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# MOTIONS

University of San Diego School of Law

Volume 36, Issue 8

usclawmotions@hotmail.com

April 26, 2001

# Finals Are Here... Again!!!

## Final Exams: An Opportunity to Test *Your* Knowledge

By Chad McManamy  
Section Editor

As another semester quickly draws to an end, the hard work of the past months is rewarded with final exams. A collective cheer for the opportunity to express our comprehension of socratically disseminated information!

Seriously, final exams are important. As such, they create an enormous amount of pressure. An unfortunate result of the pressure is the temptation, for some, to gain an unfair competitive advantage over others. This comes at the price of our Honor Code.

The Honor Code, for those who do not know, is USD Law's rules and regulations regarding academic conduct. A reason many students may not be aware of the Honor Code is because not enough attention is paid to it. That is unfortunate, because the Honor Code is important.

The Honor Code is one way to measure a school's academic reputation. In other words, a school without an Honor Code would be a school without merit, i.e., honor. That, and the fact that a student could forfeit his or her diploma for violating the Honor Code, is why the Honor Code matters.

The Honor Code, for such an important document, is flawed at USD Law. An example of this is plagiarism. The most frequent violation of the Honor Code, plagiarism receives scant attention at USD Law. The attention it does receive is vague and unclear. As a result, the Honor Court (the body charged with enforcing the Honor Code) announces subjective ruling based on the subjective language of the Honor Code. (Honor Court opinions are kept on reserve in the LRC).

Recent student efforts to revise the Honor Code have proved fruitless. What is required to change the Honor Code is nearly impossible to complete in three or four years. Unless the faculty becomes involved in implementing the necessary changes, the current, flawed system will survive.

Another problem regarding the Honor Code is the procedure of administering final exams. Proctors do their best; however, sometimes even their best is not good enough. With forty to fifty students in one room, one proctor is unable to adequately monitor everybody effectively.

The ultimate responsibility, of course, is on the student. There should be no shortcut to the bar. As an experienced lawyer once said, "You will be faced with many opportunities to compromise your values and ethics as an attorney. The temptations will come in many forms, and you will not always recognize them. Once you open that door and give it away, however, you can never get it back. Never."

Start now and prepare yourself for a profession of trust and confidence. Be worthy of the title, help dispel the popular opinion of lawyers as dishonest bottom-feeders. In short, during these final exams, do *your* best. We are all better off when you do. On behalf of the Editorial Board, Good Luck on Your Final Exams!

### School of Law Honor Code

#### Statement of Purpose, Ideals

The purpose of [the] honor code is to establish the rules by which the students of the University of San Diego School of Law shall be governed with respect to any conduct relating to academic matters. The success or failure of an honor code is dependent on the willingness of those governed by the code to enforce it. If the honor code is to be effective, each student must make a commitment to comply individually with its provisions and must accept the responsibility of assuring compliance by other students. A student's sense of justice and integrity should obligate him or her to report violations of the code in order to preserve the academic integrity of the law school.

#### Prohibited Conduct

In any academic matter it shall be a violation of the honor code to engage in any of the following:

- (a) To use materials
  - (1) In an exam, other than those specifically authorized by the instructor,
  - (2) In research or other writing assignments, which are specifically forbidden by the instructor.
- (b) To submit as one's own work, the work of another.
- (c) To fail to comply with academic rules relating to honesty and integrity, as applied to examinations, research or assignments.
- (d) To make any material misrepresentation as to work toward satisfaction of the minimum requirements for grade or credit any activity for which credit is given.
- (e) To intentionally tear, mutilate, deface or destroy any University of San Diego library material or other study materials made available to students by the University of San Diego School of Law, to hide same or to intentionally remove library materials from the University of San Diego libraries without compliance with circulation policies prescribed in library rules.

#### Administration of the Code

The Honor Court, at the close of a hearing and upon finding that a student has violated the honor code...[may issue the following sanctions:] Warning...Censure...Disciplinary Probation...Restitution...Recommendation of Suspension...Recommendation of Expulsion.





