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### The Opinion Volume 38 Number 14 – April 6, 1998

The Opinion

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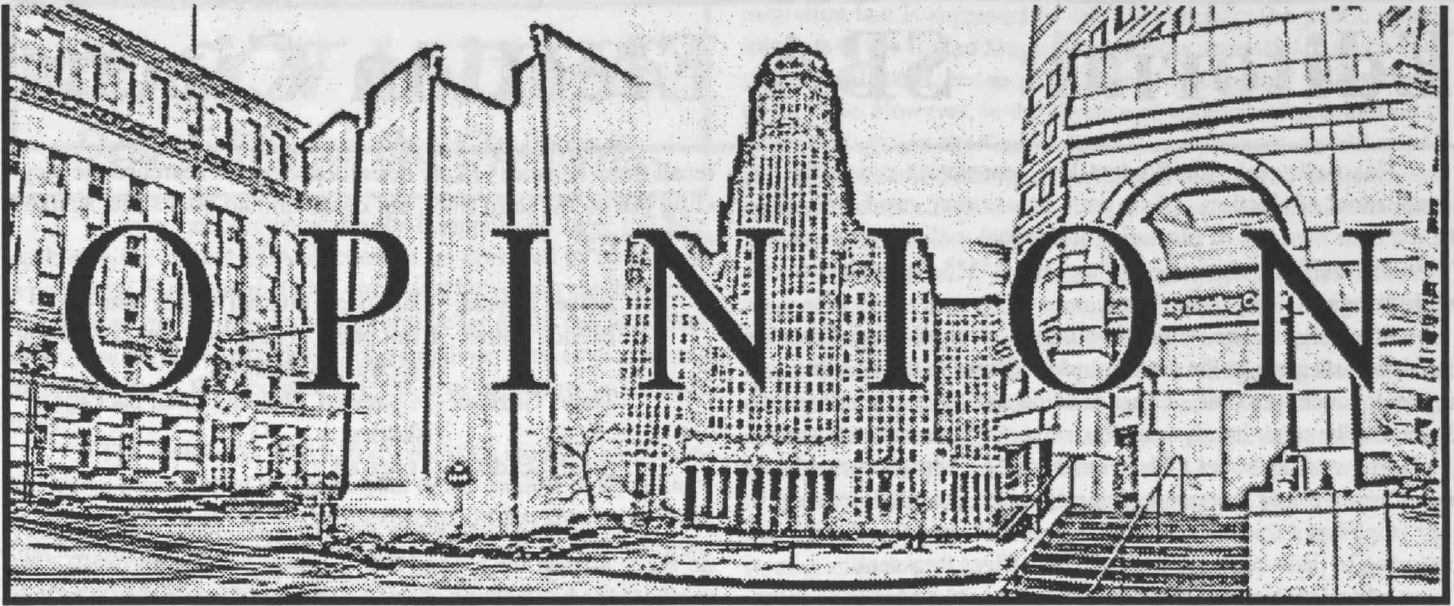
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Vol. 38, No. 14

"Vi veri veniversum vivus vici."

4.06.98

## Law Review News

by Sol Sandberg

On March 20-21, the Buffalo Law Review hosted a symposium entitled Law, Sovereignty, and Tribal Governance: The Iroquois Confederacy. The symposium was held at the University Inn and the Center for Tomorrow.

The symposium focused on the recent legal issues facing members of the Iroquois Confederacy in their confrontations with New York State and the United States government, and each other. Among the specific topics discussed were the history, law and politics of the Iroquois Confederacy, Iroquois land claims, Iroquois tax issues, sovereignty issues and Iroquois governance.

According to Kathryn Bryk Friedman, the editor of the Law Review about 325 people attended the symposium.

On Thursday, associate members of the Law Review were required to hand in a 40 page paper with 160-200 footnotes. The

paper was required to be of substantial publishable quality. This was the final prerequisite for promotion to Senior Member of the Buffalo Law Review. The other two prerequisites are holding office hours and doing extensive cite-checking. Failure to meet these requirements can result in removal

As for future events, elections for the editorial board of the Law Review are scheduled for April 5. Among those already nominated for the position of Editor-In-Chief are Beth Garrington, Amy Martoche, and Michael Donlon, according to a member of the Law Review who wished to remain anonymous.

On April 24, the Buffalo Law Review Dinner will be held at the Buffalo Club. The event will honor Professor Mugel for his 50 years of teaching and service to UB Law School. Professor Mugel teaches future interests, estate and gift tax, and estate planning.

Next month, The Law Review will be coming out with issue 46-1. The issue will contain submissions by 7 authors. Law Re-

**Continued on page 5**

## Admissions to Continue

by Sol Sandberg

March 15 was the official deadline for admissions yet the Office of Admissions is still accepting applications, according to Marie Mcleod of the Admissions and Student Services. Ms. Mcleod spoke to the *Opinion* on Thursday as she was ordering the files of rejected applicants on her desk. She said that the Law School planned to make about 500 offers to the applicants to fill the approximately 220 seats in the first year class.

One phenomenon which has grabbed the attention of the Office of Admissions in recent days is the heightened organization of applications to the Law School from international applicants. In the past, international applicants encountered difficulties in applying to the Law School due to postal delays and mishaps and difficulties in telephone communication.

With the widening use of email, said Mcleod, international applicants and the Law School are finding it much easier to com-

**Continued on page 5**

## Olsen to Discuss Loan Repayment

by Sol Sandberg

The Loan Repayment Assistance Program will be hosting a discussion with Dean Olsen on Tuesday April 7, at 4:30 PM, in Room 212, about the prospects and challenges of implementing a loan repayment program in the law school.

If implemented, a loan repayment program would assist graduates who choose to take lower paying public interest jobs in paying back their student loans.

For more information contact Nelson at 645-4004, Rick at 882-5842 or Dan at 882-5446

<i>Inside...</i>	
<i>The Smoking Gun.....</i>	7
<i>Ich bin eine Komödie!.....</i>	8
<i>Perspectives Top Ten.....</i>	9
<b>.....and a tribute to our narcissism!.....</b>	

# Editorial: SBA Election Circus

This past week, the Student Bar Association conducted its annual ritual of elections. As a part of that ritual, candidates conducted their own rite of plastering the school with advertisements. "Vote for me!" the sign says -- "as SBA \*\*\*\*\* I promise to end world hunger!" Riiiggghhhhttt.

Some signs were worse than others. Not all candidates decided to participate in the mass murder of trees that made this self aggrandizement possible. Other candidates kept it to a minimum. Some, on the other hand, went so overboard, it defies explanation (including stuffing boxes with flyers, hanging flyers all over school, and offering candy to anyone who might be a potential voter).

