Motions 1993 volume 22 number 2

University of San Diego School of Law Student Bar Association

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Mr. Consumer Activist
Renowned Activist Ralph Nader Addresses USD Law Students on Evolution of Corporate Culture

Recounts Career as Advocate for Consumers, Children and the Environment.

By JAMES KUPERSTEIN

On September 23 Ralph Nader spoke to two classes Professor Robert Fellmeth teaches: Child Rights and Remedies, and California Administrative Law and Practice. Nader spoke to the two classes and took their questions at the Law School before he delivered a speech to a larger audience at the University Center.

Fellmeth, Director of the Center for Public Interest Law and the Children's Advocacy Institute, introduced Nader. He noted that Nader, the child of immigrant parents from Lebanon, grew up in a small town in Connecticut. Nader lived near a small court house where he would observe trials and "watch the little guy occasionally win one." Nader attended Princeton as an undergraduate and received his J.D. from Harvard Law.

Reflecting on the law school experience, Nader noted the transformation of the curriculum. In the past, law school had one primary function, and "the bias was quite pronounced." The term "corporate culture" has, in many ways, replaced the family unit. Nader maintains strong beliefs about children and the negative affect "corporate culture" has on them. He argues that corporate culture has, in many cases, taken the place of the family unit and is bringing up our children, "Kinder

Please Turn to Page 4, Column 1

In The News—

Why does this newspaper look different? Several views in our Centerfold. (Articles starting on Page 7)

From a place you've never been to comes a Bar Review you'll never forget. (Article on Page 5)

Multiculturalism is defended from a recent attack in these pages. (Article on Page 11)

Driving safely is not the only way to save lives. See article on Kids Plates (Article on Page 3)

Are your formulated on the Clinton health care plan? See K. Michael Kemper for one view. (Article on Page 13)

SDU School of Law is now home to a centerfold. We reprint a photo of law student Victor Felix. (Article on Page 3)

Our True Romance correspondent tells the story of her bridesmaidship. (Article on Page 11)

Free Agency wreaks havoc on America's pastime. Eric Siegler opin's. (Article on Page 10)

S&M Photographer promotes uglification of the student body. (Article on Page 11)

The Three Bugs. One man's perspective. (Article on Page 14)

It Only Looks Tranquil On The Outside...

Experience the maelstrom of the name game as editors, writers, professors, students, SBA councilors and the dean have at it. While the outcome is obvious, read about the procedures, the opinions and the upcoming debates in our CENTERFOLD. Beginning on page 7.
What's New at the LRC: New Book Arrival

FROM FRANKLIN A. WETTON

Barkan, Steven F. Protests on Trial: Criminal Justice in the Southern Civil Rights Movement. Presents an analysis of the use of political trials during the Southern civil rights and Vietnam antiwar movements as a method of promoting or impeding social change. Beggs, P.F.C. Corporate Acquisitions & Mergers, Third Edition. Provides a lucid, informative, and above all practical guide to the legal, financial, and administrative issues which arise in the course of merger and acquisition activity.

By Gerald K. W. Conflict of Law on Manson: An Introduction. Examines the scope of the law of reason, noting the inheritance from the Middle Ages, the cause, design, and effectiveness of the new treason statutes, the legal notations incorporated, and the interpretation of the law by the judiciary.

Blair, Roger D. Monopoly: Antitrust Law and Economics. Draws on microeconomic theories of monopoly and explores the implications of monopoly, or buying power, for antitrust policy. Bratley, Craig M. The Failure of the Criminal Process. Considers the causes of the failure of the law to justice, no commitment of resources, and no refinement of Supreme Court judicial review that would resolve the inadequacies of the current system.

Brekel, Samuel J., et al. The Mentally Disabled and the Law. Provides detailed information for those who require specificity, and is so clearly organized that persons seeking only a more general view can easily gain that information without becoming overwhelmed by the vast amounts of information from the increasing complexity of the law. Briden, Timothy. Meurer's Introduction to English Canon Law, Third Edition. Provides information for lawyers, theologians, and laypeople about the law of the Church of England and its relationship to the rest of common law tradition. Chinkin, Christine. Third Parties in International Law. Examines the impact upon the traditional bilateral framework for the resolution of disputes that has been made by the accommodation of third party claims and interests.

Cooper, John. The Backlog: Battle Over Sex and Violence in Television. Shows how a small circle of men continues to dominate television programming with an eye on the ratings rather than on the content of their shows.

Pro Bono Legal Advocates Moving Forward On Several Fronts

By CATHY SMITH

By Kathryn Wheeler. Because this program is directly linked with the courts and detention system, volunteers must pass a background check. Once one has paid off all charges and is cleared by the courts, one can then volunteer for the program. Judges, Donald P. Hardt/C Einsatz, Last View: How the Afghan Conflict has Decimated America, Civil, Dennis J. Property Rights and the Law: Shaping Society Through Property Use Regulation. Discusses current trends in the constitutional protection of economic interests.

By Edwards, Charles S. Hugo Grotius: The Miracle of Holland; An Examination of the Political and Legal Theory of Hugo Grotius, Who Attempted to Present a New Order in International Society in the 17th Century. Provides a new interpretation of the major aspects of Grotius' work for the present age. Grotius, born in the Netherlands in 1583, was a scholar, jurist, and a statesman, a poet and dramatist, a philosopher and a theologian. Gardner, Jane F. Being a Roman Citizen. Examines in detail what the particular disabilities which were affected which each group of citizens, and also what the practical implications of those were for the conduct of daily life.

By Gary A. Kirkland. An American Paradox: Conscription in a Nation of Free Spas. Examines the changing nature of conscription and the social impulses that produce it. Gray, J. M. Constitutionalism & Democracy: Transitions in the Contemporary World. Addresses the political changes in the world such as the democratic revolution in Eastern Europe, the increasing unity of Western Europe, and the evolution of democracy in Eastern Europe. Hans, Valerie P. Judging the Jury. Examines many questions such as can juries get the facts straight? Is it influenced by wealth, intelligence, or sympathy for the defendant? Are they more likely to be acquitted? Can a lawyer sway a jury in his favor? How much does a judge sway the jury?

By Harris, William F. The Interpretative Constitution. Examines three features of American constitutionalism that are usually taken for granted: the Constitution's authoritativeness, its written character, and its consequent readability.

Holstein, James A. Examinations in the Contemporary World. Addresses the political changes in the world such as the democratic revolution in Eastern Europe, the increasing unity of Western Europe, and the evolution of democracy in Eastern Europe. Holstein, James A. Judgment: A Primer. Discusses the origins and objectives of the anti-trust laws, setting forth the terms of the Sherman, Clayton, and FTC acts; and describes the institutional setting in which the acts are applied. Stanley, Robert. Dimensions of Law in the Service of Order: Origins of the Federal Income Tax, 1861-1913. Provides a detailed and often surprising account of how a permanent tax income was enacted into law in the 19th century. Watson, Alan. Legal Transplants: An Approach to Comparative Law, Second Edition. Puts forth a clear and concise statement of the controversial thesis on the way the law has developed throughout history.