University of San Diego  
SCHOOL OF LAW

Published Since 1971

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MOTIONS welcomes all letters, guest columns, complaints and commentaries. All submissions must be signed and include daytime and evening phone numbers. We do not monetarily compensate contributing writers. We reserve the right to edit for content, length and style.

# A Note From SBA President-Elect Chad McManamy

Greetings from your new SBA President. I would like to thank all the students who took time to participate in the recent SBA elections. Whether it was casting a ballot, advocating for a particular candidate, donating some time at the polls or running in the election itself, your contribution was important. I would like to especially thank the three other candidates who ran for SBA President. The expectations generated by the competitiveness of the election will certainly benefit us all in the upcoming year. The election committee also deserves a special nod for their hard work. Stelios, Mike and Saralynn gave an unbelievable effort, and their professional and unbiased work should be recognized. Thank you all.

Look for an active SBA Executive Board with a host of events in the 2001-2002 academic school year. Plans include the traditional events such as the First-Year Orientation, the Halloween Party, and the SBA Community Service Day. In the works are new events including a Six Flags Magic Mountain bus trip, a spring formal, and more inter-school activities.

I would like to emphasize the importance of student participation in extracurricular activities. Time, as the most precious of commodities in law school, is important to us all. Taking a small portion of your valuable time to participation in a club or event is a benefit to everyone. Not only will the event benefit from student participation, but the student benefits as well. Regardless of where one plans to practice, networking while in law school will pay dividends long after graduation day. There are 1,000 future attorneys attending the University of San Diego School of Law. The more of them you know the better. I hope to see everyone attending school functions in the coming year.

As some may already be aware, there will be changes to the Writs, the student offices, and the student lounge areas. The plans for these changes have already been approved, but there is still time to participate. Voicing your opinion about the use of the space is encouraged.

I am looking forward to the upcoming school year (and not just because it will be my last!). The 2001-2002 SBA Executive Board will strive to continue the high standard set by this year's board. Whatever your plans for the summer, make the most of your time, and when you return in August, I look forward to faithfully serving you as your SBA President.

## LRAP is a Success

The Loan Repayment Assistance Program (LRAP) is a success in 2001. So far the goal of \$14,000 is very close. Donations are still coming in, which should push the net amount collected over the top. Dean Rodriguez matches every dollar raised, so there should be around \$28,000 to help out USD Law alums working in the public interest field.

To qualify for assistance from the LRAP fund, USD Law alums must work as public interest lawyers and must make less than \$38,000 in a year, while handling an educational debt of over \$40,000. Obviously, these hard working attorneys could use the help, which is where the Public Interest Law Foundation's LRAP Program comes into play. The program would not be a success without the generous donations by the students, faculty, and friends of USD Law. Thanks to everyone who helped make this year's drive a success.

## Diabetes Epidemic

Volunteers have come together to implement a plan to address the growing concern about diabetes among the Native American tribes. The Center for Disease Control announced this year that diabetes is now at epidemic proportions in the United States. The Native American population has the highest rate of diabetes over all other populations. The American Diabetes Association will implement the "Awakening the Spirit" program in collaboration with the Sycuan Tribal Council.

"Awakening the Spirit" is specifically developed for the Native American population...[it] is a unique educational approach that is sensitive to the cultural values of Native Americans. It is designed to inspire, educate and empower Native Americans to take hold of this silent killer called diabetes.

For more information call the American Diabetes Association at 619-234-9897 ext. 7432.

## Rolling Blackouts Hit San Diego: Brothers You Asked For It!

By Michael S. Giorgino  
*Contributing Writer*

*State power managers ordered rolling blackouts across California for a second straight day Tuesday, cutting off more than 125,000 customers as demand for electricity again exceeded supply. The blackouts Monday struck without warning, coming in two waves that left more than 1.2 million customers without power from San Diego to Sacramento. It was a particular shock for Southern California, since the two previous blackouts, Jan. 17 and 18, affected only the northern and central parts of the state. --The Associated Press, March 20, 2001*

There is a direct, causal relationship between what people do and what happens in their lives. Actions have consequences. Since the 1960's, Californians have increasingly adopted a philosophy of environmental extremism. They have condemned industry, technology, and human development. They have set up boards, commissions, and authorities dedicated to limiting or halting the growth of industry. This has been particularly true in the area of power generation, where in the 1990's, not a single new generating plant was allowed to break ground in California.