One has to wonder about the cost that some candidates are incurring in their quest for the pay-free offices they seek.

I decided to take a walk around the school and take an informal count of what I found. I started on the stairwell between the third and fourth floor, and counted from there, down to the *Opinion* office in the basement. I found that there were approximately...436 signs. The breakdown was as follows:

- |                     |                      |
|---------------------|----------------------|
| Brenda Torres - 118 | Andrew Zakrocki - 19 |
| Tonya Guzman - 111  | Betsey Snyder - 18   |
| Brion Scudder - 66  | David Polak - 8      |
| *Tracy Weir - ~30   | *Art Vanelay - ~7    |
| Melissa Golen - 28  | Kim Fanniff - ~6     |
| Daniel Fynch - 25   | Rick Staropoli - 0   |

\* Write in candidate

To add to this list, I received the following advertisements in my law school mailbox (I know there have been others, but I don't

Editor in Chief.....S.A. Cole  
 Graphics and Layout Editor.....Ken Grant  
 Business Manager.....Dan Baich  
 Managing Editor I.....Cindy Huang  
 Managing Editor II.....Joe Huang  
 Op/Ed Editor.....Russ Klein  
 News Editor.....Sol Sandberg

recall them because I likely discarded them -- I searched the recycling bin on the third floor, but could find no others that sparked my memory):

- Betsey Snyder - 1 full page, plus a 1¼ inch mini-ad
- Brenda Torres - 1 full page, ½ page ad, plus 2 different 3 inch ads + lifesaver
- Tonya Guzman - ½ page ad, plus one small package of skittles
- Brion Scudder - 2 page ad

Considering that (due to election rules) there were virtually no signs around the second floor (except for the stairwell), that means that a hefty chunk of those 436 signs were on the third floor and the first floor. Also, not included above, was one candidate who made a several foot long banner on the first floor, and 2 different candidates who felt obligated to write their campaign announcements in huge letters on chalkboards in at least 4 different lecture halls on the first floor. One candidate also hung a sign on the entrance door to the Student Union. Finally, one bold candidate even hung their sign on the main entrance door to the basement...right over a sign indicating that the door was a fire exit!!!!

Further, thanks to the stuffing campaign of the mailboxes, the third floor was a swamp of discarded ads on the floor.

Quite simply, the school looked like a circus.

We at the *Opinion* are not privy to information about where students did their copying, or how much they paid. However, if

**Continued on page 4**

Staff:  
 Pepito Gomez.....Staff Psychiatrist  
 Columnist.....Kristin Greeley  
 News Reporter.....Kevin Hsi  
 Columnist.....Randy Janis  
 Columnist.....Katie McDowell  
 Columnist.....Adam Perri  
 Web Editor.....Russ Klein  
 Photographer.....Ken Grant

The *Opinion*, SUNY at Buffalo Amherst campus, 7 John Lord O'Brian Hall, Buffalo, New York 14260, (716) 645-2147, is published weekly throughout the Fall and Spring Semesters. The *Opinion* is the student newspaper of the State University of New York School of Law. Copyright 1998 by the *Opinion*, SBA. Any reproduction of materials herein is strictly prohibited without the express consent of the Editor-In-Chief and piece writer.

Submission deadlines for all articles are every Wednesday preceding publication (if it's on disk, you can push it to layout time on Thursday...no later than 6:00 PM, please). Submissions should be saved in IBM Wordperfect 5.1; please enclose printed copy for safety's sake. Write your box number on your disk if you want it returned.

While the *Opinion* will not print libelous or anonymous material, all submissions shall be printed entirely and exactly (so proofread your materials), provided they are signed submissions from a member of the UB Law community (students, faculty, staff, alumni).

The *Opinion* in no way endorses the viewpoints of its various columnists and contributors. Considering that the *Opinion* isn't actually a sentient being, it also doesn't think there's anything wrong with any viewpoint expressed in this publication. *Vi Veri Veniversum Vivus Vici*. "We have a First Amendment and we know how to use it."

# WE GOT LETTERS!

## Dear Editor of the Opinion...

I have become increasingly disappointed over the past week with the current SBA elections. I am bothered by two things in particular. First, the methods employed by certain candidates to solicit votes are childish and inappropriate for adults our age. Secondly, I wish that our student representatives were as visible and concerned about their constituents 30 days from now as they are today.

The manner in which my soon to be student representatives have campaigned is reminiscent of the student council elections held in sixth grade. With the exception of last semester's class director campaigns, the sixth grade was the last time I was bribed by candidates with candy! Likewise, the number and placement of election signs are an embarrassment to the professionalism that I thought the study of law embodied. While walking through O'Brian Hall this afternoon, I felt as though I was at a kindergarten art exhibit, not a law school. The need to plaster the Law School with election signs seems to me ridiculous not to mention completely ineffective.

Usually this sort of thing does not bother me because I am able to ignore others and go about my business. However, I was compelled to break my silence after the discovery of campaign signs above the urinals in the men's bathroom. Not even one of life's most private acts is safe from the immaturity of some candidates.

On a more serious note, not a single candidate has asked me about my concerns regarding any of the issues that will potentially face the next administration. The candidates appear to be more concerned with the mass distribution of propaganda than with what their fellow students think. I am saddened by the idea that these individuals will probably become my elected voice. I can only hope that once elected, these candidates will be as concerned about the issues that surrounded our legal education as they are with their campaigns.

I would like to thank those candidates who have run a "mature" campaign. It is the integrity of those individuals that has earned my respect and vote, not multicolored campaign signs, letter opener, or breath mint.

Jamin M. Alabiso, 1L

This letter is in response to the article about the speaking appearance of Levy S. Soloway at the Outlaw dinner on February 28. Although I was not present at the dinner, I would like to briefly respond to some of the issues that Soloway raised. Soloway proposes that immigration benefits be given to the partners of gay individuals here in the United States. Specifically, Soloway proposes that gay partners be accorded the same preferential status as that of heterosexual spouses.

As someone who is supportive of gay rights, I think that the proposal is a laudable one and should be enacted sometime in the near future. However, immigration benefits should not be given to gay partners at this present time because gay marriages are not recognized by almost every jurisdiction in the United States. Im-

migration law is supposed to serve and reflect the public policy interests of the United States. That is why spouses are given such preferential status, because the United States highly values family unification. However, in the absence of widespread recognition of gay marriages in the United States, gay partners should not be given a preferential immigration status. Gay rights advocates should concentrate their reform efforts in the domain of family law first and immigration law will follow.