By Katie Smith

Pro Bono Legal Advocates started off the fall semester with the firsmember year orientation. Interest was high at the orientation, as was participation in Pro Bono's two informational meetings held August 24 and September 20, which attract volunteers to the program. Volunteers who help the recipients of Pro Bono's services are able to complete their goal of helping the recipients on a one-on-one basis. The Juvenile Hall, which is run by Pro Bono, is a large public school located downtown in Family Court.

The Juvenile Hall project is run by the pro bono office. Volunteers are assigned a client whose SSI request has been denied. The volunteers can help the clients with the following: help with all paperwork, help with legal issues, and help with the appeals process. Projects generally run in duration of one year.

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Victor Felix: Typical Lawyer or the Next Fabio?

By LARISA A. KEHOE

Victor Felix, 2L, is someone of the calendar pin-up persuasion wandering around the halls of the University of San Diego School of Law. Anyone who has taken a trip to the USD Bookstore recently may have noticed a certain calendar featuring “Real Men” of USD. Felix is one of four symbols—a heart shape, a five-pointed star, a black and white gazing out at the viewer, and a black and white gazing out at the viewer. Felix is currently unmarried.) He expresses concern for the two-party and hockey playoff system. He is also aware of racial division, the economy and access to higher education among minorities. Reactions from Felix’s friends were positive. “I think that chest hair is just i mpressive,” stated Cyrus Senal.

Victor Felix

Laleague Grad whispered, “I don’t know what to say, it was an awesome game.”

“He looks like a playboy guy!” noted one woman as she glanced at the sexy pose.

“Something a little more conservative!” said one woman as she glanced at Felix’s pin up pose, and muttered, “That’s not much push-ups.

Moot Court's Tort Competition

By KATRIN M. MEOLA

The Moot Court Board held its first appellate advocacy competition September 22-24. Kirk Donnelly won the competition, which dealt with a tort related to injuries sustained by Cindy Freeland and Russell Gold. Betty Ganther received awards as both Best Oralist and Best Respondent’s Brief. Kirk Donnelly received honors for his Petitioner’s Brief.

The three-round competition was judged by practicing attorneys. The final round was judged by three USD alumni: Monty McIntyre of Thompson & McIntyre, William Hitt of Hitt & Hitt, and Rhonda Garwitz of the California Attorney General’s office.

The fictional fact pattern dealt with an injury to a professional hockey player. During the 1997 Professional Ice Hockey Season, Coach Don Wilson, in his third year as coach of the Anaheim Mighty Ducks, recruited Felix Duerti to the team. Over the year, Wilson witnessed two incident’s of Donnelly’s violent nature.

The Disney Corporation, owner of the Mighty Ducks, instituted a policy of passive playing, which resulted in the Mighty Ducks losing many games and situations of the support and respect from other teams. During their first match, the Mighty Ducks were humiliated by cross-town rivals, Los Angeles Kings. Donnelly was outraged when Kings player Rob Black hurt a Mighty Duck player. Disney and Wilson then instructed the team to play “real hockey” and消除Black’s reputation as the Kings’ greatest asset.

During a second game between the Kings and the Mighty Ducks, Coach Wilson instructed players to hit Black aggressively and told Donnelly it was up to him to stop the Kings. Wilson then noticed that Donnelly had carved a sharpened edge to his hockey blade. After a locker room pep talk, Wilson assigned Donnelly to play opposite Black. Donnelly shocked Black with a wall and slashed Black with the sharp edge of his stick, resulting in injury to Black. Black brought suit against Wilson. Wilson won in lower court by contending that he did not owe a duty to Black to control the conduct of his player or to warn Black of the possibility of a dangerous situation.

The next moot court event is the National Criminal Procedure Competition. Moot Court Board member Denise Draper is heading the problem. Oral arguments will be held October 21-23.

The Justmoot International Law Competition will be held November 10. The International Law Competition is an intra-school competition, but the winner will participate in the National Jessup International Law Competition in the spring.

The Competitors:

* advanced to semi-final round

Amara-Annemare Barlith
Robert Bear
Seth Boboff
Frank Bottini
David Cheeseman
Patrick Cooney
Slobhann Cullen
Lance Dougherty
Albert Delzeit
Kirk Donnelly
Mike Doraioz
Jesse Finlayson
Christie Dugnohney
Cindy Freeland
Russell Gold
Laleague Grad
Matt Groco
Michelle Green

Phi Alpha Delta Announces Activities

By RENI AMEE

Just because you failed to become a Phi Alpha Delta member doesn’t mean that you can’t participate in the growing list of P.A.D. sponsored events! This semester, P.A.D. is sponsoring a book sale, a day with a judge, and guest speaker Charlie Whitehead. Also, P.A.D. is sponsoring ski trips to Tahoe over Martin Luther King weekend. These events are open to all law students, with priority consideration given to P.A.D. members. Read on for details.

Tchelaphies/distribute used books and旧tines, P.A.D. is holding a sale to be held October 18-22. Bring your used books and/or anything for money or anything you don’t need anymore. P.A.D. will hold the books for you, retaining a small percentage of the proceeds. Everyone benefits!

In Day With A Judge, participants spend a day with a judge in San Diego, and get a unique opportunity to view the proceedings of a courtroom from a different perspective. P.A.D. members get priority placement, but all are welcome to sign up. Arrangements have been made to have a judge come to your classroom. If you are interested in signing up, write to the P.A.D. office in the Winns during the week of Oct. 11-15, between 11 am-5 pm and 4 pm-6 pm. P.A.D. will notify you when the books are ready.

At the 20th Annual Book Sale on Thursday, November 8, so don’t delay! The first 25 game to bring in five deposits will win two $20 gift certificates for an unlikely opponent, but the winner will participate in the National Jessup International Law Competition in the spring.

Kids’ Plates Aid Children’s Welfare

By Sinful MOORCANN

Driving safely is not the only way California motorists can save lives. The “kids’ plates” of California’s “Kids’ Plate” will help fund child safety and health programs which have been reduced or eliminated because of recent California budget cuts.

Under a new law authored by Assembly Member Jackie Speier and sponsored by the California Coalition for Inappropriately Designed Toys, the Department of Motor Vehicles will produce and distribute Kids’ Plates. One can choose one of four symbols—a heart shape, a five-pointed star, a child’s hand print, or a plus sign. After administrative costs, the revenue generated from the Kids’ Plates program will be directed to the new Child Health and Safety Fund, which will be used to make the reforms outlined in Speier’s law a reality. The money will be allocated for the following: 50% for child health care and safety licensing and enforcement reforms, 25% for child abuse and neglect prevention programs, and 25% for child injury prevention programs such as drowning prevention, gun safety, vehicular safety, bicycle safety, playground safety, and poison control and safety. The Kids’ Plates will provide continued funding for these essential protections for children and families. It’s estimated that at least $500,000 will be used to benefit children, and the first to use these symbols.