San Diego, for example, has the nation's largest open space system for "multi-species protection." More than 50,000 acres of "precious" hillsides, canyons, and "wildlife habitat" are restricted from the building of new homes or businesses. The new mayor has set as one of his top priorities the expenditure of public funds to buy up even more open land, "saving" it from families looking for a little breathing space or entrepreneurs who would bring new business and opportunity to the city.

Mayor Dick Murphy has stated he would support a proposal by a private company to build a new electrical power plant near San Diego's border with Santee only if it could be built without harming the environment, if it would supply power primarily to customers within San Diego County, and if it would sell the power at a reasonable rate. Any new power plant, even a relatively clean-burning natural gas facility, will create some level of emissions. While the right of property does not include harmful uses, harm should be rationally defined: a real threat to persons or property. Restricting the sale of this power primarily to San Diego is shortsighted and an unconstitutional restriction on interstate commerce; power generators must be allowed to build and trade freely if we want reliable sources of electricity in the future.

There is no such thing as a "reasonable rate." There is merely the law of supply and demand. When people want more of a commodity, they offer more for it, and the price goes up. Producers profit and

increase production. Increased supply reduces demand, causing prices to go down to the general level of profits in all industries. As if by an "invisible hand," the pursuit of private profit provides the public with cheap, quality goods and services in abundant supply. However, when government restricts entry into the market, supply is unable to meet demand, resulting in higher prices and shortages.

Rolling blackouts are but a symptom of a greater philosophical disease: Statism—the belief that our lives ultimately belong to the State. The Declaration of Independence denied that premise, proclaiming man's inalienable right to life, liberty, and the pursuit of happiness. Our founders believed that governments are instituted among men to secure individual rights, not to rule. In order for man to survive, he must discover and produce everything that he needs. Individual happiness necessarily involves the right to own property, to produce, and to trade. When government taxes its citizens to buy up all the land, restricts growth, and strangles industry, the light of liberty is extinguished. Its citizens are no longer free.

There is a better way, one which was imperfectly tried in the 19th Century, and which brought even the poorest Americans wealth unheard of by kings of old: Laissez-faire Capitalism—a social system based upon individual rights, including property rights, in which all property is privately owned. Government protects individuals against physical force (or fraud), but is strictly prohibited from initiating force against its citizens. The state is the servant, not the master, of its people, and is forbidden from meddling in the economy. Men trade goods and services in voluntary exchange, and get to keep what they have earned. Capitalism is the only truly just system ever devised by man, the only one in which men are rewarded for creating, producing, and achieving. That is why even its mixed remnants have achieved the highest standard of living on Earth.

What is needed in San Diego and throughout California is real deregulation of the power industry: elimination of price controls; removal of restrictions on mergers and acquisitions; lifting of counterproductive land use regulations; voiding of environmental regulations that do not prohibit actual (physical) harm; and fast track approval of dozens of new power plants, including the proposed San Diego-Santee facility. To those who continue to support environmental extremism and Statism, when your lights go out: Brothers, you asked for it!

*Mike Giorgino retired as a Commander from the U.S. Navy in 1997, graduated from the University of San Diego School of Law in December 1999, and was admitted to the California Bar in June 2000. He may be contacted at mgiorgino@aol.com.*



## Where PC Meets Free Speech:

A war over ads about slavery reparations is not as black and white as it might seem.

