runs aground when he tries to argue that the two homosexuals caught doing homosexual things in this case may not actually be homosexual. "I don't understand what that means," says Scalia.

"You are not homosexual if you commit one homosexual act," replies Rosenthal. Everyone is promptly confused.

In response to a question from Justice Anthony Kennedy as to whether Bowers is still good law, Rosenthal replies that mores have changed and that "physical homosexual intimacy is now more acceptable." Since he suddenly seems to be arguing the wrong side of the case, an astonished Scalia steps in to say, "You think there is public approval of homosexuality?"

Rosenthal catches his pass, then runs the wrong way down the field: "There is approval of homosexuality. But not of homosexual activity." Scalia wonders how there can be such widespread "approval" if Congress still refuses to add homosexuals to classes of citizens protected by the civil rights laws. "You're saying there's no disapproval of homosexual acts. But you can't ... say that," he sputters.

Justice Stephen Breyer asks one of his famed three-part questions and, when Rosenthal doesn't answer immediately, Breyer interrupts: "That's not my question. I'd like to hear your straight answer." The gallery busts up. Rosenthal says there's a good place to draw the line of privacy and fundamental rights, and that line is "at the bedroom door."

"But the line is at the bedroom door in this case!" yelps Breyer. To which Rosenthal says something suggesting that the two co-plaintiffs (who have been fighting this case together since 1998) may not have been having consensual sex.

Breyer, quoting shamed Oxonian Tom Brown, adds that the whole justification for this law can be reduced to: "I do not like thee Dr. Fell/ The reason why I cannot tell." Breyer asks whether Texas could make it against the law to "tell really serious lies" at the dinner table, and when Rosenthal sounds like he's about to say Texas can, Scalia interrupts to say, "Don't you think what laws a state can constitutionally pass has something to do with the sorts of laws that have a long tradition of being passed?"

"Certainly," says Rosenthal.

Justice David Souter asks whether Texas really has a 200-year tradition of criminalizing gay sodomy. "Was this law on the books in 1803?" he asks.

"Texas wasn't a state in 1803," offers Rosenthal.

"Good question!" applauds Scalia. "Don't fall into that trap!"

Breyer notes that during World War I people also thought it "immoral" to "teach German in schools. . . Immoral is a hard line to draw."

"There is a rational basis," insists Rosenthal.

"You're not giving us a rational basis," snaps Breyer.

"The rational basis," says Scalia, "is that the state thinks it's immoral. Like bigotry or adultery."

"Or teaching German," grins Breyer.

Souter wonders why Texas doesn't limit sodomy among heterosexuals. "Because it can lead to marriage and procreation," says Rosenthal. (So you really want your daughters to be good at oral sex, folks, if you want to see them married.) Rosenthal closes by telling the court that Texas is not really homophobic. In fact, they recently passed hate crime legislation making it illegal to commit crimes based on sexual orientation. How sweet. Justice Ruth Bader Ginsburg asks why any homosexual would run for public office in Texas, knowing he'll be charged by his opponents with being a lawbreaker. Rosenthal assures her that he could only be called a lawbreaker if he "commits that act."

## U N I N T E N D E D   c o n t .

A powerful US who would only like to do business is far less a personal threat than a French

hegemony which would like everyone to conform to their work rules, tariffs and economic plans and lessen competition from other countries.

European politicians know that the Iraq war will be forgotten soon. The issue in the next round of elections will be who will run the European Union and how it will affect their country.

I can see the large dollar costs of the Iraq war. I can see a possible increase in terrorism. I can also see a possible growth in democracy in the region. I can see good outcomes and bad outcomes.

The things which worry me are the negative unintended consequences that we cannot even imagine. Churchill would not have created Iraq, and the French would not have installed the Saudi tribes, if they could have foreseen today.

**It is the flea which worries me.**

Christoph Amberger wrote an essay for the Daily Reckoning yesterday which was absolutely brilliant. Amberger was born in Berlin and remembers another cowboy American president coming to Germany, where there were protests from the same people who march today and oppose American power.

But Reagan persevered, and the Berlin Wall came down. Those who opposed America at that point were wrong. You can read his moving essay at <http://www.dailyreckoning.com/sub/Mwave2.cfm>. This link will also give you an opportunity to subscribe to the free Daily Reckoning e-letter. You can get to Christoph's essay by scrolling about halfway down.