Additionally, according gay partners a preferential immigration status may cause innumerable administrative problems. As someone who has worked in immigration-related fields for over three years, I have seen the lengths aliens will go to gain some sort of legal immigration status. Marriage fraud is already a problem with regard to heterosexual marriages, as are other methods of immigration fraud, like document fraud. If we add a new category of preferential immigration status that can be faked, like gay partnership, it could lead to even more abuse and defrauding of the immigration laws.

In sum, before enacting another preferential category of immigration status, gay rights advocates need to: (1) change the landscape of family law in the United States, (2) assess the need for such a category of immigrant status — are there really that many gay partners outside of the United States who desire to immigrate together?, and (3) study the effects of such a new immigrant category on fraud and abuse of the immigration laws.

Mike Cerrone, 2L

Well-intentioned people keep complimenting my columns, mistakenly thinking that I am Russ Klein. Though Russ Klein is a gentleman and a fine writer, we are two distinct individuals. Remember: Russ Klein is tall and smooth. Russ Maines is short and lumpy.

Russ Maines, 2L

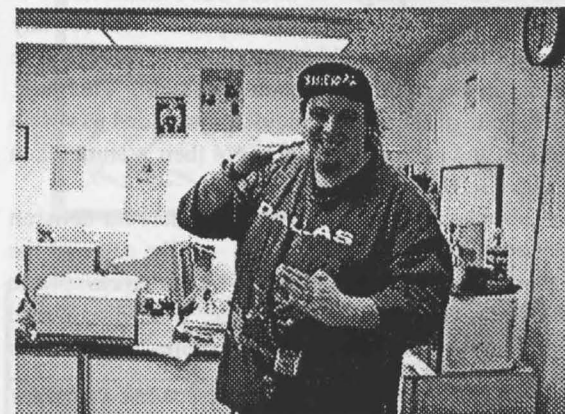
*Editor's response: Just remember: I'm smooth! Smooth baybeee! And, I got a black belt!*

*Russ Maines:  
"Short and Lumpy"*



Russell E. Maines

*Russ Klein: "Tall and Smooth"*



## ***SBA Election Circus... Continued from page 2***

one student wanted to hang 100 signs and stuff 660 law student mailboxes, were they to take advantage of Makin' Copies' deal of \$.05 a copy, the total price would be \$38 -- JUST FOR THOSE COPIES! One can minimize their costs by using their own printer paper and cartridges, but paper and toner/ribbon are not cheap commodities. Add to this the cost of candy and trinkets that some candidates handed out, and you have a campaign that not only made the school look rather silly, but cost considerable money.

I don't know about you, but I don't have the sort of money at my disposal that it would cost me to compete. Not only did the campaign degenerate into a battle of the posters and chalkboard self-promotion, but it also reached a realm of cost in dollars that many of us would have no chance of matching. This is blatantly unfair to the student body at large. Most of the law students I know live on extremely fixed incomes, largely determined by the amount of financial aid they receive this year. As things stand now (and with the precedent set by this year), should a wealthy person come to this school next year and decide to run for SBA office, what is to stop them from literally deluging the school in campaign signs, banners, a small plane or helicopter overhead with a banner, and a free timex watch with his name on it in an effort to win the title of SBA President, Vice President, Treasurer, or Parliamentarian?

This narcissistic exercise must not be repeated. There is always talk on the national scene about how there needs to be election reform. I never thought I'd have to push the issue inside my law school. I recommend the following proposals be adopted immediately by the Student Bar Association for any and all future elections:

- \* Eliminate all signs from the main body of the law school, and restrict them to the stairwells, or other more appropriate areas.
- \* Ban all candidates from putting campaign advertisements on any classroom chalkboard.
- \* Ban all campaign advertisements from being anywhere near the SBA office.
- \* Ban all candidates (and their helpers) from giving away campaign trinkets/food.
- \* Ban all candidates from sending mass e-mail campaign advertisements.

This is just a start of what needs to be done, and it does not make nary a dent on the campaigns of future SBA members. For one, the *Opinion* generously threw its doors open and offered any candidate the chance to make a candidate statement, and even made it easy for them to have a picture with their statement. This year, for example, all but one of the ballot candidates provided us with a candidate statement, and most of those also got their picture taken for the special *SBA Election Insert* we provided.

Finally, while not singling out any one candidate for derision (this is not a personal grudge against anyone -- I like some of the people who I have criticized harshest), I would like to express praise of two candidates. In the Vice President race, Kim Fanniff and Rick Staropoli have conducted themselves quite professionally. Kim

*SBA Election Circus... Continued next column*

put up only about six flyers that I could find, and Rick put up zero flyers that I could find. They have shown that an important race can be conducted based solely on their merits and candidate statements in the *Opinion*. Hopefully their model will be the one that is followed in the future.

Lets not let the SBA election season become a festival of environmental destruction again in the future. This is a law school, and there is supposed to be a certain level of distinction in the halls. We are 1-Ls, 2-Ls, and 3-Ls...Not first graders, second graders, and third graders.

--by Russ Klein, Op/Ed Editor

## **In the Public Interest Names Its New Editorial Board**

by Sol Sandberg

The current Editor-in-Chief of *In the Public Interest*, Jennifer Berger, recently congratulated the students who will make up the new editorial board for the 1998-1999 school year in a letter submitted to the associates of *In the Public Interest*. The editorial board for next year will be: Ken Grant, Editor-in-Chief; Fidel Gomez and Mindy Marranca, Executive Editors; Paul Gennari, Publications Editor; James Ross, Submissions Editor; and Stephanie Miner, Casenote Editor.

Ms. Berger thanked the current board for their contribution to the 1997/1998 edition of *In the Public Interest*.

## **Bar Examiner to talk to UB Law Students**

by Sol Sandberg

As an initiative of the Career Development Office, Diane Bossey, a bar examiner, will come to UB Law on April 15 to give an overview to students on what they can expect on the bar exam.

According to Sean O'Buckley of the CDO, Ms. Bossey will also inform students on what she looks for on the essays.

At the meeting, Melinda Saran will be on hand to discuss reasonable accomodation for people with disabilities

Forms for the bar exam are expected to be available then.

Makin' it e-Happen



# UB Law School Gold Group Announces Call For Nominations

by Ilene Fleischmann

The University at Buffalo Law School's GOLD Group (Graduates of the Last Decade) announces a call for nominations for the "GOLD" Award, available to any third-year law student who has demonstrated leadership skills while enhancing the mission and reputation of UB Law School.

According to Ilene Fleischmann, Assistant Dean and Executive Director of the UB Law Alumni Association, "This award recognizes students who are already supporting the GOLD Group's mission: working to strengthen the Law School and its reputation."