*This article was originally published in the April 2, 2001, edition of Newsweek. All rights reserved.*

By Jonathan Alter  
Newsweek Author

When I was in high school, my history teacher assigned us a well-written but crudely argued book by a left-wing historian named David Horowitz. The book depicted the United States as a disgustingly racist and imperialist power, and our homework was to think critically about Horowitz's argument. Where was he right? Where was he wrong? This idea that political discussion could be shaded—that it was possible to be partly right and partly wrong—had escaped Horowitz altogether, but it stuck with me.

Since the 1980's, Horowitz, a former editor of the radical monthly *Ramparts* and co-author of best sellers about the Kennedys and the Rockefellers, has become a right-wing agitator, throwing stink bombs from the other side. Actually, he didn't have to move that far, since the thinking of the extreme left and extreme right, as Hannah Arendt explained, is strangely similar. His Manichaeian mind is largely out of fashion in a post-cold-war world; the only ramparts we watch are at ball games. But juicy targets remain: PC thinking has enjoyed a longer shelf life than it deserves. So Horowitz and his left-wing critics are keeping each other in business.

The 52 college newspapers confronted last month with his now infamous and intentionally inflammatory advertisement (titled "Ten Reasons Why Reparations for Slavery Is a Bad Idea—and Racist Too") were in a tight spot. If they published the ad and sparked protests, they would bolster Horowitz's point about political correctness; if they refused the ad, they would bolster his point about the lack of free expression. Both happened, and the provocation succeeded brilliantly.

The ad, which reminds me of one of those tiresome rants supporting a NAAWP (National Association for the Advancement of *White* People), is detonating on campus this year. At Berkeley, students stormed the offices of The

Daily Californian to demand an apology after the newspaper ran the ad. They got one. At Brown, student protesters threw away thousands of free copies of The Brown Daily Herald issue containing the ad. At Duke, hundreds demonstrated. Suddenly, Horowitz, who constantly tells blacks to stop acting like victims, gets to play the victim himself. How infuriating.

The case is a carnival of such contradictions. The Wall Street Journal Web site and The Boston Globe were among those news organizations righteously editorializing that young college editors should run the ad. But spokesmen for the Journal and Globe now refuse to say whether those newspapers would have run the ad themselves. Is that "left-wing McCarthyism" (Horowitz's charge against the college papers)? Please. Newspapers, exercising their own freedom, routinely reject advertising they believe might offend the sensibilities of their readers. When asked by NEWSWEEK, several major papers, including the Baltimore Sun and the Seattle Times, said they would have rejected the Horowitz ad (NEWSWEEK is among several publications saying it would have run it).

So Horowitz is wrong to cry "censorship." It would only be censorship if the government told him he couldn't hand out his "Ten Reasons" on a street corner or publish it himself. But you have to hand it to the guy; he knows how to expose the distance we've traveled from those great Enlightenment words (wrongly attributed to Voltaire): "I disapprove of what you say, but I'll defend to the death your right to say it."

For example, at a Brown faculty meeting, Lewis Gordon, chair of the Afro-American Studies program, suggested the seizure of the Daily Herald copies could be seen as valid civil disobedience against Horowitz's "hate speech." (Many of his colleagues, to their credit, strongly disagreed.) In a NEWSWEEK interview, Gordon dug himself in deeper. The distinction between free speech and hate speech, he insists, can be gleaned from the answer to the query: "Am I giving information or am I trying to stimulate a fight?" But the Horowitz ad didn't advocate violence or use racial epithets (which can, in certain contexts, be construed as "fighting words"); the only struggle he wanted to stimulate was an intellectual donnybrook—exactly the kind of "fighting" that universities were founded to defend.

Unfortunately, this is not an isolated case. At Yale, dorm counselors, with the knowledge of administrators, threw out copies of a conservative student publication sent into the freshmen dorms. (The university last year acknowledged the error.) Dartmouth has faced a similar problem. American universities often forget that the best way to fight offensive speech is with more speech. It follows that the best way to handle the Horowitz ad is to run it right next to a full page or two of editorials and comments from the community denouncing it. But of course it's much easier to take offense than to build an argument.

