

The Opinion

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## The Opinion – Volume 34, No. 1, February 1991

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# The Opinion

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# To WAR ... ?

## Stop The War...Again!

by Jeff Topor

On Saturday, January 26 the Twin Cities chapter of the National Lawyers Guild held an emergency membership meeting at Hamline Law School to discuss the Guild's response to the Persian Gulf crisis. In addition, a legal observer training session was also conducted by three members of the Guild. Approximately thirty-five people—lawyers, legal workers, and law students—were in attendance.

As it did during the Vietnam war, the Guild is continuing to provide assistance, leadership, and support in the struggle against unjust actions, by acting as legal observers at anti-war demonstrations, assisting in the release of jailed demonstrators, and providing legal representation and advice to demonstrators and those members of the military who refuse to participate in the war.

According to Katherine Franke, executive director of the NLG, the Guild has set up a toll-free hotline on the national level, to provide on-line counseling to military personnel and their families about conscientious objection and other discharge options, preparation for the draft, networking with other families of soldiers opposed to the war, as well as other issues. This hotline is receiving up to 100 calls a day from women and men in the military who oppose this war and are seeking information on how to best manifest their resistance. The hotline has also been a repository of information about military abuses, including the manner in which U.S. troops are deployed in the Gulf and recruiting violations.

The Guild has held CLE seminars on military law, providing progressive attorneys nationwide with the skills necessary to begin counseling and representing resisters within the military.

It has developed and distributed organizational materials to assist local chapters in providing legal back-up to the growing number of anti-war demonstrators.

In short, due to the Guild's well-organized Military Law Task Force, its legal expertise, and its national organizing efforts and capabilities, it is regarded as the preeminent lawyers' group actively opposing the war. According to National Public Radio, "It is clear that the National Lawyers Guild is out front, way ahead of any other group of lawyers, in responding to the legal questions arising from the Gulf War."

Members who have not been involved in the organization for 20 years are now turning

to the Guild to channel their efforts against the war. However, there are not enough people available to meet the demand.

As the war drags on and as ground fighting officially begins, the number of casualties will increase rapidly. Once the dead and wounded begin returning home, the intensity and number of anti-war demonstrations will increase in response. As the police become tired of monitoring these events, there will be a corresponding increase in violent repression of the protests. Although the escalation in size and frequency will require more legal observers, there is already a desperate need for more people to act as observers. While there have been a few reports of scattered violence among protestors and counter-demonstrators, more widespread acts of violence among these groups will also increase with time. As law students, this is a role which we can easily assume with a minimum of training and commitment. Anyone, however, can perform this task.

Legal observers act as neutral witnesses, documenting noteworthy events at anti-war demonstrations, also serving as negotiators between event organizers, police, and counter-demonstrators. No physical intervention is required, nor is it encouraged. In fact, many legal observers feel that their presence alone acts as a deterrent to physical violence among protestors, counter-demonstrators, and the police.

As a law student particularly, legal observing is a much-appreciated method of becoming actively involved in the legal system. Joining the National Lawyers Guild is a respected manner of working together with other members of the "legal world" in opposition to the war, providing much-needed assistance, support, and leadership in the anti-war effort.

Many people feel that it is unpatriotic to voice their opposition to this war, that by doing so they are sending the wrong message to the troops. Patriotism is Latin for "love and concern for the welfare of one's country." Protesting this war does not make one unpatriotic. Rather, protestors are showing perhaps the ultimate support for our troops best interests by demanding that they be brought home alive.

Being active in the NLG's efforts to stop the war is a legal, non-violent, respected method of voicing your opposition to this war. Anyone, student or otherwise, wishing to become involved in the National Lawyers Guild's efforts to STOP THE WAR...AGAIN! should leave a message addressed to the NLG on the message board outside Hachey Commons.



Photograph by Michael Dregni

## Perspectives of an Anti-War Protester

by Margie Skelton

A number of William Mitchell students as well as some professors have been involved in the recent anti-war protests. As one of those student protesters I would like to clear up some misconceptions in general. Many people believe we are not patriotic and do not support the troops that are dying for our country. On the contrary we are protesting because we support the troops and want them brought home alive. Many protesters including myself have friends and family in Saudi Arabia. In fact a common anti-war slogan is "Support the troops, Bring them home."

What we do not support is Bush's policy which caused the United States to make the first aggressive strike against Iraq, instead of allowing more time for the sanctions to work. According to the CIA, the sanctions were working and would have been effective if given sufficient time. However Bush abandoned this option by adopting the U.N.'s January 15 deadline and making war inevitable. Bush's hardline approach towards Saddam Hussein, to either leave Kuwait or be forced out by the use of military force made it impossible for Hussein to pull out of Kuwait and save face with his people and the rest of the Arab world. One CNN Middle East analyst stated that this left Hussein with only two choices: to admit defeat and face revolution in his own

country or to stand up to the imperialistic United States and become a hero of the Arab world. Obviously, Hussein chose the latter.

We also do not support the amount of money spent by the United States on the war effort. As a supposed allied effort of the United Nations, Americans are paying 70% of the costs and providing the majority of the armed forces. State Rep. Karen Clark, DFL Minneapolis, stated at one demonstration that with a fraction of the money spent on the war effort Minnesotans would no longer need to pay for child care, the level of AFDC could be increased by 10% and more low-income housing could be built to accommodate the growing number of homeless. The money could be used for AIDS research or to decrease the U.S. infant mortality rate which is abominable at 17th worldwide. The money could be better spent solving some of the many domestic problems rather than financing an avoidable war abroad.

Finally we do not support the war because of the needless bloodshed and human suffering which are an integral part of war. The television coverage of the war has done its best to sanitize the war to "scuds" and "patriots." No footage has been released of the numerous bombings of Baghdad and Iraq's Republican Guards which is rumored to be bloody and brutal. This footage might cause second thoughts among Americans who support the war, one Pentagon official stated Saturday. Many people believe that public support for Vietnam declined after Americans viewed the horrors of war in their living room. Not to

(Continued on Page 4)

## Messa Da Requiem

by M. O'Sullivan Kane

A rather grandiose title for a limited readership and an unexciting essay. But we are each of us accustomed to one another's foibles and desensitized toward our own capacity for self-aggrandizement. After all, we are mainly here to pay whatever price it takes to gain membership in this exclusive club, the law. And as we strive to empty our pockets, minds and hearts to this blunted Oracle of Delphi, no one really admits to believing in, the world passes by with the ease of a world in retrospect.

Even the sinews of war, which enfold and slap a very few of us flat, is subject to our

new-found analysis, rationalization, reason, legislation, committees and subcommittees, expertise, rule of precious reason, precedent, argument, emotional corruption, and finally intellectual wheedling. Each person reading this essay will take away from it precisely what they brought to it, opinions corrupt with our own requirements. This is an exercise in the absurd, you will say, an embarrassment, bullshit, and rich with the aroma of liberal pandering. So be it. What voice has any of us against the cumulative apathy and even grander profession?