"There are many soon-to-be alumni who will undoubtedly be valuable members of the GOLD Group. This is our opportunity to thank them for their help."

Law students, faculty, administrators and UB Law alumni are all eligible to nominate candidates. Self-nominations are accepted.

Deadline for submission is **Friday, April 17, 1998**. Nomination materials can be obtained in the Law School's Career Development Office.

Anyone with questions may call Dean Fleischmann at 645-2107.

The GOLD Group is a division of the UB Law Alumni Association and is comprised of UB Law alumni who graduated within the last ten years. Its purpose is to encourage and solicit participation and involvement by recent UB Law graduates in the UB Law Alumni Association and its programs and events, and to provide social and educational opportunities and facilitate the growth, integration and development of recent UB Law School graduates into the legal community.

## Law Review News... Continued from page 1

view member Corinne Carey case note will be included. Issue 46-2 is scheduled to be published some time in the summer. The Law Review is published three times per year.

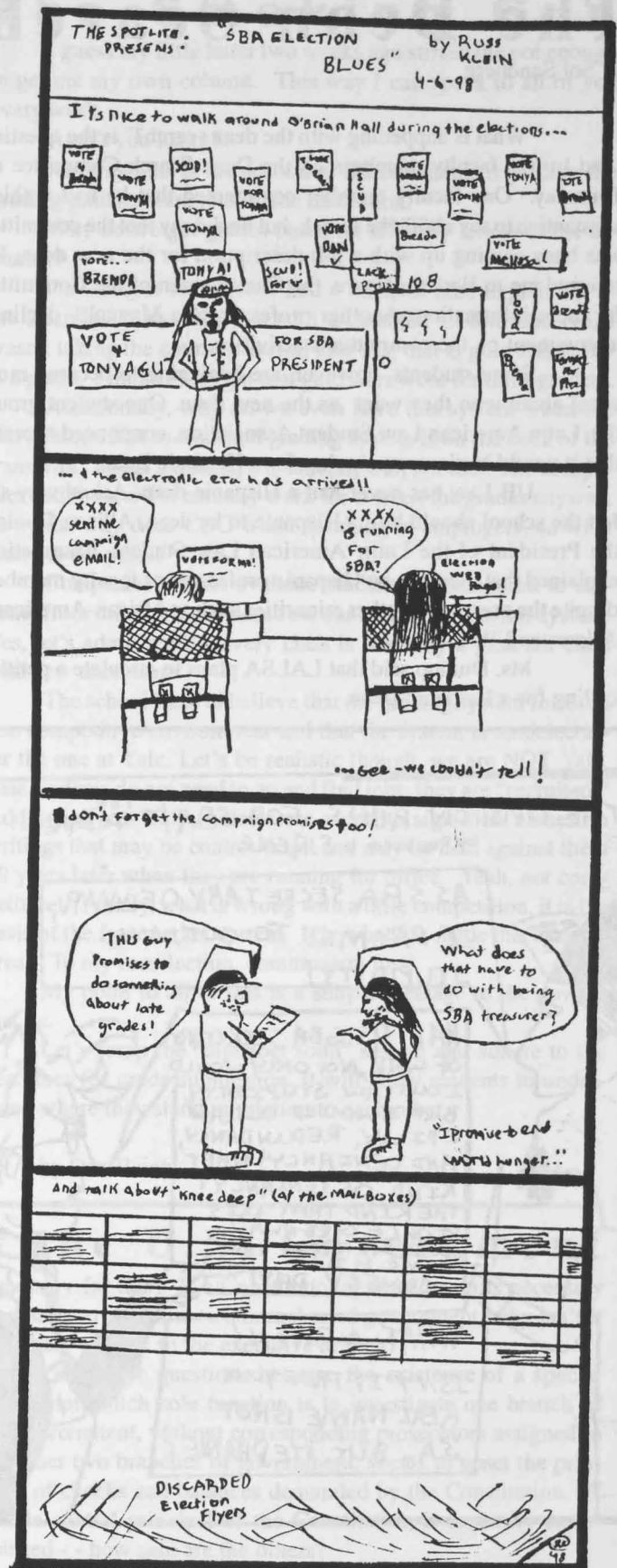
First year students can pick up of materials for the Casenote Competition between 9 am-12 pm on May 16 and May 18. Materials must be returned on May 26 or May 28 between 9am and 12 pm. For more information contact the Buffalo Law Review.

## Admissions to Continue... Continued from page 1

municate with each other. This is especially the case, this year, since international applicants are now able to obtain the application by downloading from the internet thus eliminating the need to order the application by mail.

Exact numbers for current international applicants are not yet available. However, there is a strong impression in the Office of Admissions that international applications has increased significantly in the current year. The feeling in certain offices on the third floor is that the growth in international applicants can be attributed in part to the development of UB Law's internet website which now contains a wealth of information from the school catalogue and other sources accessible all over the world.

**SBA ELECTION '98 RESULTS ON BACK PAGE...**



Submissions to the Opinion are due Thursday by 5:00 pm, in the Opinion's basement office. Please submit any work in WordPerfect 5.1 format and include a hard copy. We look forward to your submission(s).

# The Dean Search

by Sol Sandberg

"What is happening with the dean search?" is the question I put to two faculty members on the Dean Search Committee on Thursday. One faculty member commented that he had nothing substantive to say about the search, but he did say that the committee was busy coming up with a job description for the new dean. He referred me to Barbara Howe, the Chairwoman of the Committee for more information. Another professor, Sue Mangold, declined to comment on the committee's activities.

Some students, however, are beginning to become more vocal about who they want as the new dean. One student group, the Latin American Law Student Association, announced recently that it would begin campaigning for a Hispanic Dean.

UB Law has never had a Hispanic dean. Asked why she felt the school should hire a Hispanic to be dean, Allison Dunlop, the President of the Latin American Law Student Association, explained that there are no Hispanic professors or faculty members despite the presence of other minorities such as African-Americans, Asians, and Women.

Ms. Dunlop said that LALSA plans to circulate a petition calling for a Hispanic Dean.

## Campus Apartments To Open In July

by Dan De Federicis

The new graduate student campus apartments should be ready for occupancy by July 1, according to Don L. Erb, Residential Facilities Manager of University Residence Halls.

The 115-unit \$8 million project features townhouse style apartments and is located off the northwest corner of the Amherst campus, near the intersection of Chestnut Ridge and Sweet Home Roads. Each apartment offers 2 bedrooms, 1-1/2 baths and contains many other practical amenities desirable to graduate students. "We tried giving them a comfortable, homey feeling, not institutionalized," declared an enthusiastic Erb. He proclaimed that this project was "very exciting for the university, very exciting for the students."