That's especially sad because the argument against Horowitz's racial agitprop is worth making. Remember, the ad didn't deny the Holocaust or champion terrorism or say blacks were inferior; it defended the status-quo—a country where the odds of reparations for slavery are about the same as David Horowitz getting invited over to Al Sharpton's for Thanksgiving. Horowitz knows this, so his true point—beyond simple provocation—was something much more relevant to the national debate than reparations. The not-so-subtle subtext was that we've given "them" enough, and so should give up on addressing the continuing problems of race and poverty in America. If my old teacher were alive, he'd assign an essay on where Horowitz is right—and where he is profoundly wrong.

*In addition to its relevance to the following article, Johnathan Alter's article is important. It is important because it reveals something you may or may not have noticed regarding your student-run newspaper: Motions does not run advertisements.*

*Aside from not being forced into a debate about which advertisements might "offend the sensibilities" of our readers, the fact that Motions does not print advertisements means that, we believe, Motions is a more quality publication than it would otherwise be if advertisements were accepted. By not running advertisements Motions is able to deliver to you, dear reader, substantive information. The space that would otherwise be filled with advertisements is filled with articles. Motions delivers substance over form.*

*Whether or not Motions will accept advertisements in the future is a judgment call that future Editors-in-Chief will make. For my part, in this last issue of Motions for the academic year of 2000-2001, and in my last issue as Editor-in-Chief, I believe Motions is better without being sullied by the words of those who wish to sell you something other than free information.*

*Thank you Motions for this special year. It has been a pleasure serving as Editor-in-Chief. And thank you Editorial Board, Chad McManamy and Christine Pangan. Without you guys this year would not have been possible.*

--Ed.

## The Need for Black Reparations

By Watson Branch  
Contributing Writer

The appearance this spring in a number of college newspapers of a paid advertisement entitled "Ten Reasons Why Reparations for Blacks Is a Bad Idea for Blacks—and Racist Too" is indicative of the unwillingness of the white majority to take any positive steps to grant black Americans an equal opportunity to fulfill the American Dream.

The ad contains a litany of the usual objections to reparations: no single, discernible group was responsible for and benefited from slavery; neither those who were responsible nor those who were its victims are alive today, nor can their descendants be identified; living Americans should not be asked to pay for the wrongs they did not commit; if blacks are disadvantaged today after all the social programs since the 1960's, it is due to a failure of character rather than the result of slavery and its aftermath; reparations burden blacks with a crippling sense of victimhood; blacks owe white Christians a debt for freeing them from centuries of slavery and enabling them to live in America where they enjoy a standard of living higher than that of other blacks around the world.

Objections such as these raised by the conservative polemicist David Horowitz in his ad reflect either shocking ignorance or deliberate misrepresentation of both the history of this country and the current proposals for black reparations. The long, dark shadow of slavery has cast its pall over America ever since the first Africans were brought in chains to this land in 1619. Slavery so warped the minds of white and

black Americans and so distorted the institutions forming the supporting structure of American society that the nation has been unable to escape its continuing debilitating influence even a century and a half after the "peculiar institution" was outlawed. Injustice and inequality belie the American Dream and the promise of the nation's foundational ideals—ideals that were enunciated by white men of European extraction who thought of the African slaves not as human beings but as chattel. The Founding Fathers apparently had no problem putting blacks in a category where they were diminished to three-fifths of their personhood and where the proposition that "all men are created equal" did not apply.

As the United States enters the 21st Century, the time is ripe to lift that pall and transform the country into the land that fulfills the promises made not just to the privileged classes but to all Americans. This can be done only if America comes to terms with the overt and covert racism that flows through its institutions and through the hearts and minds of its people. And once the reality of racism is faced, the country must take affirmative steps to correct the wrongs that racism continues to breed. The solution calls for radical measures that strike at the root of the problem, namely a monumental program of reparations that in the next 30 to 40 years will go far to eliminate the injustices and inequalities that presently infect the land. The *justification* for such a program is the debt owed to African Americans for harm done by slavery, segregation, and discrimination; the *effect* of such a program will be a better America, not only directly for blacks and other minorities, but also indirectly for all Americans. Reparations can serve as the principal antidote to the poison of racism that incapacitates America today.