War is more complex, we will say, than an

argument of the heart. Yet, as each day creates more limbless, lifeless, and spiritless people, the final analysis yields that there can be no analysis at all. What wisdom is there in creating a wall of flesh between our comfort zones and global war with the flesh of the undereducated, undertrained and underfed? We have bolstered this preposition with arguments of economics, patriotism, freedom and, of all the ungodly and unseemly arguments, contractual obligations. How poorly we have used our education if it culminates in arguing that men and women from all sides have committed themselves to paper, with pens they have dipped in their own blood, to give up

their lives on the off chance the U.S. government, you and I may provide them with the means of escaping whatever Fortuna's Wheel spun out for them. Well, yes, that seems fair. After all, didn't each of us have to suffer to get where we are? Yes, life can be valued, the actuaries may say, at \$25,000 for a college education.

Snap out of it. What right have any of us to ply our intellect on lives? What answer is the son, an artificial man-made construct, in the face of oblivion, or have any of you figured out how to argue your way out of death?

We are a nation spoon-fed on violence.

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The Next *Opinion* Edition will have a memorial section devoted to Professor Bernie Becker

Please drop your contributions in The *Opinion* Box, Rm. 105

## From the Desk of the Dean

by James F. Hogg  
President and Dean

These are anxious times as Operation Desert Storm progresses. It touches the William Mitchell community directly and our thoughts are with those, especially, on service or with family members on service over there. We all appreciate the work of those providing group support.

On a different subject, I believe diversity to be an indispensable element of excellence for the college, and congratulate the many people, groups and committees who have been working in different ways to improve diversity within our community. Diversity is much more than a matter of numbers or percentages — it is also a matter of environment. In the words of one of our trustees, we need to value, seek, and celebrate diversity. To my dismay, I heard indirectly the other day of the use of the word "nigger" in a class. I did not receive a complaint, nor was the class identified. Every instructor and every member of a class have a duty to make it clear that racial slurs will not be tolerated. In the event of complaint, strong action will be taken by this

administration. But celebrating diversity requires something more — making members of minorities feel appreciated. Each one of us shares that role. Let each one of us make it clear that, as a community, William Mitchell is committed to a friendly, tolerant, warm and sensitive environment.

On another different subject, the college is making progress towards development of a new mission statement and a long range strategic plan. I hope to see excellence in teaching identified as one of several central themes in that plan. Other themes will be diversity and ethics. William Mitchell has already been recognized nationally, and in a number of different ways, for excellence in teaching. We have a strong base upon which to build an even stronger program of excellence in teaching for the future. I hope to see us continue the development of experimental materials and research about teaching, as well as focus of individual effort on continued improvement. It may even become possible for us to begin testing the relative efficacy of differing methods of instruction in particular classes. I am optimistic about the future for William Mitchell.

## Board Seeks Student Input Into Amending SBA Constitution

by Deane M. Roe, 2nd year,  
section 3, Representative

Among the projects underway in the Student Bar Association is an effort to look at the SBA Constitution and draft proposed amendments for those areas that have deficiencies. The Constitutional Drafting Committee, headed by Edie Michalski and Walt Lehmann, is in the process of writing the proposed amendments. They are soliciting input from members of the SBA at this time.

Before proceeding, it is important to note that the committee is merely step one of a three-step process. First, input is made and proposed amendments are drafted. Second, a proposal must be approved by a 2/3 vote of the SBA Board. Finally, in order to be ratified an amendment must receive a majority vote of the SBA (the student body). Some initial background regarding the SBA and its Constitution will be helpful at this point.

The SBA — the complete name being the William Mitchell College of Law Student Bar Association, Inc. — was incorporated in July, 1977. At that time Articles of Incorporation, a Constitution, and Bylaws were also created.

A copy of these documents is on reserve in the Library. They are not lengthy, and it would help students' understanding to take a few minutes for a perusal of the documents.

When a reference is made to the "SBA," technically this is referring to "[a]ll persons registered for any course or courses in this Law School, and paying S.B.A. dues."\* The various section and at-large representatives make up what is called the SBA Board of Governors.

As may be expected, the Constitution lays the foundation and is much more broad in scope, while the Bylaws provide the specific procedural rules. Amendments to the Bylaws, in contrast to the three-step procedure described above for amending the Constitution, require a 2/3 vote of the SBA Board for ratification.

The reason for the attention now being focused on the Constitution is it has become clear that specific areas need to be updated.

One such area is the issue of the SBA Board election process. This process has recently been questioned by those who believe it does not allow for a Board which reflects the diversity of the student body.

The goal of the Committee is to look at different methods of electing representatives which will promote greater diversity on the Board.

Another area they are looking at is the issue of the election of the SBA President. Currently the President, like all of the SBA officers, is elected by the Board of Governors.\*\* The question has been raised if it would be

the entire SBA.

In some respects this seems logical, since it would mean the President is going to be the popular choice of all students, and as a result accountable to the students.

A drawback to an at-large elected President uses the same language as above. The "popular" candidate may not be the most highly qualified, or may become alienated from the rest of the Board.

This same criticism has been made of the process for electing the *Opinion* editor-in-chief (EIC). The EIC is a position elected at-large by the student body, and is member of the Board.

This selection process has been questioned recently because the EIC elected by the students may not be the most highly qualified candidate, and also may not get along with the rest of the editorial staff.

The proposal has been made (see SBA Board minutes from October, November and January meetings) to eliminate the position and just have an editorial staff made up of those who want to work on the paper.

One problem this raises is with the question of the stipend set aside for the EIC. If there is no EIC, should there be a stipend? If so, who should get it, and what restrictions, if any, should be placed on its use?

Another area of focus for the Committee, is that of how the SBA is financed.

Presently we all pay dues to the SBA on a per semester basis. The authority for this is not express in the Constitution, other than an indirect reference defining membership (see above quote from Article II).

The goal of the Committee is to clear up this ambiguity. Also, to establishing rules on the use of finances, and procedures for altering the amount of the dues.

Lastly, the Committee is looking to defining the duties and powers of the SBA officers. These duties are spelled out to some degree in the By-laws (see Bylaws Article IV(C) et. seq.)

The goal of the Committee is to create more specific goals and duties, and to have these as part of the Constitution and not the Bylaws.

The Committee encourages input and suggestions on these or other Constitutional issues. Comments can be made in writing and placed in the SBA mailbox in room 105 to the attention of Walt Lehmann. These will be received until February 15, 1991.

Keep in mind that no change to the Constitution will take place without first being brought to the SBA for a vote, and receiving a majority approval of those who vote.

\* SBA Constitution, Article II.

\*\* SBA Constitution, Article III, § 4(b).

# Letters To The Editors:

War, A Thank You Note  
Dear Editor:

The events of the past week (Operation Desert Storm) have been to a large extent devastating and emotionally exhausting for all of us. However, the level of anxiety, stress, and worry is much greater for those of us who have loved ones in the war in one way or another. Among the William Mitchell College of Law community there are several people who have loved ones either living or serving with the Armed Forces in the Middle East.

My parents reside in Jerusalem, a fact that makes me part of those several people with loved ones in danger.