The cost of a Kids’ Plate depends on whether the applicant wants a personalized plate or a standard plate with a Kids’ Plate symbol randomly placed on the plate by DMV. A personalized Kids’ Plate costs $20 initially and $40 to renew each year. A regular or standard Kids’ Plate costs $20 initially and $15 to renew each year.

“Once this program is up and running, it will generate between $10 million and $20 million a year for children’s programs,” said Steve Barrow, CAM’s director of policy advocacy. “This will allow California to save kids’ lives while they drive.”

In addition to Speier and CAM, supporters of Kids’ Plates include the PTA, Girl Scouts, Junior League, Children Now, Children’s Lobby, Consortium for the Prevention of Child Abuse, and the Child Care Resource & Referral Agency.

The law requires the supporters of the Kids’ Plates program to collect 5,000 signatures, or $2500 per year until the program is up and running. After that, 5,000 applications have been mailed to children, California residents, or any other person who is not a child to obtain a Kids’ Plate at their local DMV.

So far, almost 2,500 Californians have submitted their completed applications. Distribution of Kids’ Plates will begin in December 31 and shares are available only to P.A.D. members, watch for new membership opportunities next semester.

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Kids’ Plates applications can be available at the following locations: Children’s Advocacy Institute in the CPI offices.
Professor Brian Leiter, USD's Newest Addition, Brings Interdisciplinary Experience to Jurisprudence

By Brad Fielder

The SBA is the student body of the law school. We work with the various student groups, administration, the USD administration, and others to ensure that the voice of the law school student is heard. Although the various council members are represented by the students or appointed by student groups, we are continually interested in hearing the opinions of students who are not actively involved in the SBA. We hold our general meetings every Wednesday, at 4:30pm in the Horseshoe Room. We would like primarily to meet at least one meeting during the year to find out what we do. Agenda for SBA meetings are usually posted around the first floor of the law school at least one day before the meeting. Also, each of our executive board members currently holds office hours in the SBA office. We will post our office hours in the fall.

The SBA sponsored many events and activities in the past few weeks, including:

- Mentor Program: The Mentor Program was completed extremely well. Prejean pointed out some interesting factors (only some of which I have mentioned above) that I have not considered. I was persuaded by my mentor and she reminded me that one should not and cannot forget what these people did to receive this sentence of death. Prejean reminded me that she is no less a friend to the victim’s families than she is to the victim’s killer, but she cannot stand by silently and watch the system destroy lives so brutally. I did find her arguments compelling because she truly has an understanding of both sides of this issue; however, I cannot say that she changed my mind. Rather, this was my first effort for a better understanding of “the other side” even more important, if I am to stand by my own personal beliefs and continue to be an advocate of capital punishment.

Prejean’s intensity and experience were engrossing as she shared her account of the execution of Pat Sonnier and her views on the death penalty. My exploration of this issue has only just begun and I hope you also take the opportunity to solidify your views or expand them. I find the words inscribed to me by Prejean at the book-signing appropriate to end this article: “Gladdly do I share with you this journey of the heart.”

SBA’s Report

By Brad Fielder

Death Penalty

(Continued From Page 1) Violates the Eighth Amendment protection against cruel and unusual punishment by equating it with the commercial imperative, Nader said, is to make a passive consumer react to advertising for every argument that can be made by those who commit serious crimes will never be free. How constitutional is this? In this instance, aren’t we denying the criminal due process?

Do you know that it costs more to execute one person than to support them in prison for their entire life? A 1987 study done in New York concluded that the average cost of prison at the four stages of appeal cost taxpayers $1.8 million—more than twice as much as it costs to keep a person in prison for life. This cost excludes the expenses of the stay on death row and the actual execution. Prejean further argues that the costs are preventable. As the number of executions increase, so does the probability of error. A 1987 Stanford Law Review study showed that in this country, 23 innocent people have been executed in the past century. Regardless of what happens after the execution, the death penalty will never be free. How constitutional is this? In this instance, aren’t we denying the criminal due process?

Care is raising them, McDonalds is raising them, entreprenuers are raising them, McDonalds is raising them, McDonalds is raising them. But what if...?

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Molotov Coffee: Ramblings On About Caffeine, Coffee Houses, Cinema
By ERNIE BELL
Of the appropriations of past trends transformed and sterilized by "90s commercialism, I dedicate this to Led-emy Kavitz and coffee houses.
I could be mistaken in recognizing coffee houses as a 90s phenomenon— I'm sure they have a long, scholarly proud tradition in Europe, probably France (a nation steeped in long, snobbishly proud traditions of wine and coffee), but I do know that the instruction in history and culture by the idiot box, I've come to associate coffee houses with poetry, poetry with Jack Kerouac, and Kerouac with the Beat movement of the 1950s, and, thus, the first with the last. All this, and I can recite the plot to every Tom and Jerry cartoon.

Okay, so we're on all fours when it comes to the television bit, but you're thinking, "What does your coffee house mean? (I meaning you) need, nay want any more than instant Folgers with flavor crystals, hub?" By now you're incredulous, you're thinking, "No, why think that I want to go to some chichi' cafe' where the people are probably snobby, proud and generally long? And do you know what? For starters, there are a number of coffee houses scattered throughout the USD-SDSU area. Many of these places provide an intriguing entertainment factor, not to mention the relation between coffee and academic achievement as opposed to, say, beer, a good coffee shop gives a substantial hang for the buck. Finally, coffee houses, which cater largely to students who nurse their classwork, often bear the name of a professor, are welcome alternatives to the library.

The Living Room
At the corner of El Cajon Blvd. and 59th St., the Living Room Coffeehouse is surprisingly removed from most of the hustle-and-bustle of the SDSU area. Very much a student hangout, the house, with all its pine-paneled residential street that it is located, the Living Room would be easily missed were it not for a block-long "Caffeine Infusion" sign which beckons the weary student, care-worn couches and oversized chairs, the Living Room is less a cafe than, well, a house.

Room would be easily missed were it not for the fact that the place has a minor league liquor license. It's also refreshing to find a place that offers music as an enticement setting in. And then it happens, he brings up movies.

The Living Room is also a haunt that plays music not sold in shopping malls. Sure, most people haven't heard of interior and the bar's minuscule dimensions create the perfectly seedy atmosphere to hang out with friends. You can choose from Samuel Adams, Pilsner Urquell, or Newcastle Brownie, just name to the fast, friendly service, this bar is perfect for really good chocolate hot chocolate. So I continue for him.

The movie industry has jumped on the trend recently. Obviously, again in a big way. After the "Star Trek" movie series made a such a smashing box office run, it was inevitable that studios would decide to re-run re-run re-run the James Brown to, "Beverly Hillbillies" movie.

Doug responds with significantly less enthusiasm. He's a "Star Trek" and Punky fan. "I would like to see the movie when it was a work of art," he says. "But the way they tore the characters apart to make it a box office hit, I'm afraid the characters are no longer the same."

Which is why "The Joy Luck Club" is such a miracle.