Slavery and post-Emancipation segregation and discrimination have greatly harmed African-Americans, and those harms cry out for redress. Beyond the personal injuries suffered by individuals, the harms have been done to blacks as groups, leading to a two-fold claim: first, for the value of uncompensated labor during the period of slavery and, second, for the violations of the civil rights of African Americans since Emancipation. Ironically, neither that Civil War nor the Constitutional Amendments and the Federal Civil Rights statutes resulted in blacks being admitted to full citizenship and to an equal place in American society. Freedom alone is insufficient as a means to equality, even equality of opportunity. As Randall Robinson has pointed out in *The Debt: What America Owes to Blacks*, "No nation can enslave a race of people for hundreds of years, set them free bedraggled and penniless, pit them, without assistance in a hostile environment, against privileged victimizers, and then reasonably expect the gap between the heirs of the two groups to narrow." And, he added, millions of blacks remain socially and economically disabled by slavery and "the century of government-embraced racial discrimination that followed it."

That such disability exists nearly half a century after *Brown v. Board of Education* and the Civil Rights and Voting Rights acts is a testimony to the persistence of racism in America. Racism is prevalent in the hearts and minds of individuals—whether consciously or unconsciously—and in the political and social institutions of this country. The inescapable reality of black socioeconomic disadvantage has been outlined in convincing detail by scholars such as Robert Westley, Manning Marable, Thomas F. Pettigrew, Melvin L. Oliver, Thomas M. Shapiro, and Andrew Hacker

to show how, in Professor Westley's words, "structures of white supremacy have asserted hegemony over numerous aspects of social, political and personal life in the United States." Despite civil rights legislation and affirmative action (now emasculated by the Supreme Court), millions of black Americans, as Professor Roy L. Brooks says in *Integration or Separation?*, "are still not receiving adequate education and emotional support in our public schools, are still not living in safe and decent neighborhoods, are still not working to their full economic and emotional potential, and are still not able to protect their social and economic interests through the political process." This is a stinging indictment of the traditional liberal program for solving the problem of race in America: personal racial bias is too strong, as are structural and institutional racism.

The answer must be reparations—massive, government-sponsored programs that compensate the African-American community for the unpaid labor of their ancestors and, more important, that provide African Americans with their fair share of the national wealth and income that would have been theirs had they had the same opportunities and advantages that white Americans experienced over the last 375 years. The programs need to be designed to achieve the greatest good for the country. Making cash grants to individuals might work in the short term; however, transfers of money to communities would make more lasting improvements in the lives of African-Americans, moving them toward a position of social equality.

It is a matter of *vision*. Whites must see blacks as fellow human beings and they must see them as *equals*. Then, someday in the future, racial equality will be a massive and undeniable reality.



## Law School News:

Useful information to put students in the know.

## Graduation Awards Ceremony

On May 25, 2001, at 4pm in Shiley Theatre, located in Camino Hall, the University of San Diego School of Law will honor its departing graduates with the annual Graduation Awards Ceremony. This event is the administration and faculty's opportunity to honor those graduating students from USD Law who have served as officers, or their equivalents, in the many Student Bar Association affiliated organizations or other law programs such as Moot Court, Mock Trial, Clinics, Center for Public Interest Law as well as editors of the three law school journals and *Motions*. There are academic awards in various subjects that are grade based and sponsored by local law firms.

There will be a reception following the ceremony for graduates, families, friends and faculty and staff.

## Why Normal Isn't Healthy

By Marty Duda

*Contributing Writer*

"I used to be normal," says teen stress-management expert, physician, and clown Dr. Bowen White. "But I have made some progress."

As Dr. White points out in his new Hazelden book, "Why Normal Isn't Healthy," and as many have discovered, the accepted and even celebrated ways of living in modern society are not always the healthiest. Whether at work or at play, the message today seems to be: Do more and do it better, faster, and more intensely than you've ever done it before. When we rush about trying to be everywhere and everything, we are more susceptible to stress-related illnesses, chemical dependency, or other addictions, because we try to ignore or try to numb the pain and pressure of our lives.