I was passing through Hachey Commons that Wednesday afternoon when I found out that the war had started. Just before entering the Commons, I wondered why it was so quiet in there. As I entered, I saw about 30 people intently watching a T.V. that was set up there. At that moment, I knew that the war had started. However, as I got closer to the T.V. monitor, I hoped I was wrong, but I wasn't. As heard the voice of the reporter and saw the Middle East map on the screen, I felt my heart beating faster and faster, and suddenly, it was just too hot. I also found myself in a state of confusion. I really did not know what to do. After a few minutes of denying the danger that was created to that region and to my family, I decided to go home and watch the news there.

Shortly before my arrival at home, a good friend, who noticed my worry at the Commons, showed up and was a great support as we both watched the news. Later on that night and during the past week, a lot of good friends, faculty and staff of our school have expressed their support and offered any help possible.

By means of this letter, I would like to express my appreciation to the WMCL community for the understanding and support extended to me. Your support is most helpful in coping with these difficult times.

I do support our troops in the Gulf and I hope for a quick end to this war. I pray for the safety of all troops and others in danger.

Sincerely, Nico Tabibi  
J.D. Candidate, Class of 1993

## SBA President's Report

by Bob McCloud  
SBA President

I think there is a new type of flu bug out there. It is rather contagious among the faculty. The symptoms start with a loss of memory. Ask them if they remember who pays their checks. Chances are some don't remember that you pay their salary. Look for the other signals that this flu inflicts.

- Late grades
- Silly look in their eye
- Cancelled classes
- No lesson preparation
- Lack of class preparation

I am not saying we have an epidemic. In fact, most faculty jog, eat well and take their geritol. But we must care for the ones that have fallen ill. We must care for the ones who have the nerve to talk about the lawyer work ethic and social legal responsibility when they don't even set the right example.

The cure depends on how badly infected the person has become. The SBA asked the faculty to make an effort to get grades in on time. Did it help? I asked that student evaluations be quantified and tied directly to salary, tenure, and de-tenure review. I was told that they are part of the evaluation process. Do you believe that? If teachers cancel class often, what is our response? Where can we turn? In short, how can we cure people who think they do not answer to the students?

Some of the faculty have forgotten that they answer to the students. There is an attitude out there that thinks because students are only here for three years, we don't have the right to object to their methods for defining this school's environment. It does not matter that we are here for three years and that they have been here for many years. It is our school. The school belongs to the students.

In my position as President of the SBA, I am getting more and more complaints about the lack of professionalism in our faculty. It starts with the faculty trying to manipulate student interests by not hiring new faculty and goes on to include poor classroom performance. If you experience any problems with your instructors, notify your SBA representative. I have grown tired of this crap. I intend to stop it!

To the Editor:

As a first year student I am concerned about the legal writing class I attend and the values it teaches. It has taught me so far to not explore other available options when the approach I am using does not work. It teaches me that I should get used to being powerless. It teaches me to be silenced, for when I speak up I am in effect "seeing too much into it." It teaches me to follow instructions no matter how pointless. It teaches me if I do these things I can earn the "A." I have heard that William Mitchell has a problem because some classes oppress free-thinking ideas, especially ideas of women and minorities. However, I am unhappy to see an oppression of ideas in the legal writing class, because it is such a small and intimate class. I would hope William Mitchell would want to reward thoughtful thinking and thoughtful research. I would hope William Mitchell would want to teach students to stand up for what they believe in: Not to oppress those thoughts nor punish them directly or indirectly. A word said is all it takes to teach in either direction.

The great thing about teaching (I have heard from teachers themselves) is to listen to ideas so teachers can in fact learn from the students. This is called being open-minded. If the student asks for more, why not give it to him or her? If a student cries out for help, why thwart that student's idea by protecting the original mission for simplicity's sake? I realize the reasons why teachers thwart ideas in classes with 100 students, because there is not enough time to discuss all of them. But, here, in a small class, where there are not 100 different ideas, why should my ideas be oppressed? The personal is still political!

Sincerely, Lara Hammel

To the Editor:

I was one of the few students who attended the SBA Open Forum which was held in November. For the most part, we had an honest and healthy sharing of concerns. However, I was disturbed by a remark which was made by one student, who said: "The problem around here at William Mitchell is white males."

I assume that a remark which singles out a class of persons, explicitly defined by race and gender, for adverse comment, is a discriminatory remark and, as such, is unacceptable in the William Mitchell community. Other heard similar remarks at other times and in other contexts.

I would never want to be perceived as trivializing the massive discrimination which has been experienced by women and persons of color in our society, but my personal reaction to this remark was something like the following: I felt as though I had somehow committed a personal affront against this student (with the complicity of my parents, of course) simply by being born a white male — decades before I ever set foot at William Mitchell, or said or did anything here, for good or for ill.

Unless we are to believe that race-based and gender-based remarks against white males are somehow acceptable, I believe that the remark I heard at the SBA Open Forum was a racist and sexist remark, and should be deplored as such. However, I am willing to stand corrected — if the College's policy on discrimination is amended to state clearly that whites and males are not within the class which is intended to be protected by this policy.

Lowell J. Satre, Jr.  
Fourth Year Student

## The Opinion

Student Bar Association  
William Mitchell College of Law  
875 Summit Ave.  
St Paul, MN 55105 • (612) 290-6370

Associate Editors .....: Bob Christensen  
Karl Green  
M. O'Sullivan Kane  
Eric Douglas Larson  
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Tony Schertler  
Margie Skelton  
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Kim Price  
Judie Rush  
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Patricia Guthrie  
Photographer .....: Anne E. Zachritz  
Printing .....: By All Means  
Desktop .....: Shakopee Valley Printing

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February, 1991

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## Anti-War (continued from Page 1)

make the same mistake twice the U.S. government has censored reporter's coverage of the war. The American people can be content to eat dinner and watch the war on television without having to endure children's cries of agony or rows of corpses caused by the United States bombing raids.

The press has done its best to portray the protests and protesters as a radical minority who are protesting for the sake of protesting. The fact is that the majority of protesters peacefully march the streets chanting slogans for peace. Protesters are not only students but professors, Senators, Vietnam Vets, and even one group labeled "Hockey Moms for Peace." Unfortunately the three protesters out of one-thousand who burn the flag or destroy newspaper boxes consistently make the news. As Walter Cronkite pointed out on CBS protesting the war is also a form of patriotism. We support the troops. Bring them home.

## Infant Perpetrators Win Third Consecutive Intramural Football Championship

### — Associated Press

Can you say "three-peat"? The Infant Perpetrators can. In defeating the Tortfeasors 20-0, the Infant Perpetrators have won the William Mitchell intramural football championship three years in a row. Throughout that three-year span, the Infant Perpetrators never lost a game and finished with a record of 27-0-1.

It all started in 1988. A group comprised mainly of section one, first-year students organized a football team. Player-coach Mark Paige held rigorous two-a-day workouts prior to the season opener. They were a motley crew.