Based on Amy Tan's novel, "The Joy Luck Club" may be one of the few major studio movies ever made. The cast is overwhelmingly Asian (Andrew McCarthy, in a strangely Anglo, and the primary characters are all Asian). Substantial Asian and women characters are rarities in film, Asian women even more so, Asian and women characters by now are nonexistent. Importantly, "Joy Luck" was produced by Oliver Stone, who has been famously dubbed a misogynist. Stone's alternate "alternative" or "groin-knocked-up" formula for the adaption of Le Ly Hayslip's "A Bright and Shining Place" about the Vietnamese War see as seen by a Vietnamese woman.

"The Joy Luck Club" ambitious attempts to tell the stories of four Chinese mothers as well as those of their respective daughters, and their relationships to one another. Does the movie get convoluted? At times, yes. Soning the characters and another. Does the movie get convoluted? At times, yes. Soning the characters and another. Does the movie get convoluted? At times, yes. Another. Does the movie get convoluted? At times, yes. Another.

The interior is retro-American kitsch, complete with mood lights, leather booths, faux leather seats, "Great room," a cliche from the people who actually purchase Wilson Phillips albums. It is this retro thing, the wistful intoxication setting in. And then it happens: another. Does the movie get convoluted? At times, yes. Another. Does the movie get convoluted? At times, yes. Another. Does the movie get convoluted? At times, yes. Another. Does the movie get convoluted? At times, yes. Another.

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Live Wire is a great bar if you like hanging out with people who work in record shops. It's also terrific if you enjoy the din of gunshots with your fiberboard.

Frequented by the pierced, stapled and tattooed, this seamy watering hole appeals to former high school losers who suddenly became somebody when they started delivering pizzas and started listening to Nirvana. Riding the crest of today's so-called "alternative" or "groin-knocked-up" formula for the adaption of Le Ly Hayslip's "A Bright and Shining Place" about the Vietnamese War see as seen by a Vietnamese woman.

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Talking Smack

By Jim Ballard

The 1993 intramural softball season got off to a great start under the tremendous guidance of Craig Greg Cribbs and Junior Czar Jim Ballard. These two guys have everybody, the students, can compete in a quality intramural program. Okay, enough with the BS... drinking-wise. It should be an interesting season when these guys play Head-First. One can be had for two quarters. Plus the 80's. Do111's... Do11's... Drinkers - first, softball mascot, Joey Buttafucco. Like Joey they scoar early and often and have established themselves as the team to beat. Seriously. Not. What can I say about this team? They truly are playing some good ball. Not. Sure they are unbeaten, but wait until they play someone good. Earnest. These ragtags almost beat Knees Pads Optional. Supposedly some Knees Pads thought they could put push points by letting these perennial losers win. Hey first years, pucker up. Section B. Easily the funnest team to watch. The highlight of the season was Dave Boyd catching the ball off his noggin. His defense is almost number one in Thailand. The skinny: "Joy Luck" is a four-hanky flick, avoid wearing mascara or clothing that isn't waterproof. It is long, almost two- and a-half-hours. It is a thinker--Van Damme fans beware. Verdict: On a scale of (1) "Well worth squandering my student loans upon," (2) "Definite matinee," (3) "Video rental," and (4) "Not even if it were on television and all the other stations were covering a golf tournament," let "Joy Luck" set you and your significant other back $14.50. Yet Another Abrupt Supper: Music to Study By

Doug has gone comatose; leaving me to tell you how to spend whatever money you have left after coffee and the books. Those non-women. Speaking of Squeeze, remember them? As "Fantastic," and arc understandable. After all, they hadnt. But the topless, non-women "Butt the Band" that was the headline woven all year. On the other hand, the cover of the single "Ficlo," is not the masterpiece that "Ficlo" is, nor intriguing like the Samuel Beckett's "Lennon-&-McCartney concept clash of "Play." But if you've heard neither album, and chances are that you haven't, "Fantastic" ain't a bad bit of work. Chris Difford and Glenn Tilbrook are still one of the closest writing teams in the biz, mixing up rockabilly and blue-eyed soul with Squeeze's always creative storylines, as evidenced in "Cold Shoulder": "My head was stuck in the cup on the doof/Where I could see her walking on the kitchen floor/Ding on my knees/just like a dog/Digging for scraps that she had." But the topless, non-women "Butt the Band" that was the headline woven all year. On the other hand, the cover of the single "Ficlo," is not the masterpiece that "Ficlo" is, nor intriguing like the Samuel Beckett's "Lennon-&-McCartney concept clash of "Play." But if you've heard neither album, and chances are that you haven't, "Fantastic" ain't a bad bit of work. Chris Difford and Glenn Tilbrook are still one of the closest writing teams in the biz, mixing up rockabilly and blue-eyed soul with Squeeze's always creative storylines, as evidenced in "Cold Shoulder": "My head was stuck in the cup on the doof/Where I could see her walking on the kitchen floor/Ding on my knees/just like a dog/Digging for scraps that she had." But the topless, non-women "Butt the Band" that was the headline woven all year. On the other hand, the cover of the single "Ficlo," is not the masterpiece that "Ficlo" is, nor intriguing like the Samuel Beckett's "Lennon-&-McCartney concept clash of "Play." But if you've heard neither album, and chances are that you haven't, "Fantastic" ain't a bad bit of work.
Editors Contend SBA's Resolution Invites Future Interference
By GEOFF MORRISON

President Fields resolution was submitted before the next SBA meeting on September 29. Editor Little's resolution fell within the requisite time period, it was only that resolution which was considered at the September 29 SBA meeting.

Editor Little's motion, after acrimonious debate, failed by a vote of nine to eighteen, with six abstentions.

Please Turn To Page 9, Column 1

Brad Field's Suggested Resolution:

RESOLUTION Renaming of the Law School Newspaper
WHEREAS the SBA has already registered, for the fall 1993 semester, all previously registered groups, including the law school newspaper "Motions";
WHEREAS the change of the name of a group can alter the very identity of a group;
WHEREAS the new name, "LAW REPORTER," [sic] chosen by the editors of the law school newspaper is not known to be used by any law school student newspaper and, by name, could easily be mistaken for a legal publication;
WHEREAS the USD Center for Public Interest Law already publishes a "LAW REPORTER" that comes from USD, called the "California Regulatory Law Reporter," [sic] which may now be confused with the law school newspaper;
WHEREAS the law school newspaper holds itself out to represent USD Law School;

BE IT RESOLVED THAT in order to continue as a registered student organization, any name change of a group is tantamount to a change in the constitution or by-laws of the registered group and would require approval of the SBA in order to receive reimbursement for money allocated under the original name and solicit their comments on the matter.

Field's supporters when faced with the specter of student government financial strong arm tactics. Features Editor Geoffrey Morrison, in a bizarre shift of allegiance, joined the ranks of Fields' supporters when faced with the hurled possibility, say ... probability, of mistakenly purusing a copy of the CALIFORNIA REGULATORY LAW REPORTER between classes.