It is approaching 5:30 and I must go. My sons are waiting. I have to fly for a quick meeting in DC on Monday but will return the next day. I will be in Austin on Monday of the following week speaking at the Texas Public Pension fund conference.

I leave you with this quote dug up by Bill Fleckenstein:

"It is very rare that you can be as unqualifiedly bullish as you can be right now." Alan Greenspan on January 7, 1973, two days after the market peaked on its way to declining 50% over two years as we endured the worst recession since the depression."

Your rushing out the door analyst,

John Mauldin  
[JohnMauldin@InvestorsInsight.com](mailto:JohnMauldin@InvestorsInsight.com)

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## not funny Ha Ha but still...

Q: Why doesn't Saddam go out drinking?

A: Why should he go out when he can get bombed at home!

The recent referendum in Iraq has confirmed Saddam Hussein as president for another seven-year term with 100% support.

An old man voted No at the first instance but was so worried about the consequences. He therefore went back to the voting station and told the administrator: "Look, I am such an old man and probably made a mistake by putting the X in the wrong position. I beg you not to punish me and wish to correct my mistake". The administrator said to him: "Don't worry, we have already corrected it for you".

He Said She Said

He said... I don't know why you wear a bra; you've got nothing to put in it.  
She said... You wear briefs, don't you?

He said... Do you love me just because my father left me a fortune?  
She said... Not at all honey, I would love you no matter who left you the money.

She said... What do you mean by coming home half drunk?  
He said... It's not my fault... I ran out of money.

He said... Since I first laid eyes on you, I've wanted to make love to you in the worst way.  
She said... Well, you succeeded.

He said... 'Two inches more, and I would be king'  
She said... 'Two inches less, and you'd be queen'

Heard this on the radio:

You know it's a strange time in this world when:

- 1) The #1 rapper is white.
- 2) The #1 golfer is black.
- 3) The Germans do not want to go to war.

Go figure!

What's the shortest book ever written?

French War Heroes.

From Texas, USA: I read this on the back of a public restroom door. "Here I sit with my buns a'clenchin, giving birth to another Frenchman.

What did the Mayor of Paris say to the German Army as they entered during WWII?  
"Table for One Hundred Thousand?"

Why don't they have fireworks at Euro Disney?  
Because every time they shoot them off, the French try to surrender.

Why did the French plant trees along the Champs Elysees?  
So the Germans could march in the shade.

What is the most useful thing in the French Army?  
A rearview mirror, so they can see the war.

Why does Nike like the French Army?  
Because, in wartime, they are the biggest buyers of running shoes.

Why did the French celebrate their World Cup Championship in 2000 so wildly?  
It was the first time they won anything without the help of the U.S.

Four men were out golfing and discussing how each convinced their wife to let them play golf every morning.

1st guy: I had to buy my wife a BMW to let me play golf daily.

2nd guy: You got off cheap! I had to buy my wife a BMW and a mink coat.

3rd guy: You both got off dirt-cheap! I had to buy my wife the BMW, mink coat and a diamond necklace.

4th guy: Ha! I didn't have to buy my wife a single thing! Every morning when I wake up, I lean over in bed, nudge my wife and ask, "Intercourse or golf course?" She instantly replies, "Don't forget to take your sweater."



# “In The Words Of Yogi Berra: It Was Deja Vu All Over Again

April 7, 2001

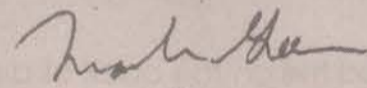
Dear PMBR,

Please be advised that you have my permission to publish this letter. And, you may rest assured that I am not asking for anything in return.

During the morning session of the MBE I found myself thinking, “I know that one. That was a PMBR question!” In the words of Yogi Berra: “It was deja vu all over again.” I was amazed how on-target you guys were. When we stopped for the lunch break I was a little nervous because it seemed like the MBE questions were very similar to the practice questions from PMBR. Although I was confident when I left the exam, I never imagined I would score in 97th percentile nationwide. I am thrilled to report that I scored a 170 on the MBE, thanks to PMBR!

I have to say, I cannot imagine taking the MBE without your course. In my opinion, attendance at your course is not optional; it is mandatory. The “key” to the MBE is doing as many questions as possible from PMBR books and reviewing the answers.

Best regards,



Mark Green



## I Was Amazed How Similar The Actual MBE Was To PMBR!”



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