"We live in a self-improvement culture," laments White. "It's as if we're on the road to perfect." But he says self-improvement is a con because we can never achieve perfection. It is a self-acceptance we should be striving for, the quality White calls the beginning of change. "When we accept that we have a flaw, then we can begin to do something about it."

Accepting the things we cannot change and changing the things we can is one of the most important tenets of our world. White says, "It is about getting back our essence and becoming who we really are instead of who we are conditioned to be."

The path to self-discovery is not always straight or smooth. "A lot of life is about walking around, bumping into things, and trying to learn stuff, while having a few laughs along the way," writes White. He uses the acronym B.L.E.F. to describe this process. "Anything I can do I can do Better if I'm willing to Learn. But I Earn my learning the old-fashioned way by Failing enough to get it."

Risking failure, laughing at and learning from mistakes is not what most of us have been taught to do, but Dr. White emphasizes that his approach is not revolutionary; it's evolutionary. "I am in a developmental process, the starts and stops of which all serve the unfolding of my human potential, which ultimately folds into humanity's potential," he says. If we choose to pass on to future generations what is healthy instead of what is "normal," everyone benefits.

Much of life is serious business, so it becomes even more important to balance our solemnity with joy. As one writer put it, "he who laughs, lasts." Dr. White and his clown character, Dr. Jerko--a large-butt proctologist--encourage audiences around the world to misbehave occasionally, to lighten up and remember how to play. "It's so darn easy to have fun. You will illuminate a sick world with your shining face."

While Dr. White's joy-filled prescription for health might be unusual, it just might be what we need as we bump on the unpredictable road called life.

## MCAS Miramar Open to the Public for Armed Forces Day Festival

By Irma J. Malabanan and Dave Furlong

*Contributing Writers*

Salute America's military at San Diego's largest Armed Forces Day celebration. The 2001 Armed Forces Day Festival will be held at Marine Corps Air Station (MCAS) Miramar on Saturday, May 19, from 10 a.m. to 4 p.m. Join more than 15,000 visitors at this event, which is open to the public. Admission and parking are free.

The Armed Forces Day Festival has something for everyone to enjoy. Stroll along and get a rare close-up look at the latest military technology as armed forces personnel introduce you to the tools of their trade. Scheduled for display at this year's event are a Marine Corps helicopter and numerous military ground vehicles. Squadron memorabilia will be available for purchase.

Festival visitors will also experience history through reenactments conducted during a U.S. Armed Forces military history exhibition by K. Co., 2nd U.S. Cavalry. The exhibition features period clothing, equipment and performances by grouped re-enacting the lifestyle and major battles of the Mexican War, the Old West and the Civil War.

An obstacle course, a 30-foot slide, Astro jumps, pony rides and other free amusements will provide excitement for youngsters. Throughout the day, the entire family can enjoy continuous live performances, including a performance by the Third Marine Aircraft Wing Band and a presentation by a MCAS Miramar Color Guard.

Local San Diego businesses will have displays in the Consumer Fair. San Diego Spirit players will also be on hand for autographs.

Another popular aspect of the Armed Forces Day Festival is the Car Show. Antiques, muscle cars, street rods, classics, exotics, motorcycles and more will be on display throughout the day at the Armed Forces Day Festival. The first 100 entrants

in the Car Show will receive limited edition dash plaques and T-shirts. Awards will be given in several categories. The fee to enter a vehicle in the Car Show is \$15 in advance, \$18 day of show. For more information about the Car Show, call Mike Young, Tuesday through Saturday at 858-577-1216.

Those who prefer crafts to cars will be happy to learn that a Craft Fair is another featured event at the Festival. Shoppers can select from a wide variety of handcrafted items for sale. Crafters can reserve their space at the event, subject to availability, for \$25 by contacting Doris Cronkhite prior to Friday, May 4, 2001, at 858-577-8674, Tuesday through Saturday.