In an attempt to quell the growing controversy, Editor Little proposed the resolution (reprinted as "Newspaper Staff's Proposed Resolution" in the box below). President Fields expressed dissatisfaction with Little's resolution, and set about drafting a lengthier version.

Fields, in addition to inviting student feedback, attenuated the time period during which the final decision was to be made, and drafted a series of procedural amendments rivaled in complexity only by the SBA Constitution itself. President Fields' resolution was submitted
The Name Game

By FRANCES G. QUEVEDO

How do I feel about the name change of our beloved law school newspaper? While it probably is not news, and I would have selected it if I were in charge, I honestly do not understand why our student government has chosen a federal model to be out of this whole thing. Just today I read a lengthy resolution sponsored by our very own Brad Fisher that would make the title change. It is quite the process: open forums, actual voting by the student body on their name preferences. While this may be a great exercise in democratic principles, I think someone has majorly missed the point.

For those students who actually put together our newspaper (and I assure you, I am one of them), this is a big deal. It would change the reputation of the school among the San Diego legal community, which is the reason the newspaper exists. It would be easier to allow? If SBA made the most of the time we had with the Asphalt family, we would have made more students. But our delayed first edition had to be released, so we made the most of the time we had with the Asphalt family. We did our best to make it attractive to our student body.

We remain concerned about the procedure is superior to anyone's previous newspaper. In response to the concerns of several students, particularly SBA leaders, we came up with a procedure for gauging student response to the name change. This procedure was vetoed by the student newspapers. And, after three weeks of debates at SBA meetings, was replaced with a different resolution with no title changes. We were not informed that you were planning a name change for Motions. Had we been so informed, we would have registered these concerns about this particular choice at that time. We have no objection to a name change in general, but it might have been better had you consulted with the Law School community prior to your action, at least to ensure that the chosen title does not conflict with a prior use. We hope that SBA has considered all the options. Hopefully this trend will continue, underwhatever name.

Professor Robert Fellmeth's Concerns

Professor Robert C. Fellmeth sent the below letter to two members of the Motions editorial board. We reprint it in its totality with our response below. -Eds.

September 29, 1993

Bob Fellmeth

Chris Trunzo

Dear Bob and Chris:

I write to express my concerns about the name change of the School of Law's student newspaper from Motions to the USD Law Reporter.

First, the term "reporter" has a special meaning in the legal community. It is generally used for a series of volumes containing official reports of legal proceedings or for a serial-type journal describing legal developments in chronological fashion. Its use appears somewhat inappropriate for the title of a law school newspaper. While we are aware, for thirteen years the Center for Public Interest Law has published the California Regulatory Law Reporter, which is frequently called "the Reporter." The distribution of another publication by USD Law School of which is also called "the Reporter" or contains that word in its title will undoubtedly cause much confusion. I think it's fair to say that SBL has "captured" the use of the term "Reporter" for USD Law School publication purposes.

We were not informed that you were planning a name change for Motions. Had we been so informed, we would have registered these concerns about this particular choice at that time. We have no objection to a name change in general, but it might have been better had you consulted with the Law School community prior to your action, at least to ensure that the chosen title does not conflict with a prior use. We say to you to reconsider the new title and eliminate the use of the term "Reporter".

Sincerely,

Ab/ Bob Fellmeth
Professor Bob Fellmeth
cc: Kristine Starchan, Carrie Wilson

Professor Robert C. Fellmeth sent the below letter to two members of the Motions editorial board. We reprint it in its totality with our response below. -Eds.

September 29, 1993

Professor Bob Fellmeth
Center for Public Interest Law

Dear Prof. Fellmeth:

Thank you for your September 24 letter expressing your concerns regarding the new name of the School of Law's student newspaper. We appreciate your thoughts about this, as we are currently working with student representatives on a system to evaluate the response of the law school community to the change.

First, we chose the name "Reporter", with reference to other newspapers and non-academic publications serving the legal community. We note in particular the Orange County Reporter, a daily newspaper covering the legal industry, and Law Reporter, the monthly, non-scholarly publication of the American Trial Lawyers Association. After research, we discovered a short-lived publication entitled The City-Hall Reporter and New York General Law Magazine, which published monthly in 1833. Among student law school publications, we note that Loyola Law School of Los Angeles publishes The Loyola Law Reporter. We feel out title is within the acceptable range of student-run law school publications, which include such "academic-sounding" names as the California Concerned Jurist and The Stanford Law Journal.

Second, although we can hypothesize confusion between the California Regulatory Law Reporter and our own publication, we believe that confusion will actually arise. Our respective off-campus readerships are entirely distinct. On-campus readers will note the obvious visual and contextual differences between our publications. I hope this letter ameliorates any concerns you may have.

Cordially,

Ab/ Robi. Little
Robert Little
Editor
Motionsgate

(Continued From Page 10)

order for readers to appreciate the true majesty of the SBA’s parliamentary proceedings, which is an excerpt from the September 29 SBA Meeting Minutes:

VI. BUSINESS

A. Motions: Discussion of [Bob Little’s] Resolution

-Bob Motioned to bring out Bob Fellen’s letter re: CPI’s displeasure re: name change -Bob: had copies of their [sic.] response to their request to table resolution fails 12-0 -vote on Resolution: hand vote, fails 9-18 (6 abstentions).

A. Motions: Possible vote on Bob’s affirmative resolution

-wants to entertain motion to suspend rule

-report to end meeting no later than 5:25 -discussion re: whether rules can be suspended in light of Constitutional or referendum action

B. Motions: Vote on interpretation of Constitution: whether rules can be suspended 12 in favor, 14 against -discussion of merits of Resolution -motion to extend debate 5 mins: passes -motion to extend debate 3 mins: passes 18-12

Meanwhile, on the administrative front, Assistant Dean Carrie Wilson was beginning to make her displeasure with the name change known. At the SBA retreat, held in mid-September, Wilson expressed displeasure to President Fields concerning what she perceived to be Little’s and Trunzo’s unilateral decision to change the name. While much of Wilson’s criticism arose from the substantive and procedural concerns so eloquently voiced by President Fields, some of her concern also stemmed from her belief that as Co-Faculty Advisor would step in and take control of the paper. Morrison believes the paper should be suspended in favor of the law school newspaper; Editor Little and Trunzo support the New name “Motions”, in addition to considering the name “Motions”, [sic.] also, those students who vote in favor of a new name will be allowed to choose a new name from all of the submitted names.

Our newspaper is the most powerful tool for the students seeking an SBA recognition: contemplates the creation of "open space for discussions regarding the renaming in future edition(s) of the law school newspaper; and BE IT RESOLVED THAT the potential renaming of the paper be decided by open voting in the following manner:

1. open forums, one scheduled at a time convenient for day students and the other at a time convenient to evening students, to be co-sponsored by the editorial staff of the law school newspaper staff, with hats in hand, asking the readers--to lend your approval to the motion by voting on the name "Motions", [sic.] giving special recognition to the name that received the highest number of votes

"up to 4 weeks prior to votes, suggestions for the potential renaming of the law school newspaper shall be dropped off in the SBA suggestion box in the Writing Center; students vote whether to change the name of the law school newspaper or to keep the name "Motions", [sic.] if the majority of the students vote to keep the name "Motions", then the law school newspaper shall keep the name "Motions"

"if the majority of the students vote to change the name, then the votes of the students voting for a new name for the law school newspaper will be counted

"the Editorial Staff of the law school newspaper may choose any name from the 10 highest vote totals, in addition to considering the name "Motions", [sic.] giving special recognition to the name that received the highest number of votes

The Editorial Staff must submit their chosen name to the SBA for approval before the end of the Fall, 1993 semester.