There are two styles of apartments available. Most units will be a two bedroom, two story townhouse style. There will also be two bedroom handicapped accessible ranch units available. The prices will range from \$710 for unfurnished units, to \$725 for furnished. According to Erb, these prices are "very competitive" with other newly built townhomes in the Amherst area. Furnishings are limited to bedroom furniture, including dressers, nightstands, desks, as well full size beds with mattresses. Washers and dryers will also be provided, they will be installed on the second floor.

There will be a maximum occupancy of 4 adults per unit. For students with children, 1 infant under 1 year of age can be excluded from the 4 person maximum. Variable lease options range from 12, 18 or 24 months, with no increase in rents for the duration of the lease. Residents will be allowed to sublet during the summer.

Erb advised that there will be many unique features to these apartments, which should make them desirable to the graduate/professional student community. Each unit will have full communication hookup to the university computer system via direct ethernet connections, which Erb explained is 10-20 times faster than a modem. This feature allows students to use the computer without tying up their phone lines, allowing them more research options. Residents will also be able to access the community building located at the center of the complex. This building has a meeting room/social center which includes a kitchen, couches and a large screen television. Residents will be able to reserve this building for family, educational or social functions. Shuttle service will provide residents with transportation to the spine, which should certainly interest those with transportation problems, or those that don't wish to battle for parking spaces.

Access will be limited to graduate and professional students, with an exception for married undergraduates. There should be a model available for viewing starting this week. Interested students who wish to view the model or obtain an application should contact the University Residence Halls at 645-3006. This should be done immediately, because Erb explained that occupancy will be on a first come, first serve basis. Erb stated that they would like to see a diverse group of students living there, including law students. "Oh, absolutely" Erb replied with a smile when asked about the desire for law students to reside there. "We can't wait for them to challenge our lease."



Submissions to the Opinion are due Thursday by 5.00 pm, in the Opinion's basement office. Please submit any work in WordPerfect 5.1 format and include a hard copy. We look forward to your submission(s).

# Credit Denial      The Smoking Gun

Do you suffer from credit denial? I do. Each month the credit card bill comes and I say to myself "Oh I'll deal with this next month." I scribble a check for the minimum amount and drop it in the mailbox.

Bad idea. Let's say you are 30 years old and owe \$3500 on a credit card with 18% interest. If you routinely make the minimum payment, when will you be debt free? WHEN YOU ARE 70 YEARS OLD!!!

OK, you say, I definitely want to dispose of this credit debt before I am wearing Depends and spending my week nights taping Matlock reruns. I suggest taking action right now. Call your credit card company today and tell them that you want a better deal. Call the 800 number on back of your card and ask to speak to a representative about getting a lower interest rate. Here's a great opportunity to put those moot court skills to the test. If this is the first time that you are making such a request, chances are that the rep will check your record and offer you some break on the rate. I rehearsed and rehearsed before I called only to find that the representative was willing without a peep from me to lower my interest to 9.9% for six months.

If you have more than one credit card you might want to think about consolidating. Call each company and explain to them that you are interested in finding out how to go about transferring a balance from another credit card. This is a great opportunity to renegotiate the terms of your card.

I took advantage of the transfer balance to get my six month 9.9% interest rate promotion extended for six more months. The representative will lead you to believe that the rules are set in stone and that even a talk with the supervisor will get you nowhere. Not so! Always keep in mind that these companies will bend backwards to make flexible payment plans for people who default on their payments. So why shouldn't they be as flexible with customers that do pay their bills on time?

by Randy Janis

I guess my little letter two weeks ago stirred the pot enough to get me my own column. This way I can speak to all of you every week.

Aren't you lucky?!

Anyway, this is the second of the comments regarding the grading policies here at our fine institution.

Why do we get grades based on arbitrary letters of the alphabet?

On a recent interview I had a difficult time explaining to the interviewer that No, I wasn't a disabled student and No, I wasn't taking the course pass/fail and Yes, that Q gold star really is a grade. I mean I thought that gold stars were for third graders.

Additionally, why do we even have this system when the conversion chart to a normal grading system is on the back of the transcript. Relax students, a Q is really a B, not a C. The companies and firms we eventually work for convert the grades anyway, as by the way does CDO when speaking to employers, so what really is the point.

Companies cannot evaluate students as compared to students from other schools based on our modified pass/fail system. Yes, let's admit reality, every class is basically a pass/fail class with few exceptions.

The school likes to believe that the grading system fosters a less competitive environment and that the system is modeled after the one at Yale. Let's be realistic though, we are NOT Yale. Yale students do not need to go and find jobs, they are "recruited." Additionally, at Yale students are afraid to sign their names on writings that may be controversial and may be held against them 30 years later when they are running for office. Yeah, not competitive!! Finally, what is wrong with a little competition, it is the basis of the free market system. It is what has made this country great. To my recollection, communism lost!

My point to all of this is a simple message to the powers that be.

Let's scrap the "alphabet soup" system and adhere to the deadlines for grade submission. It will allow students to understand where they stand in relation to each other.

by Dan Baich

## The New Fourth Branch of the U.S. Government

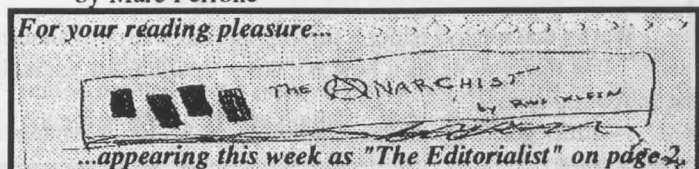
What's happening with this Kenneth Starr character and his position as special prosecutor? I don't recall the U.S. Constitution creating a fourth party to participate in the checks and balances within our government. Historically, one of the main reasons for the U.S. government's success was the balance of power and vulnerability to checks from each branch of government. However, now the executive branch is under much greater scrutiny than the legislative and judicial branches. Why is the executive branch being singled out and assigned a fourth party which sole function is to investigate for grounds for impeachment?

Surely, the executive branch is not the only branch susceptible to corruption. Therefore, shouldn't we assign a special prosecutor to each Congressman and each Supreme Court Justice so as to restore the balance of power? Wouldn't that create a fourth branch of our government, or at the very least, greatly expand the power and influence of the judicial branch? Isn't a Constitutional amendment

necessary for this? If a Constitutional amendment is necessary to do this to the other two branches of government, why isn't it necessary to do it to the executive branch?