As the season progressed, the Infant Perpetrators kept finding ways to win. Was it luck? Was it because cornerback Jerry Krimball is a Notre Dame graduate? Was it because lineman Steve Linder is an Eagle (Boy) Scout? Was it because cornerback Joe Atkins is the son of a judge? No. It was because a team of destiny had been created. The pass rush of Brian "Mad Dog" Park, Jim "Section Two" Laurent, Richard "Hands of Stone" Ellison, and Steve Linder stifled opposing offenses. The Infant Perpetrators' offense clicked with the long ball, as quarterback Peter VanValkenburg hit speedster David "Razor" Raymond with many long-distance touchdown bombs. The Infant Perpetrators finished the 1988 regular season undefeated.

The championship game that year was played under conditions not found in the Metrodome. In the midst of a blizzard, the Infant Perpetrators pulled off an overtime victory in a game that featured no touchdowns. The lack

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# Amesty International Responds to President Bush

Amesty International is a worldwide human rights organization. Its identity and effectiveness comes from its broad volunteer membership. Our William Mitchell chapter is part of that membership.

Amesty is not a political organization. Rather, it works impartially for the protection of human rights all over the world. Amesty's work focuses on the release of all prisoners of conscience, fair and prompt trials for political prisoners, and an end to torture and executions universally.

Recently, just prior to the U.S. attacks on Iraq, President Bush distributed a letter to over 450 college and university newspapers citing Amesty International's report on Iraq and Occupied Kuwait. Similar information was also distributed to the national press.

Amesty is disturbed by the "politicization" of its work by President Bush. It takes no position whatsoever on the conflict in the Gulf, and it wishes to respond to the Administration's selective use of human rights information. Following is a letter written by John G. Healey, Executive Director of Amesty International USA, responding to President Bush's remarks.

Clear facts. Black and white. Unambiguous choice. These are the terms President Bush used in the letter he sent to over 450 college and university newspapers last week. The subject was Iraqi occupation of Kuwait. The object was to prepare young people for military confrontation in the Persian Gulf.

The letter cited Amesty International's recent report on Iraq as evidence to support the administration's position. Perhaps presidential advisers know that Amesty volunteer groups are now active on more than 2,600 campuses in this country. I hope the administration will soon learn that Amesty members and other student activists cannot be misled by opportunistic manipulation of the international human rights movement.

Amesty published its report on the Iraqi Government's gross human rights violations for one purpose: to advance the protection of human rights. By publicizing such abuses, the movement generates public pressure and international protest. Governments over the years have channeled portions of Amesty's findings into their political agendas, and government authorities undoubtedly will continue to do so in the future. But the United States public should not tolerate selective indignation by its own government. We can teach our political leaders that people's human rights are not convenient issues for rhetorical arsenals.

When taken at face value, President Bush's condemnation of torture and political killings by Iraqi authorities appears laudable.

Violations of basic human rights should arouse indignation and inspire action to stop them. The matter becomes less "clear" and "unambiguous," however, in the light of two questions: Why did our President remain mute on the subject of the Iraqi Government's patterns of severe human rights abuses prior to August 1990? Why does he remain mute about abuses committed by other governments, our so-called coalition partners in the region?

Iraqi soldiers' behavior in Kuwait does not constitute a sudden shift to the brutal side. Iraqi civilians have suffered such cruel and degrading treatment by government personnel for more than a decade, as detailed in numerous Amesty International reports. There was no presidential indignation, for example, in 1989, when Amesty released its findings about the torture of Iraqi children. And just a few weeks before the invasion of Kuwait, the Bush Administration refused to conclude that Iraq had engaged in a consistent pattern of gross human rights violations.

If United States policies before August 1990 had reflected concern about the Iraqi Government's human rights record, our country might not be digging in for war today. Tomorrow's tensions in the region may well be mapped by the human rights records of our long-term "friends," such as the Saudi Arabian Government, and new-found "friends," such as the Syrian Government. We've heard little from the United States Government in recent years about the appalling tactics of repression used in Saudi Arabia and Syria.

Torture is reportedly a common practice in Saudi Arabia, and political detainees have been jailed there for prolonged periods without charge or trial. Syrian prisoners are routinely tortured. A majority of the thousands of political prisoners held in Syria have been denied their right to a trial.

Relentless and ruthless abuses by the Iranian Government continue. More than 5,000 Iranians have been executed during the last three years. Incommunicado detention and torture are routine in Morocco, and that country's government persists in responding to "disappearances" with secrecy and silence. Our government fails to act with determination against the torture suffered by tens of thousands of prisoners held in Turkish jails.

The Egyptian Government has subjected many thousands of political prisoners to detention without charge or trial. The torture of political prisoners, especially supporters of Islamic groups opposing the government, is reportedly common in Egypt. In the Israeli Occupied Territories, thousands of Palestinians have been detained, thousands of Arab men. Many of the detainees committed the "offense" of peacefully exercising their rights to free expression and association. Israeli troops, often engaging in excessive use of force, have killed hundreds of Palestinian civilians.

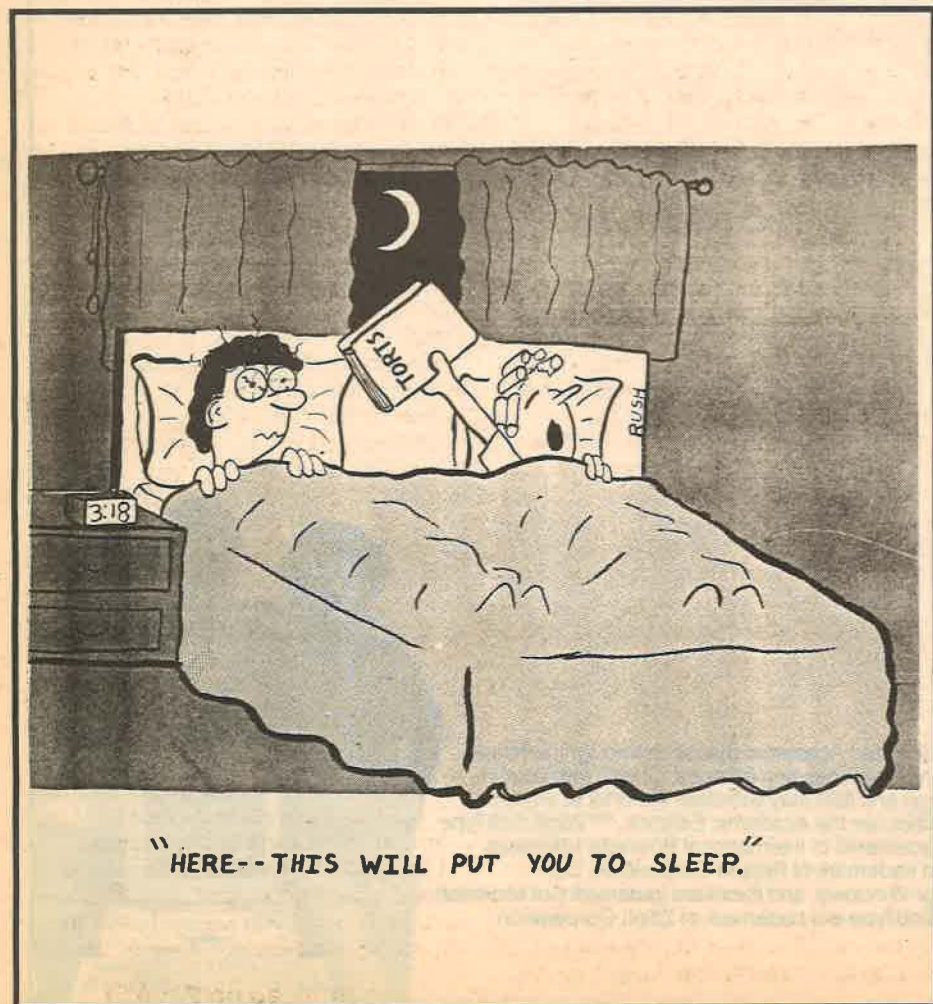
President Bush's selective indignation over Iraq's abuses in Kuwait undermines the norms of "human decency" he touts in his letter to campus newspapers. All people in all countries are entitled to human rights protection: international humanitarian standards rest upon this principle. The standards are unequivocally practical, because human rights protection establishes a foundation for just, peaceful, stable order. Exploiting human rights to justify violent confrontation is itself indecent.