An Open Letter of Resignation

By Joys Carbone and Larissa A. J. Kedie

Unfortunately, due to the recent exhibition of poor judgment on the part of some members of the editorial staff of this newspaper, we find it necessary to submit our resignations from the staff at this time. We have enjoyed our association with the paper up to this point, and sincerely hope that we have made some positive contributions to the paper. We cannot however continue our association in light of recent events.

We refer specifically to the manner in which the name of the paper was changed, in addition to recent bad faith acts committed by two of the paper’s editors.

We are disappointed in the poor judgment displayed by Bob Little and Chris Trunzo along with two other students in their effort to register 32 new student organizations with the Student Bar Association, the sole purpose of which appears to be to take control of the SBA.

Initially, there were several problems in which the name USD Law Reporter was selected. First, there was no formal association with the student body, and, second, the full editorial and writing staff were not consulted, or even told about the name change before the paper was published. Third, the paper’s faculty advisors were not consulted.

The editors did not consult with many of the organizations, the publisher and employer of several members of the editorial staff, since the student editors receive tuition stipends from the university.

Aside from the above procedural concerns, there are several political legal ramifications which can arise by renaming the paper in the fashion in which it was done. Not only writers, but also advertisers have essentially contracted for their writing and advertising space in a defunct or "moribund" newspaper.

Clearly the editors did not fully consider the potential legal ramifications when making such a quick decision.

As a result of the lack of procedures used when instituting the name change, the SBA passed a resolution which imposed some procedures upon the paper. Immediately following the meeting in which this occurred, the request by four students to register 32 new organizations was submitted to the SBA Secretary. One of the four students, Assistant Dean Carrie Wilson, recently stated that their actual concern was regarding SBA voting procedures. Assuming that the Student Bar Association is a true student association in the SBA constitution which exist for the purposes of making amendments for the entire student body.

The amendment process exists precisely to protect against substitution which this from occurring. The bottom line is that there is no reason, more reasonable and rational way to change the SBA governing procedures than putting yourself into power and then doing whatever you want.

The final proof of complete bad faith on the parts of the four students who listed themselves as officers of all 32 organizations comes from the names and purposes of the organizations themselves. They are the American Bowling Club, whose purpose is "scoffing"; the Rifle and Pistol Association; the Off-Road Club; and the Dark Star, "a support group for members of the school community who are interested in science fiction," no name just a few. While some may find the organization of these groups not falling into the above categories will be considered for funding on a program basis. Such allocations shall be made by a 2/3 vote of the council.

Section 2 Organizations are recognized after they submit a charter or other document containing at least the following current information:

A. A statement of organization’s purpose and goals

B. A description of the organization’s membership, including the approximate number of active members.

C. A description of the procedure by which internal decisions will be made, such as the selection of leadership positions, organization representatives and members.

Section 3 To maintain registration and potential funding, organizations must keep on file with the SBA a current and accurate listing of names and phone numbers of officers of the organization.

Section 4 Each organization must submit a budget or similar document at least once a year in order to maintain registration.

Conspicuously absent from the procedural framework established in Article X is any reference to the necessity of maintaining the continuity of an organization’s name. This absence, in addition to sucking wind from Field’s claim that a change in name “is tantamount to a change in the constitution or by-laws of the registered group,” again calls into question the authority of the SBA to amend the law school newspaper or to keep the name “Motions”.

"if the majority of the students vote to change the name, then the votes of the students voting for a new name for the law school newspaper will be counted

"the Editorial Staff of the law school newspaper may choose any name from the 10 highest vote totals, in addition to considering the name "Motions", [sic.] giving special recognition to the name that received the highest number of votes

"the Editorial Staff must submit their chosen name to the SBA for approval before the end of the Fall, 1993 semester.

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December 22, 26, 27; January 2, 3, 4, 5, 8, 9, 11, 12, 15,
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Mississippi Transfer: Student Relates Problems of Transfers to USD

By HOLLY SORSBEN

I was driving along the 10 freeway in Indiana when suddenly my stomach dropped as if I had just been on "Freefall" at Magic Mountain. All I could see in my rear-view mirror was an angry cop vigorously pointing to the side of the road. I immediately took my foot off the gas pedal, as if he wouldn't notice my drastic curtailment of speed. I turned to my mother, who was in the passenger seat and just said "Oh my God!" She, nor I appeared to realize how fast I was going.

When the officer approached the car he was fuming. He was so red I thought he was going to burst--actually he did ... at me. He said that he'd been following me for the last five miles, trying to get my attention to pull over. I thought to myself: "That's because my entire ear is packed and I can't see out the rear view mirror ... but, second thought, he better not explain. I smiled sweetly and put on every ounce of finesse I could; however, the only thing in my favor was that my mom was in the car with me. Needless to say, I got two citations: speeding (let's just say I didn't double the speed limit) and a failure to pull over. What a way to start my trip--I can't even get out of California!

This was the first leg of my "M-i-s-s-i-s-s-i-p-p-i" trip. "Why you ask? "To go to law school," Again, you ask--Mississippi? Why? What's there besides the watermelon, hot, humid weather and bugs (a Southern specialty--like humpy cream-of-meat). I transferred to USD after spending my first year of law school in the South. Back to why I went, which is the most commonly asked question. Having been born and raised in California, I wanted to get out of the state and "broaden my horizons"--not! I simply wanted to travel and see a different part of the United States. Since I've lived on the east coast and the midwest, I opted for a different segment of the world--and believe me, it is a different world. They are still fighting the Civil War there; in fact, I was asked if I were a "yankee," because of my accent. Yes, Southerners considered I had an accent because I didn't drawl, like saying "ya'll." Actually, they believed everyone from California would speak like they were from the valley--"Oh fer sure, like everyone would totally talk like that." Actually, when I got back I noticed this group of guys (whom I won't mention) saying "dude, like are you going to bar review?"

Anyway, to continue my saga... yes, it gets better (or worse). Since the officer, he was extremely cautious about driving. He was so well trained, he could barely make a mistake. He did the speed limit, and went on my merry way... or so I thought. The next night I was feeling extremely ill, so ill that I broke out in hives and was suffering from a severe allergic reaction to something. At this point we have just gotten to Tuscaloosa, Arizona. My mom had literally dragged me to the emergency room where I was put on the gas. I was in the next six hours, due to dehydration.