I ask these questions because the existence of a special prosecutor which sole function is to investigate one branch of this government, without corresponding prosecutors assigned to the other two branches of government, seems to upset the principle of checks and balances demanded by the Constitution. If such a central principal of the Constitution is so easily extinguished - - how safe are the others?

by Marc Perrone





# Ich bin ein Komödie!

My freshman year of high school, I discovered two things. One I would later abandon as too irritating to be used any more than sporadically, and the other I would cling to as too irritating to be used any less than regularly. The first was make-up. The second was a revelation, a truism realized by modern society's prophets from the dawn of the mass media entertainment industry.\*

The revelation? *Hitler is funny.\*\**

Used properly, *Hitler is really funny.*

Before you read the rest of this, please let me impress upon you that I am all too aware that finding Hitler funny is *not* a nice thing. But also, let me assure you that the conclusion of this article contains a profound and totally unsubstantiated insight into the human mind that makes my whole theory sound legitimate.

That I am totally unqualified to make such a psycho-socio conclusion is just something you'll have to ignore.

Correct me if I'm wrong, but the following block of text isn't very funny:

*Sam came home from the bar depressed. He sat down at the table in his living room, patted his dog, and considered suicide. After all, he always wanted to be an artist; it was just that his career got in the way. He wondered if the world would be any different if he were to die. Eventually, however, he just took a shower, played with his model train set, and concentrated on a camping trip he was planning when he traveled to Poland the next year. Then he put on some lacy underwear. This seemed to perk him up.*

Okay. Now merely change that first word to "Hitler." And there you go! Comedy!

[No; don't keep reading. Really do it--go back and read it again. If you don't, you'll mess with the flow of my article, thereby tinkering with the space-time continuum and causing our galaxy to fold itself into a black hole; this would of course result in the complete extermination of mankind. Now. You don't want that, do you? Then you'd be worse than Hitler. So just go back and read.]

[Okay, if you haven't read it again and insist on going forward, just remember, I warned you, O Savage Annihilator of the Universe.]

Ha ha ha. Wasn't that funny? Yes? No? Hmmm. Maybe you're more of a neo-classical surrealist. Let's try this one:

## **Death of an Überman**

A one-act play by Tennessee Schmidt

*The set is bare, with one crate on the edge of stage left.*

HITLER enters. *He is carrying a gun.*

HITLER: Boy, this orange sure is going to taste good. Mmmmm....Florida fresh!

*He tries to peel the gun and shoots himself in the head.*

Wasn't that wacky? Hitler is just one endless source of amusement. Now that you've seen how it's done, imagine for yourself the following scenarios:

— Hitler goes to grad school and ends up in a Black Women's Studies class.

— Hitler shows up at an Aryan Nation meeting and tells them they're all disgraces to the White Power movement ("If I see any of you on *Cops* again, you're going back to the Brown Shirts! *Schnell! Schnell! Kartoffelkopf!*").

— Hitler (the "Aryan Barbarian"\*\*\*\*) takes up pro wrestling and gets super-slammed by a tag-team group of wrestlers made up of "The Pink, Triangular Madman," "The Throwing Star of David," "The Gypsy of Death," and "The Pissed Dissident."

— In a special all insane-tyrant tv drama, Hitler, Stalin, and Mussolini show up in an orphanage as ghosts who have to perform good deeds in order to save themselves from the fires of hell. Then Michael Landin from *Highway to Heaven* show up and beats them senseless.

You'll notice that last one mentioned Stalin and Mussolini. Good news for all who want to display their knowledge of history, current events, and their cutting-edge wit--this type of humor works with almost any mass murderer, notorious bigot, or basic psycho. Usually, the more people who have been killed, maimed, or wronged in some hideous fashion, the funnier it is you'll be.

Conversely, mentioning anyone nice is what we call a "comedy killer." To be funny, avoid all mention of Mother Theresa, Princess Diana, Jesus, or those two girls who were on the news last week as courageous conjoined twins. Unless, of course, you do something hideous to them, like splicing their face onto Pamela Anderson's body, pointing out that one can take being all over the press a little too far, making jokes about looking like a Dead Head, and suggesting that David Copperfield saw you in half, respectively.

*But Cole*, you might say, *in order to be funny does one have to be truly tasteless? I mean, this stuff is sick! Is it really necessary?*

Of course not. If you don't like this kind of humor, there's a wide variety comic styles out there that could be for you. Most of them involve the questions "What marketing genius came up with that one?" and, "Who thought that was a good idea?" Many people find this funny; I don't, but then again, who wants to work on the same comedic level as the chick who finds humor in Hitler?

A recent NPR report discussed scientific research about the function of laughter in human society. "All humans, all over the globe, laugh the same way," said researcher Dr. David Provine. "But most laughter is in response to commentary that sounds like the dialogue on badly written sit-coms." The researcher has followed people around for years, listening to them talk and laugh, and came to this conclusion: "Most laughter follows commentary that isn't very funny."

Dr. Provine went on to explain that laughter designates one's position in society. A laugh with the boss levels out the power structure, a shared laugh with a group let's everyone know that they are on the same wavelength. Laughter is the result of the finely-tuned human nervous system; in many ways, we are sensitized to more than we need to perceive in order to survive, and the effluvia of this perception is the laugh.

I took from this report two messages.

One: I am right to think that, despite the laughter surround-

**Continued on page 10**

## Ich bin ein Komödie... Continued from page 9

ing them, most people just aren't that funny. In fact, most people have the lively good humor of a dead animal in the road (not the squished, bloody kind — now *that's* comedy). Humor is of course a matter of individual taste; speaking as a an individual, laughing at the weak jokes of the average Joe makes me feel like I'm trying to swallow an old piece of shoe leather. With gum on it. And dog doo.

Two: People laugh at horrible things because their nerves have no other way to process the magnitude, significance, or horror of what they perceive. Hitler: responsible for the death of millions. I go through life, every day, knowing that this happened. I can't ignore it. I can't think about it all the time (boy, would that be a bummer). So I process it via humor — and most people laugh with me.

I think this relation of humor to tragedy, to monstrosity, is why comedians often kill themselves, or at least work diligently at their own distraction. Two of the funniest people this country has ever produced, Lenny Bruce and John Belushi, died while injecting themselves with pain and misery (oh, yeah, and a little bit of heroin, too).

Bruce and Belushi died in a world that gave them everything...money, fame, and--all-important to a comic — a willing, delighted audience. But they needed something to maintain their proximity to tragedy — even as they overcame beginnings that were less than idyllic. Keeping in touch with the rough side of life is how many comedians keep the edge on their humor (I, personally, stabbed myself repeatedly in the shoulder, with a fork, to crank out those Hitler jokes up there). Drugs and self-abuse were what Belushi and Bruce inflicted on themselves to keep in touch with tragedy and comedy.

On the other hand, they probably would have found the profound words etched above screamingly idiotic, ridiculous, and eminently mockable.