Amesty International takes no position on the territorial disputes now raging in the Persian Gulf. But we do support international coalition building to prevent all egregious human rights violators from conducting business as usual. If President Bush is sincere about "desperately want[ing] peace" and if he wishes to remove ambiguity from his invocation of "moral obligation," then let him be consistent in his concern for human rights.

John G. Healey  
Executive Director  
Amesty International USA

Amesty has also issued a response statement to the U.S. Congress and Mr. Healey has appeared personally before the House Committee on Foreign Affairs to urge that the U.S. government not be selective in its application of human rights standards. Amesty also urges that the U.S. government express equal concern about human rights abuses in other countries, regardless of the ideology of the governments of those countries or the geopolitical interests of the United States.

Rose Grengs  
Co-President of WMCL Amesty  
International Chapter



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# FISHING

by Richard Kent Ellison

I. I was going to write about the war. But the column got too depressing. Then I decided to write about something other than law school — but what? Then I remembered what transpired just a few short months ago.

II. The following correspondence between myself and a guy who sells computer software shows what 2.5 years of law school can do. First I picked a fight with the guy. Then I showed him why I was justified in picking this stupid fight.

A. 9/31/90 — From me to the guy

I'm pissed I have to pay this three dollars. If I would have known that when I downloaded the program then I never would have downloaded it. You are a freak. Now here's your 3\$ — send me what I need to party.

Your buddy, Richy Ellison

B. 10/12/90 — From the guy to me

I take offense at your arrogant little note. Furthermore you are wrong. Right on the description of the game it says a 3\$ shareware fee is requested. Here's your money back. We don't want your business.

Bill Clark, Save the Farm

C. 11/10/90 — To the guy from me

Mr. Clark,

I phrase the issue here thusly: Whether I (a reasonable person) knew or should have known that I would have to pay a \$3.00 shareware fee from the language in the download description. I will explain to you how the description is ambiguous and therefore how a reasonable person could have been misled.

Firstly, I do not now nor ever have disputed the fact that I read and saw the statement that "A 3\$ shareware fee is requested to use all three levels." (my emphasis) However the word *requested* is ambiguous. A lot of programs to be downloaded *request* that a fee be sent in. But in many cases a *requested* payment is voluntary. Further, even those programs where a *requested* shareware fee is not voluntary, those programs are not locked. One has a chance to try the program, and if one decides to keep it then one is obligated to send the \$ in.

In this case it is clearly ambiguous as to whether the word *requested* means mandatory or voluntary. Furthermore, here, even if re-

quested meant mandatory, then I could have reasonably expected to be able to try the program before I was compelled to pay. In this case I didn't get that chance. However, I was already out the money I spent in the act of downloading it. So I was compelled to throw good money after bad and pay the \$ in order to break even.

Your description is misleading because it is ambiguous. I am not accusing you of any sort of intentional act (i.e., fraud), but I am accusing you of even a negligent use of the language or even a possible negative fraud (an intentional act of non-disclosure rather than an affirmative misrepresentation that is not actionable without the parties being under a duty to disclose — like between parties locked in a fiduciary relationship — \*note\* — I do not assert that you were under a duty to disclose to me).

Because your language was and still is ambiguous I was reasonably confused and justified complaining about the imposition of your 3\$ toll. You accuse me of arrogance yet your responsive communications to me show arrogance of a sort.

Love, Richy Kent Ellison

D. 11/25/90 — From the guy to me

Well, Mr. Ellison, you sure write nice. Let me tell you something. You will never play the game that I developed. You will never know the joy of seeing the ducks flying across the screen and shooting them to pieces. I feel sorry for you, Mr. Ellison, because for as long as I live you will never enjoy my work. God help you and yours.

Bill Clark, Save the Farm

E. 12/15/90 — From me to the guy

Look, Mr. Clark. I haven't been well lately. I have cancer and my mother is sick. I have declared bankruptcy. Here is my last three dollars. Won't you please send me what I need to play your fine game? I'll be your friend.

Sincerely, Richard Kent Ellison

F. 12/30/90 — From the guy to me

You are pathetic, my friend, and a f—king liar. Seek professional care. Maybe a guy with your talents to piss people off should be in law school.

Bill Clark, Save the Farm

III. Next Week

A. How to pick a long paper topic for those who either failed to try or failed to get on moot court or law review.

B. War update.

C. How an aerial view of the new booth-table

Infants (continued from Page 4)

of any discernible sidelines or goallines nullified two would-be touchdowns for the Infant Perpetrators. Incidentally, the stoic Coach Paige would not allow heaters on the sidelines.

In 1989, the Infant Perpetrators drafted first-year student William "Butts" Butler in the first round of the college draft. His versatility bolstered both the offense and defense, and the Infant Perpetrators marched through the 1989 season undefeated again. In the championship game, the Infant Perpetrators won another thriller by scoring a last-second touchdown and converting the extra point to win their second championship in as many years.

This season, the Infant Perpetrators overcame numerous obstacles to keep their undefeated streak intact. Broken bones, pneumonia, and obligations (school, work, and family) kept key personnel out of many regular season games. The Infant Perpetrators made all the necessary adjustments, however, and continued their winning ways throughout the season. Then, for whatever reason, the Infant Perpetrators were required to play three playoff games in one day to retain their title. During the previous seasons, the team that finished in first place at the end of the regular season received a "bye" in the first round of the playoffs. Nevertheless, the Infant Perpetrators lived up to the challenge before them. On the blustery morning of October 26, 1990, the Infant Perpetrators won games at 8:00 a.m., 10:00 a.m., and 11:00 a.m. to win their third consecutive championship.

The Infant Perpetrators have not yet decided whether they will return as an alumni squad for a possible fourth championship. Despite this indecision, Coach Paige says the two-a-days will begin next August as usual.