Mark your calendar for May 19, because you do not want to miss a moment of Armed Forces Day Festival fun! MCAS Miramar is located in San Diego County between the 805 and the I5 Freeways. For general information about the event, call 858 577-1000 or 577-6365. Up-to-date information is available online at [www.mcsmiramar.com/armed\\_forces\\_day.htm](http://www.mcsmiramar.com/armed_forces_day.htm).

The Armed Forces Day Festival is produced by Marine Corps Community Services at MCAS Miramar, and sponsored by AT&T, Jammin' Z90 90.3, the San Diego Navy Dispatch, and News Radio 600 KOGO.

The 2001 Armed Forces Day Festival will include the following activities. The 10th Annual Car Show, Craft Fair, Free Kid's Rides, including pony rides, a 30' colossal slide, a 70' obstacle course, Astro jumps and more, Clowns offering free balloon creations and face-painting, Live Entertainment, including the Third Marine Aircraft Wing Band and the MCAS Miramar Color Guard, a 2-day U.S. Armed Forces Military History Exhibition, Military Displays, Specialty Food and Beverages, and Player appearances by the San Diego Spirit.

## USD Law Softball Takes East Coast By Storm

By Frank Cruz

*Staff Writer*

While USD Law's Moot Court teams travel across the United States to compete in various competitions, so to do a rag-tag band of USD Law softball players, who recently traveled back east to play in the 18th Annual University of Virginia Law School Softball Invitational. Even though USD did not win the championship, the USD Law All-Star Softball Squad made a lasting impression on the minds of the hundreds of law students who participated in the tournament.

At this year's UVA Law School Softball Invitational, 82 teams represented 41 law schools from throughout the United States. USD traveled the farthest to play in the tournament. The single-elimination tournament began Saturday, March 31st, and the majority of the games were played that Saturday, because heavy rain was expected on Sunday. After Saturday's games, players returned to the UVA Law School for a bar-b-que and live music. After the bar-b-que there was a home-run derby followed by a party in downtown Charlottesville. The final four teams returned Sunday, April 1st, to play the semifinals and the championship game. This year Penn State defeated the University of Virginia's Gold Team in a driving rainstorm to win the championship.

Voted the Most Obnoxious Team of the tournament, USD was able to talk their way

into the first round bye. In the second round, USD destroyed the Columbia School of Law team 30-1. In that game, USD right fielder Eric Pihl hit the only home-run of the tournament out of UVA's Superfield, which has a left field fence that is 320 feet from home-plate. With Eric's head getting bigger and shortstop Jeff Hood's mouth moving faster, word of USD's offensive prowess began to travel throughout the tournament. In the third round, USD easily defeated Case Western Reserve 13-1. By that time it was evident that USD was one of the better defensive teams in the tournament.

As nightfall arrived and fatigue started to become a big factor, USD faced UVA's Blue Team in the quarterfinals. UVA Blue led early, but USD third baseman John English's two-run home-run in the third gave USD its first lead. USD led all the way into the fifth inning when fatigue started to take effect. In the top of the fifth, USD committed three costly errors, which enabled UVA Blue to take a three-run lead. In the bottom of the fifth, hot hitting English, who belted a team leading two home-runs in the tournament, went down because of a pulled hamstring. Undermanned and extremely tired, USD was unable to catch UVA Blue, losing 5-8.

Despite finishing a disappointing fifth in the tournament, the USD squad made an impressive showing against some of the better east coast law school softball teams. Furthermore, USD's Eric Pihl finished third in the home-run derby contest, winning twenty-five dollars for his efforts. The players on the USD Law School softball team were Brain Lawler, George Modlin, Peeeeiere Smith, Dave Bartelstone, Jeff HO8d, John English, Mike Morales, Eric Pihl, Mike Smalley and Dave Carroll. These men set a high standard for future USD Law School softball teams that travel back east to play in the granddaddy of all law school softball tournaments.