"She coulda ended that article on a funny note....but nooooooo," would have snarled Belushi.

"What's this, some sorta profundity, some sorta beatnik-wannabe *schmaltz*? I don't got time for this. She don't use enough cuss words," and then Bruce would have said what he later referred to in court as "blah-blah-blah."

Anyway, remember: Hitler, funny. Tragedy, funny. Life, tragic. Life, funny. Thankyouverymuch.

— S.A. Cole

\* See Chaplin's film *The Great Dictator*, Mel Brooks' *The Producers*, yada yada yada....

\*\* Ha! Made ya look! Made ya look!

\*\*\* Yes, I stole it from *Saturday Night Live*. And I suppose you never ate grapes at the supermarket?

## THE OPINION WANTS YOU!

Yes, that's right - YOU! All submissions due by 5pm Thursdays, in our basement office. Give us your columns, cartoons, poetry, and even letters to the editor. Work with the most unique staff in the law school! (or leave a note in box 95 or 27 - your choice)

## Top Ten Things Overheard During Perspectives

- (10) "I'm soooo glad they dragged me in here on a Friday to hear this enthralling lecture."
- (9) "I don't think this is quite what the A.B.A. had in mind."
- (8) (programs) "click" (Accessories) "click" (Games) "click" (Solitaire) "click"
- (7) "ZZZZZZZZZZ"
- (6) "What time is it?" "3 minutes from the last time you asked."
- (5) "Oh boy! Another mock hearing!"
- (4) "Is he wearing the same clothes again?!"
- (3) "That last written assignment was very worthwhile. Now I have something to line my birdcage with."
- (2) "What was Olsen smoking when he came up with this crap?"
- (1) "I have to go for a walk to the . . . Uhh . . . bathroom. Be back in 40 minutes."

by Dan De Federicis

## When Did Our Tuition Go Up?\*

Year	Tuition
1887-1888	\$100.
1918-1919	\$150.
1921-1922	\$200.
1927-1928	\$250.
1937-1938	\$300.
1938-1939	\$350.
1947-1948	\$400.
1951-1952	\$500.
1955-1956	\$600.
1957-1958	\$880.
1960-1961	\$1,000.
1963-1964	\$800.**
1972-1973	\$1,600.
1976-1977	\$2,000.
1979-1980	\$2,200.
1981-1982	\$2,500.
1983-1984	\$3,150.
1986-1987	\$3,214.
***	
1995-1996	\$6,100
Spring 1997	\$7,350

\*Source-University at Buffalo Law School-100 Years 1887- 1987

\*\*tuition seems to have gone down for this year.

\*\*\*date for 1988-1994 unavailable at press time.

# LAW STUDENTS 14260



TO KICK OFF THE PROCEEDINGS, LET'S HAVE OUR PROTAGONISTS GET STUCK IN THE ELEVATOR.

CHAOS BREAKS OUT!

WHEN I FIND OUT WHAT THE JANITOR IS RESPONSIBLE FOR THIS - THEY'RE DEAD!

HUH... SOUNDS LIKE THERE'S A CUSTODIAL ENGINEER OUT THERE WHO'S GONNA NEED SOME HELP! MAYBE WE COULD WORK THIS OUT IN TRIAL TECHNIQUE

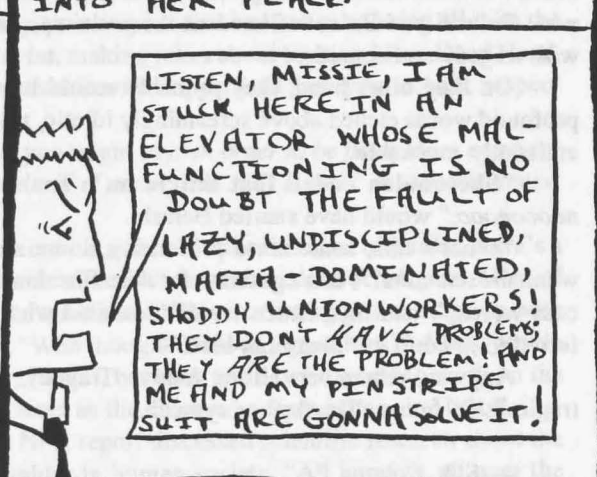
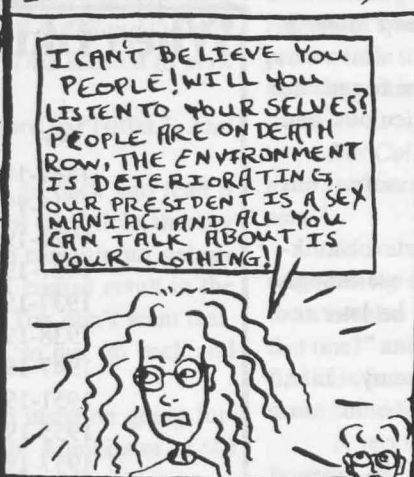
THE MALES QUICKLY DISMISS THE ALPHA FEMALE AND BEGIN PLOTTING THE COURSE FOR A FIGHT FOR DOMINANCE.



15 MINUTES AFTER THE EMERGENCY PHONE CALL, THE CONVERSATION TURNS TO CAREER TALK.

PAULA PUBLIC INTEREST TRIES TO PUT MATTERS INTO PERSPECTIVE(S)

BUT PETE PROSECUTOR IS QUICK TO PUT BLEEDING HEART PAULA INTO HER PLACE.