Can you say "four-peat"?

system in Hachey Commons reveals what appears to be a swastika — Is a full investigation of those responsible for the purchase and installation of the new booth-system mandated?

D. All this plus munch more!

Requiem (continued from Page 1)

Each horror film or work of violent fiction is only slightly out done by the evening news. Yet, like pampered rich people who choke down their meandering richness with each expensive bon-bon, we choke down the indignities and injustices we do and are done to use with well-selected morsels of reason. But reason, without mercy and grace, is a crude and blunted tool that dissects only a part of the human experience, leaving ravaged the greater half of humanity.

James Neal Fruaderichs is a nineteen year old. On 15 December 1990, he was sent over to the Gulf on an L.S.D. ship full of marines. His purpose in joining the armed services was to gain money for an education, money he was unable to get through the usual financial aid means. Unlike his older brothers and sisters, he believed in the myths about the nobility of serving one's country, of dying defending principles of freedom and equality. None of us have had the heart to break it to him that he is nothing more than a shield to block the more important people. None of us have educated him about the indignities heaped upon the very same men who went off to every other war fought for such principle. He is no different than all the rest. To each of you he is little more than a name, or an indistinguishable face that passes before your television screen as you watch CNN with mixed interest.

But to someone, Jim is and was a child more full of face and character than any other living thing. To many he is the baby brother we diapered and rocked, and teased until he would squall in irritation. He is the child we brought juice to in his bed to listen to his mangle-syrup voice thank us. To some, he is part of the marrow in each of their bones and the reminder of how redemptive a gene pool can be. Undereducated and undertrained, he is the crack in each ivory tower you and I have constructed.

## Gulf War - A War Of Biblical Proportions

submitted by Karl Green

Recently, I was speaking with an expert in Middle East affairs, and he lent me some very interesting materials regarding the Gulf war. The following is not my views, neither is it the view of Vendyl Jones, the author of the materials I was given. It is however, my interpretation of the information in the materials. The following is not meant to ridicule, harass or discriminate against any race or religion or otherwise, it is only for intellectual consideration.

To quickly summarize: the events in the Gulf war were foretold in the prophecies of Jeremiah 46 - 51 and are the result of covenants G-d made with the Jews, Arabs, Aryans and Palestinians.

Allow me to first lay a little historical background. On Tisha B'Av, the ninth day of the month of Av, in the Jewish year 5750, which was August 1st, Saddam Hussein invaded Kuwait. This is the saddest day in the Jewish calendar, commemorated as a 25-hour fast from sunset of the previous evening. This day is the anniversary of many events of Jewish significance:

- Destruction of First Temple by the Babylonians
- Destruction of Second Temple by the Romans under Titus
- Last day by which all Jews who would not be baptized had to leave Spain. Over 300,000 chose to leave, many never finding new homes—victims of pirates, unscrupulous ship-captains, robbers and starvation.
- World War I began, bringing on the Russian Revolution which systematically crushed Judaism, the Cossack massacres of Jews and the conditions which gave rise to Nazism and the Holocaust.

Obviously the war in the gulf brings to question what is going to happen next to the Jewish people? Israel is uniquely different from all other nations, with the possible exception of the Americas, in that it is a nation whose history was written before it happened. The Prophets wrote the news long, long be-

fore it happened.

Who's who in the Gulf

First lets find out who's who in the gulf from a biblical point of view. We all know that Noah (No'ach) after the flood landed on Mount Ararat, which is on the north end of the Mesopotamian valley. The Mesopotamian valley runs smack dab through the middle of Iraq. Noah had three sons: Shem (meaning "name"), Ham (meaning "hot or passionate") and Japeth or Yefat (meaning beauty or artistic).

The descendants of Yefat overspread Europe and Asia including Iran, Iraq, Syria, Haran, Turkey, Germany Hungary and Norway. The descendants of Yefat are not Arabs, but in the Middle East most are Islamic. They are Aryans, meaning from the land of Ur.

The descendants of Ham went to form the African block of people which includes Egypt. These people speak Hametic not Semitic and are not Arabs. This only leaves Shem (or Sham) and his descendants.

Abraham (Avram) is a descendant of Shem and commonly known as the Hebrew patriarch and founder of Judaism. As we shall see he is the progenitor of the Jews and through Ishmael, the Arabs. If you will recall from your Sunday school classes, Abraham's wife Sarai (Sarah) was not able to have children. To allow Abraham a child Sarai gave Abraham her Egyptian handmaid Hagar (or Keturah) to act as a surrogate mother. As is often the case the surrogate mother wanted to keep the child as her own. After giving up the child, Hagar then despised Sarah and had the ambition of becoming the matriarch of the nation. Her son Ishmael was the answer to her prayers. Ishmael means "G-d has heard." At the time Hagar was with child, G-d made a covenant with Hagar telling her she was with child. The covenant consisted of seven statements:

1. I will greatly multiply thy seed
2. He will be innumerable.
3. He will be called Ishmael
4. He will be a wild ass of a man
5. His hand will be against every man

6. Every man's hand will be against him
7. He will dwell in opposition to his brethren.

Notice however, that this covenant given by G-d through an angel of the L-rd does not include a promise of land. The Ishmaelites are known today as the Palestinians. Hagar also had six other sons with Abraham. Genesis 25:1-6. These sons of Abraham were given gifts and were eventually sent away Eastward to the east country or the Arab Emirate states. It is the sons of Hagar that are known as Arabs.

As you might have guessed, Sarai wasn't real happy with the turn of events and particularly how much Abraham liked his nights in the tent with Hagar. She told Abraham that "My wrong be upon thee," meaning that Abraham's descendants will pay dearly because there will exist turmoil and strife between the descendants of Sarah and of Hagar.

Around the same time, when Abraham was ninety years old, G-d made what is known as the covenant of circumcision. In this covenant G-d gave Abraham the whole land of Canaan. G-d promised this land to Abraham and all his descendants as a permanent possession. Thus, whoever received Abraham's birthright would receive title to the land of Canaan.

As you know, Sarah did have a son, Isaac. Ishmael was 13 when Isaac was born and was known to have hated him from the beginning. Ishmael realized that Issac would receive his birthright from Abraham and Ishmael would receive nothing. This hatred it is said still exists in the Jewish-Palestinian dispute.

There is only one other group of people that must be explained to understand who's who in the biblical perspective. The Jordanians are the Ammonites and Moabites in the scriptures. Lot was Abraham's brother's son. If you recall the story of Sodom and Gomorrah, the only people to survive the destruction of the cities was Lot and his two daughters. Lot's wife was turned to a pillar of salt when she looked back on the cities. Well as you might guess, all the men were gone and Lot's daughters thought their only chance to have offspring was to get their father drunk so he would not know what he was doing. Both the

daughters became pregnant and each had a son, the older daughter naming him Moab and the younger Ammon.

Now that we know who's who let's look at the prophecies.