I told my mom that this was ominous and that something was telling us that I shouldn't go to Mississippi. She said, "Don't worry, things will get better." Better? How could they possibly get worse? (I didn't even mention that before we got on the road, I had to pick up my mother from the airport. However, she told me the wrong airport. I found this out when I called to see if her plane arrived on time so I proceeded to go to "right" airport. What does my mom do? She switches her flight to come into the airport she had originally told me. Need I say more?). The rest of the trip was smooth sailing--in always fun to be cooped up in the car for three days. Finally I arrived to "meet" my roommates--Kim Ditty. We were set up by the housing coordinator on campus and had only spoken on the phone a few times. Upon meeting her she said "Hey Holly Jean, how ya doin'? I was just fixin' to ride to the Jetnee Jungle and fill my hoggie up with mornin', when my Big Mama called and told me how much she missed me. Just squallified my eyes out!" I said, "What? Your big mom told you she missed you?" Translation: "Hi Holly, how are you doing? My grandma called and told me how much she missed me and I cried."

Again I looked at my mother with horror--I'll have to learn a new language too! Then we all started to laugh and I finally started to get acquainted with the South. After the initial disparaging glances I was very cautious about driving. They'll beat you into jail if your speed even touches the speed limit, I was told. Strangely enough though, you could carry a concealed weapon and just up until now...
Ms. Motions

Thank you very much for your time and effort. I am truly grateful for your assistance. I am a third-year student at the University of California, Berkeley. I am majoring in political science with a focus on international relations. I have always been interested in the field of law and I have decided to pursue a career in this field. I believe that the law is a fascinating and challenging field and I am excited about the opportunities it offers.

I am currently working as a legal intern at the San Francisco Public Defender's Office, where I am assisting with criminal defense cases. I am also a member of the Berkeley Law Moot Court Board, where I have been able to gain valuable experience in oral advocacy and research. I am currently working on a project related to the First Amendment and free speech, which I hope to present at the upcoming Moot Court competition.

I am also involved in various extracurricular activities, including a student organization focused on civil rights and social justice. I am a member of the Berkeley Law Environmental Law Society, where I have been able to participate in a number of projects related to environmental law and policy. I am also involved in a student organization focused on international human rights, where I have been able to participate in a number of projects related to human rights and advocacy.

I am committed to making a difference in the world and I believe that the law is a powerful tool for achieving this goal. I am excited about the opportunity to apply my knowledge and skills to a career in law and I look forward to hearing more about the opportunities available at your firm.

Thank you again for your time and consideration. I look forward to hearing from you soon.

Sincerely,

[Your Name]
Guilt By Association--basking in the light of reflected infamy

by Belinda Rachman

"Oh my God, Matt's brother is on television!" My old roommate's brother, Michael Dower, was one of the biggest national news stories of the week. "And I've seen to it that he has been kept away from wonderfully colorful friends?"

We are expected to keep our behavior on "court" to report unlawful activities? Since USO? Do you see the connection between the question asked last orientation about whether you would turn in a drug abusing colleague at your workplace? Now selling drugs, while not an unusual service, I have noticed this event. Without being in the latter group I find myself late this month. It is time for the American people to not some gullible audience at a magic show, left to squirm in the dark while the managers reason the props prior to curtain time. The public reserves openness from the President and Mrs. Clinton about what they propose for health care. They are, after all, trying to rearrange one-seventh of the U.S. economy.

Despite the Administration's attempts to deceive one, it is clear that the President's health care proposal is clear. It is a massive entitlement program with questionable financing at a time when the budget deficit is already obscene. This is true even if we pretend, along with the President, that creating a bureaucracy for health care will reduce paperwork and generate huge savings. When the reality of the enormous cost of the new entitlement becomes clear, financing will have to be found immediately or the budget deficit will explode. Clinton proposes to finance the plan by raising taxes on cigarettes a dollar a pack because smokers place a disproportionate burden on the health-care system. What's next, a tax on the terminally ill, the fat, the sedentary, or the elderly because they too require health care more than average? I make this last comment with some skepticism because this Administration this week's outrageous satire usually becomes next week's policy. I am all for taxing cigarettes to the extent that the market will bear - and then tripling it. That way, consumption of cigarettes will plummet as fast as a smoker's pain (after watching him, I have no doubt that he is a smoker). These endless stories that pull at the American public gets what the public believe that our health-care system scheme or its costs. 'What's this is to do with law school? Is this just more evidence that a deviant has found his way among all the nice law school students at USD? Do you see the connection between the question asked by the drug and alcohol educator at this last orientation about whether you would turn in a drug abusing colleague at your firm and your duty as "officers of the court" to report unlawful activities? Since we are expected to keep our behavior on the right side of the law what does that mean if we have lots of friends who engage in illegal activities? Do we have to cut our friends off from all our wonderfully colorful friends?

Since Matt got married his wife has seen to it that he has been kept away from all the wonderful friends he was one of the very few from the old crowd who was even invited to the wedding, but even I have been phased out over the years between the new baby, the new business and me leaving New York. I feel so bad for what my pal must be going through, having a cloned health care. It is all a joke that Matt's family was white trash he'd get all upset and say that those affected could get new credit cards and drivers licenses. All this seemed use in demolition derbys and had a gun to cut ourselves off from all our wonderful friends?

When Government By Sob Story Rules the Day, We All Suffer

by K. Michael Kemper

The Earth revolves around the Sun, dogs bark, and Bill Clinton is on the road promoting his latest policy initiative to the lumpen masses. This moment he is in Florida, pitching his health-care plan to one thousand freshly-shaved and ideologically correct citizens in attendance, as well as the television audience of Ted Koppel's Nightline. It is in the latter group I find myself late this night, watching and listening for a scintilla of straight talk amongst the morass of rumors, press leaks, and trial balloons which has characterized the present Administration.

What's this is to do with law school? Is this just more evidence that a deviant has found his way among all the nice law school students at USD? Do you see the connection between the question asked by the drug and alcohol educator at this last orientation about whether you would turn in a drug abusing colleague at your firm and your duty as "officers of the court" to report unlawful activities? Since we are expected to keep our behavior on the right side of the law what does that mean if we have lots of friends who engage in illegal activities? Do we have to cut our friends off from all our wonderfully colorful friends?

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by K. Michael Kemper
The Three Bigs: Why Big Business May Be Bad for America

By Vince Fiszman and Robert Little

If the Clinton Administration is leading the charge against government regulation and taxes, think again. Walter Mauer, author of The Case Against Aidid, shares Aidid’s views on why Big Business should support the Clinton Administration’s war on terrorism.

In the wake of 9/11, it is difficult to explain the lobbying by why Big Business should support the Clinton Administration’s war on terrorism. The Clinton Administration has promised to prevent the growth of small, non-union businesses. And they are promised to cut corporate taxes to help them. The net effect? Higher transaction costs throughout the economy, increased regulatory complexity, and subsidies for large, inefficient, and uncompetitive companies.