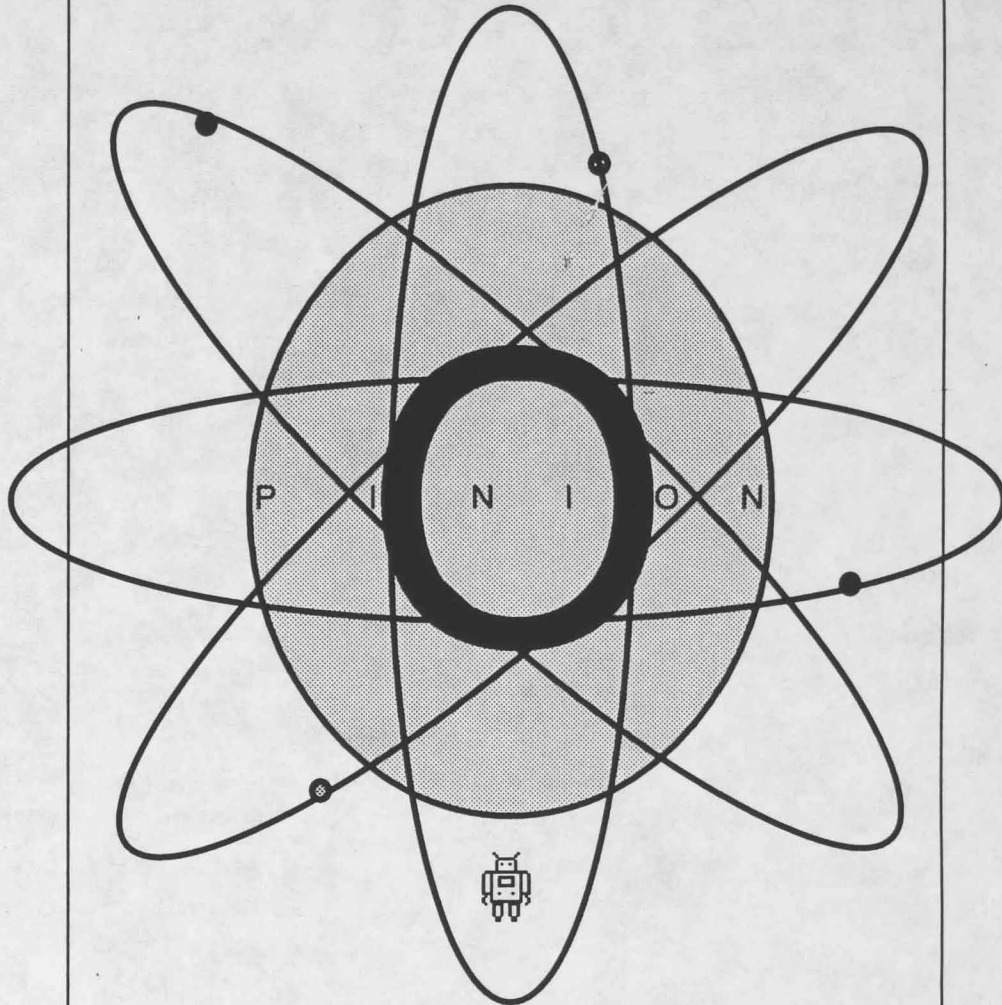


JUST THEN...



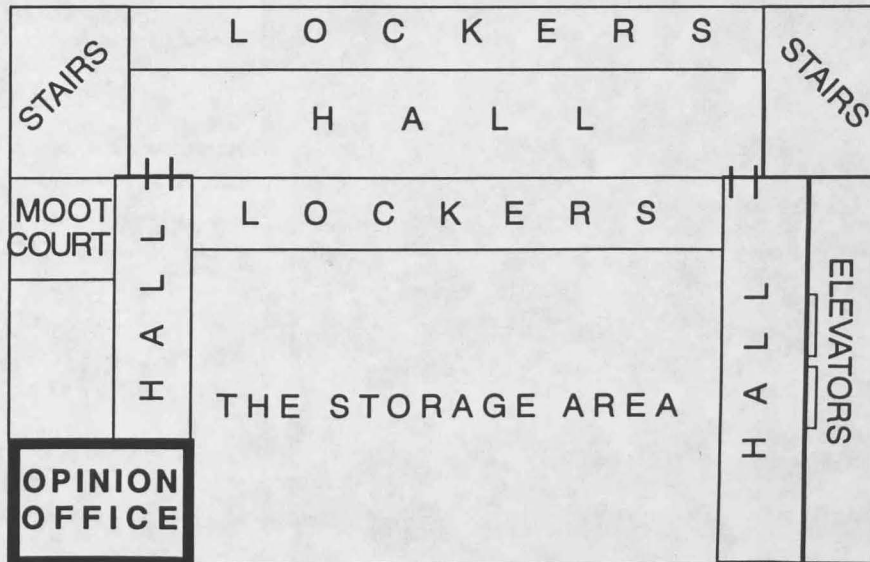
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T H E N E W S P A P E R F O R



T H E A T O M I C A G E

T h e O p i n i o n



# SBA Election '98

**PRESIDENT**      *number of votes*

Tonya Guzman	175
Brenda Torres	88
Melissa Golen	51
Dan Fynch	17

**VICE-PRESIDENT**

Kim Fanniff	159
Rich Staropoli	157

**TREASURER**

Betsy Snyder	141
Brion Scudder	85
David Polak	80

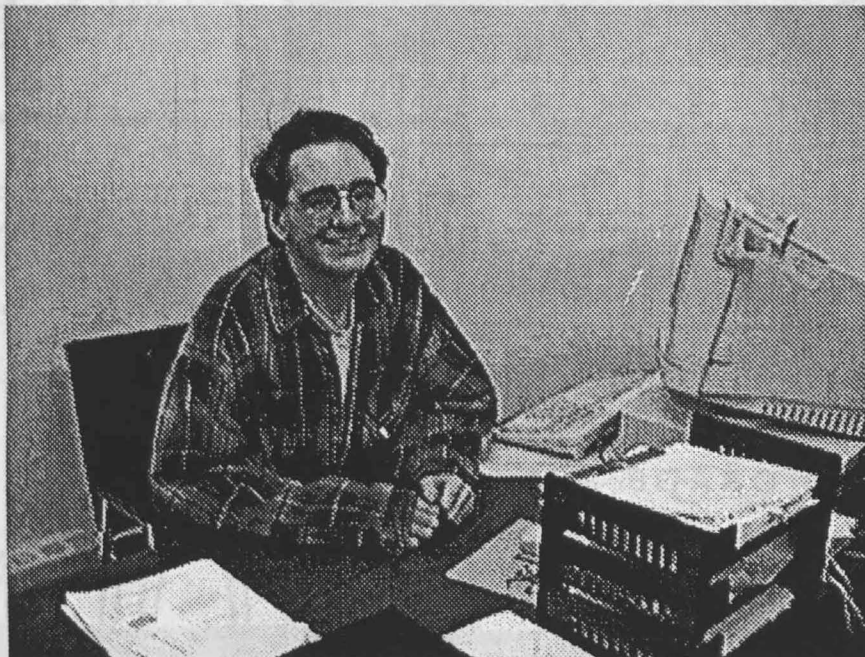
**PARLIAMENTARIAN**

Andrew Zakrocki	239
Tracy Weir	24

**\$10 Student Activity**

Fee Increase	
Yes	191
No	147

*Joe Reynolds, 3L: Soon to be Vice President Emeritus. Preparing himself for the task of tabulating your votes.*



*Nathan Van Loon: Taking ballots, half an hour before the close of SBA Election '98.*

*The Opinion is seeking staff members for next year. If you think you've got what it takes, please contact S.A. Cole or Russ Klein.*

**Translation of our Latin Motto:  
"Cthulhu 2000:  
Why Settle for A Lesser Evil?"**