Prophecies

Jeremiah Chapter 46:26 states in the last days, Egypt and Babylon shall be inhabited and exist again as they did in the days of old. Chapter 46:27-28 says this will happen after the L-rd shall regather the children of Jacob from their captivity and the dispersion among all nations. The L-rd will save Jacob and his seed from the land of their captivity: and Jacob shall return, and be in rest and at ease, and none shall make him afraid.

What is interesting to note is that all the countries in the Middle East have been restored to their biblical geopolitical boundaries. Saudi Arabia is Edom, Amman and Moab is Jordan, Laban is Lebanon, Elam or ancient Persia is Iran, Media is Iraq, Syria as Syria and of course, Israel as Israel. Even more amazing is that it has happened in the last 70 years!

Also, Jeremiah 49:1-6 is meant to be read in reverse order (6-5-4-3-2-1) applying the Hermeneutical rule of inversion of statements. Don't ask me why or what that means! If you have a Bible handy read the verses, they seem to say that the Jordanians will be driven out of Jordan and King Hussein will go into captivity with his advisors. Obviously today King Hussein is in a state of phobia. Jeremiah 49:7 says "Hath Israel no sons? hath he no heir? why then doth Malcol inherit Gad, and his people dwell in his cities?" King Hussein also realizes that Jordan possesses territory that is Israel's in Mt. Gilead and Moab or Gad.

Jeremiah Chapter 32 tells how the West Bank property was bought by Jeremiah and he hid the deed in a pot in the field of Anatot. Apparently the pot will be found shortly.

Chapters 50-51 are directly on point about the war in the Persian Gulf. 50:1 Thus saith the L-rd; Behold I will rise up against Babylon, and against them that dwell in Lev-Qah

(continued on Page 8)

## Civil Rights Leader Julian Bond Will Give Keynote Address At Law School's 'Diversity Week'

Former Georgia legislator Julian Bond, who for three decades has helped lead movements for civil rights, peace, and economic justice, will speak on affirmative action and diversity Thursday, February 28, as part of Diversity Week activities at William Mitchell College of Law.

He will speak at 8:30 p.m. at St. Paul's United Church of Christ, 900 Summit Avenue, immediately south of the law school's campus. The event is free and open to the public.

Bond is the keynote speaker for "Diversity Week: We Have a Dream," sponsored by the college and its minority affairs committee. Student and other organizations at the law school will sponsor additional events during the week of February 24 - March 2.

Bond, who was only 20 when he led sit-in demonstrations against segregation in Atlanta in 1960, served four terms in the Georgia House and six terms in the state's Senate. In 1986 he made an unsuccessful bid for a congressional seat. He now is a visiting professor in history at the University of Virginia. Bond is the author of two books: *A Time to Speak, a Time to Act*, a collection of his essays, and *Black Candidates: Southern Campaign Experiences*. He is the host of "America's Black Forum," the first black-owned syndicated television show, and was narrator of the 1987 and 1990 PBS series "Eyes on the Prize."

Other Diversity Week events include a symposium on hate crimes and one on "Celebrating the Diversity of Women."

Lester Olmstead-Rose, an aide to San Francisco Supervisor Angela Alioto, will speak at the symposium on "Hate Violence: Symptoms of Prejudice," Monday, February 25, at 8:30 p.m. in the law school's Oppenheimer Courtroom. The symposium also will include remarks by Marny Stately, an attorney with

the Minneapolis-based Legal Rights Center, which provides legal services to Native Americans and others, and Mark Weitz of the Jewish Community Relations Council Anti-Defamation League of Minnesota and the Dakotas.

The symposium on women, to be held Wednesday, February 27, at 7:30 p.m. in the Oppenheimer Courtroom, will feature a sketch by comedian Angie Flynn, a member of the cast of the six-woman comedy revue "What's So Funny About Being Female?" at Dudley Riggs' Etc. in Minneapolis.

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## SOUND OFF

compiled by Patricia G. Guthrie

It is January 17, 1991, seventeen hours after the first bombing, how do you feel about the situation in the Middle East at this time? Was it the right thing to do?

A: Real confused yet.

Well, it would be easier to say it was the right thing to do now that it looks so good for us, but I don't think bombing is ever the right thing to do, I guess.

**Carol Boulo**  
Legal Writing Instructor

I don't think you can say whether or not it was the right thing to do. I mean the position was taken and I think everyone had their voice beforehand. And now, wait and see what the execution is, what happens diplomatically afterwards. I don't think the question now is whether or not it was the right thing to do.

Well I think I feel a little bit of relief now that it appears according to the media which is, granted, probably censored, but I feel like it's going a little bit better than people had imagined. Minimizing the loss of lives, the alleged surgical bombing which is keeping Iraqi civilian population a little bit safer than we hoped, but I just don't know.

**Chris Perry**  
2nd Year

I'm not sure yet. I think that we just couldn't let Hussein go on without any sort of restraints, and I think we needed to do something and I don't think that sanctions would work. I'm not comfortable with war but I don't know what other options that we had quite frankly.

**Martha Siever**  
2nd Year

I think it was appropriate and necessary. I can only hope that it ends soon.

**Phil Tilton**  
2nd Year

The United States has no business starting a war in the Middle East. We're going to suffer ramifications from this war for decades to come.

**Liz Foley**  
2nd Year

Well, I think it's horrendous, in my opinion. I think for Americans citizens or for Bush to say the man's insane and then for him to go and fight with him, to me makes him a little bit more just like him. I never knew you could solve a fight by starting the first punch. I don't appreciate it. It's my opinion.

**Mary Tevia**  
1st Year (Washington D.C.)

Disgraceful. I think that the cure is worse than the disease.

**Ian Bellinfanti**  
1st Year

I don't think we should be there in the first place, but now that we're there I think we should get the hell out of there as fast as we can.

**Sue Nipe**  
3rd Year

I have no comment.  
I'll just let it go, I won't say anything.

**Anonymous**  
Avg. Year (What's the difference)

Well, I hope it's over fast and I regret that we went in there as quickly as we did.

**Russ Pannler**  
Professor

Well I guess I'm heartened by the fact that there has been so much success, but I'm terrified by the whole idea. I'm old enough to know Vietnam, and don't want to have to go through something like that again.

**Julie Bartz**  
1st Year

I'd like us to stop the bombing. I'm worried right now as when the real casualties are going to start. Get out now, we still got time. Not too many people have died.

**Joe Bagnolle**  
1st Year

I'm totally supporting the President. I think we should have even gone in sooner to take care of this matter because we gave him too much time to bury himself in

## The First Ever Opinion Doodle Contest!

WIN PRIZES!

BECOME FAMOUS!

...or, at the very least, impress your mother with how popular your notes are with your fellow classmates....