The Clinton Administration’s proposed cuts in corporate taxes will hit small businesses disproportionately hard. Subchapter S firms now pay twenty percent of the income reported on tax returns over $200,000 and more than one-fifth of income reported over $1,000,000. The tax increase from 31% to 36% (plus the ten percent surtax on the “wealthy”) would hurt small businesses more than corporations. With a new Bush administration, the hope is that Congress will adhere to the promises made by the incumbent’s allies.

Making a friend out of an enemy is a difficult business. The ancient Romans did it by first defeating the enemy, then setting him up as a client king, behind you. For two

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and fastest-growing industry is small business. The Three Bigs: Why Big Business May Be Bad for America

states prostrate and susceptible to programs like the Marshall Plan. The Three Bigs will defeat an enemy, defeat him utterly and irretrievably, save compassion for reconstruction. The US has failed to follow its own example of unconditional surrender and complete compassion. It has, rather, made every mistake possible. As an example, take Iraq. In an effort to support “moderates,” the United States gave aid to the former foe, In return for which the US gained a valuable ally in the Cold War and a market for American goods, however the latter may have backfired. In any event, a friend was made of an enemy by two steps, by utterly defeating them, and then showing an interested compassion for their plight.

The wrong way to make a friend of an enemy is through the exclusive use of a treaty. History shows that exclusive use of a treaty is a lousy, a treaty is only “a scrap of paper,” to be discarded when convenient. But it can also be a useful tool. For example, anti-negligence treatment negotiated between equal sovereigns in the 20th Century alone is pathetic. Effective use of treaties beyond, i.e., some form of support, or overwhelming military might combined with the willingness to use it, would add the concept of war not are the avoid the expropriation by politicians bailing them. May wish that an enemy is no longer dangerous to you can be done in one way, by removing her capability to harm you in battle and to poison your mind. Indirectly the lessonlearned here comes from the Treaty of Versailles in which France and the Allies exacted a punitive toll on Germany after its defeat in World War I. A similar treatment is being made Germans our our friendly, they it further embittered them. Being only a treaty, it did not effect the people of Germany, once the embittered populace installed a particularly violent and lawless regime, to make a treaty without them, in the west. Compare to this here: Was World War II where the Allied demand for unconditional surrender backed up by military might is not be our friend under these circumstances. Only the complete defeat of Aaidid will allow a clean American withdrawal.

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Multiculturalism, Irvino Cutler Defended

Christopher Scott Trunzo (Bothell) [1993] criticizes USID's "Institutionalizing Diversity" program funded by the Irvine Grant and the Law Times. He believes "current multicultural thought leads to an exacerbation of the problems and the omission of what we have in common, resulting in intolerance and hatred."

Multiculturalism takes on "a particularly sinister form," in education, he continues, as it denies the reality that "democracy, individual freedom and liberty do not come from Africa or Asia, but from the Americas, where the product of three thousand years of European thought..."

He concludes that "(a) current multiculturalism is a classic spending money that could reduce tuition... on a superficial effort to show people that a political vogue already becoming passe."

I want to respond to each of his statements.

The Irvine Grant and the Law School. The Irvine grant funds a number of different programs at USID. I'm mostly familiar with the Irvine Grant program at the Law School.

Under the auspices of "The San Diego Holocaust Education Program," USID Pro Bono students assist battered women through the Domestic Violence Prevention program. Students also assist battered persons enrolled in AIDS project, assist the disabled seeking SSI benefits, and mediate disputes in Small Claims court.

Other volunteer students mentor "at risk students" at Kearny High School and assist the elderly through the Legal Aid Society. Many of these programs have lead to intolerance, hatred or cultural relativism and stagnation. I can't see how they could lead to the programs might do that.

The Failure to Respect Multiculturalism. The Los Angeles Times recently published a list of current armed conflicts around the world and their basic causes. What struck me in reading through the list was that in the vast majority of conflicts, people are committing violence against each other because they do not respect the multiculturalism existing within their own borders. None of the conflicts has arisen as the result of multiculturalism. Here are some of the countries the Times lists where the primary cause of the culture of others has lead to violence: Armenia, Croatia, Cyprus, Georgia, Tajikistan, Bangladesh, Bolivia, Paraguay, Chad, Mali, Niger, Senegal, Somalia, South Africa, Sudan, Zambia, Uganda, Algeria, Bahrain, Iraq, Lebanon, Russia, Pakistan, Iran, Bhutan, India, Haiti, Laos, Burma and Sri Lanka. Disputes between nations are usually a lack of respect. The dispute between Japan and Korea is primarily over the cultural differences between England and Ireland, and between Israel and various Moslem countries, religions. While the list of current armed conflicts in these disputes, the element that energizes people to kill each other and justifies their actions is the idea that one culture, race, or religion justifies murder. The newly opened Holocaust Museum in Washington DC reminds us that not only did a morally sophisticated nation in modern times kill millions of its own people, but that the respect for cultural diversity--the same as the 15 million Jews, gypsies, and the disabled--but that the United States stood by and did nothing to stop it. You can drive up Highway 395 to Lone Pine and view a site that commemorates thousands of Japanese-Amercians during WWII after confiscating all of their property. A multicultural museum or major culture is one that keeps in锁 up thousands of innocent people in a country without due process of law.

Multiculturalism and Value Relativism. Multiculturalism does not provide a meaningful understanding of life. A multicultural society may lead one to see that value absolutism--the belief that your values are absolutely right and their values are absolutely wrong--often leads to intolerance and bloodshed. Multiculturalism may encourage the notion that values that reach across cultures--for example, the values of tolerance, humility, and respect. Are all these values relativistic? The absence of a multicultural perspective. Morally mature people understand that it is possible to have different values and, at the same time, to respect the values of others. Ellison's "American Masculine Madness."

No one to my knowledge denies that European males have an important role in developing ideas about democracy and liberty. Multiculturalists add that other people in other cultures have also made exalted contributions and that they should be heard, too. Multiculturalists add that the European development of these ideas has been one sided in many respects in part because, as Mr. Trunzo correctly states, "Europeans were 'unfairly persecuted' in the Inquisition and burned at the stake."

Trunzo's letter is not only unfairly uneducated, but it is a larger view of the universe, of sexuality, or of the weather is not a problem of political regime can force people to retreat to the past. Multiculturalism is a fact of life in the same sense that the use of the English language is a fact of life. The irony of Mr. Trunzo's position is that only the values of multiculturalism will coexist with a lack of respect for another's cultural values of country. My fundamental message is that whoever is politically on top--a position held for many years by non-English-speaking countries--has an obligation to impose their values on others. As other people move into power in the world, they must respect the views and values of others will ensure that the European-values that Mr. Trunzo cherish will survive. STEVEN HARTWELL, CLINIC PROFESSOR OF LAW

Mr. Trunzo Responds:

Mr. Trunzo: Well, the other arguments for Multiculturalism continue to miss the mark. A dislike of multicultural governmental and educational programs cannot be equated with a lack of respect for human rights. My fundamental message is that whoever is politically on top--a position held for many years by non-English-speaking countries--has an obligation to impose their values on others. As other people move into power in the world, they must respect the views and values...
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