Here's whatcha gotta do:

- Go through your notes from last semester, last year, or last month and pull out pages with "doodles" on them. Pick out your very best one (or two) and submit it to the *Opinion* before **February 28, 1991**. Doodles must have been drawn prior to **January 28, 1991**. All doodles submitted must be on the original page of class notes. Please make a copy of your notes and doodle: doodles submitted to the *Opinion* will not be returned.
- Be sure to include your name, daytime telephone number, date the doodle was drawn, the class in which you drew it, and the professor in whose class you drew the doodle. If chosen as a winner, this information (except for your phone number) will be printed beside your doodle. Also indicate which category in which you would like your doodle judged. You may only enter two doodles. All doodles must have been drawn by a currently enrolled student at William Mitchell College of Law in a class at WMCL. All entries are subject to verification.
- Categories.** Doodles shall be submitted for judging in one of the three following categories:
  - WMCL professor and/or other public figure (No doodles of fellow classmates will be accepted). (President Bush, Saddam Hussein, Senator "Waldo" Wellstone . . .)
  - Line drawings/abstractions and/or perspective drawings. (Circles, boxes, your best "Escher" impression.)

- Flora and/or fauna and other realistic depictions (Horses, cats, trees, the hairy hand)

Each student may enter up to two drawings, which may be in the same category, or in different categories.

5. **PRIZES!**

**First prize.** The first place winner in each category will receive a study aid of his or her choice worth up to \$25.00 from the WMCL Bookstore. (If you've been doodling in class, you need all the help you can get!)

**Second prize.** The second prize winner in each category will win a ten dollar gift certificate to Billy's. (This contest idea was conceived there, like many of the best ideas we've all had in law school . . .)

**Third prize.** Third place winning entries will be published in the next *Opinion*. (We don't have that much money!)

6. **Judges.** A panel of five judges will decide the winners in each of the categories. The judges' panel will consist of two staff members of the *Opinion* and three members of the WMCL staff.

7. All entries must be in good taste. That means no profanities, obscenities, or libelous content: something we can print without getting into too much trouble. Justice Stewart's standard will apply.

8. Members of the *Opinion* are not eligible for this contest.

9. **Deadlines.** Remember, get your entry to the *Opinion* before **February 28, 1991**. The entry must have been drawn prior to January 28, 1991.

**GOOD LUCK!**

the sand where Saddam Hussein is hiding right now.

**Catherine Davies Mark**

19 hours  
I'm heartsick.

**Peter Erlinda**  
Professor

A day of sorrow. My brother is over there.

**Anonymous**

I'm an SBA Rep. There's not much importance in my opinion on the defending of Kuwait. Personally, I agree with it. I'm glad because the United States won't have to go in there in five years and face nuclear weapons and face 10,000 times the atrocities they would now.

**Stephen Komlnski**  
1st Year

I'm enormously relieved that we've finally done something. That there's so little loss of life and maybe this man won't continue doing what he's done not only to the Americans and the Kuwaitis but to his own population.

**Marsha Gilroy**  
Professor

I haven't heard the latest developments, but I hope that it will be over quickly, and return to more peaceful means of resolving problems in the area.

**Paul Marlno**  
Professor

This is very difficult. My first reaction is that I'm very sad. I'm thinking of the people involved on all sides of this. I think that we should have waited longer for the sanctions to work, other than that I'm not sure of overall when I think about the..... I'm not sure why we're there still. I think that the message coming from the government has been very mixed. I believe in protecting human rights around the world. I don't think that our protections of people's human rights should be dependent on whether they have oil.

**Ann Iijima, Professor**

No comment.

**Debbie Roberts**  
2nd Year

Well, primarily I'm supporting the war activities against the Iraqis...I'm just shocked.

**Yukyan Shin**  
2nd Year.

I really, I don't know. I don't feel comfortable with having gone in there in the first place, but now that it's done, the deed is done. You know, I feel really ambivalent about it.

**Catherine Schnell**  
2nd Year

Well, I'm not real happy that we're at war about it. I don't think that it's such a worth while cause, but we're doing well. It doesn't appear that there's been any casualties on our side, and if that continues I'm all for it.

**Robin Ingll**  
Communications

I have mixed emotions about the whole thing. I didn't think I'd see another war in my lifetime. However, I think that under the circumstances things seem to be going to our advantage and I hope we can end it quickly.

**Hank Bryson**  
Central Services Supervisor

All I'm saying is give peace a chance.

**Anonymous**

20 Hours

I think we ought to get the hell out of there.

**John Gibson**  
3rd Year

# Our Freedom, Our Tolerance, Our Loss

by Thomas L. Jipping, JD

Freedom of speech is under attack in America. This has nothing to do with 2 Live Crew or the National Endowment for the Arts. No, there is a genuine and overt attack on intellectual freedom and tolerance which threatens to subvert the Bill of Rights just when we celebrate the bicentennial of its ratification.

The First Amendment to the U.S. Constitution states that "Congress shall make no law...abridging the freedom of speech." Despite debate at the margins, this clause stands for at least one clear and fundamental principle. Supreme Court Justice William Brennan recently put it this way: "If there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable" (*Texas v. Johnson*, 1989). Chief Justice Rehnquist recently quoted a 1978 Supreme Court case holding that "the fact that society may find speech offensive is not a sufficient reason for suppressing it" (*Hustler Magazine v. Falwell*, 1988).

It was once thought that this "bedrock principle" applied with particular force in the halls of higher learning. Certainly in higher education, free and unfettered discourse should be highly prized. The Supreme Court stated more than 30 years ago that "[t]he vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools" (*Shelton v. Tucker*, 1960). Nearly a decade later, Justice Brennan wrote for the Court that "[t]he classroom is particularly the 'marketplace of ideas.' The Nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth 'out of a multitude of tongues, [rather] than through any kind of authoritative selection'" (*Keyishian v. Board of Regents*, 1967).

Not so in the brave new world of academia. College and universities across America are adopting policies and codes prohibiting categories of undesirable speech, imposing the very kind of "authoritative selection" that the Supreme Court once considered anathema to

the marketplace of ideas. Typically, these speech codes are classified as "anti-harassment" policies, designed to shield designated groups from insensitive or unwelcome words. A few examples:

- The law school faculty at the State University of New York at Buffalo unanimously adopted a policy in 1987 warning that "racist, sexist, homophobic and anti-lesbian, racist and ethnically derogatory statements, as well as other remarks based on prejudice and group stereotype, will generate...swift, open condemnation by the faculty, wherever and whenever they occur." This policy's constitutionality is currently under review in federal court.

- Stanford University forbids speech intended to "stigmatize an individual or a small number of individuals on the basis of their sex, race, color, handicap, religion, sexual orientation or national and ethnic origin."

- Before a federal court found it unconstitutional, the University of Michigan prohibited speech that stigmatizes individuals "on the basis of race, ethnicity, sex, sexual orientation, creed, national origin, ancestry, age, marital status, handicap or Vietnam-era veteran status." It is unclear whether students at Michigan are free to stigmatize veterans from the conflicts in Korea, Grenada, or Panama.

The *Washington Times* (11/28/90, p. A5) reports that 70% of the nation's colleges and universities have adopted some form of censorship code. Why do they exist?

The Buffalo policy — ironically titled the "Faculty Statement Regarding Intellectual Freedom, Tolerance, and Prohibited Harassment" — stated that "[b]y entering law school...each student's absolute right to liberty of speech must also become tempered...by the responsibility to promote equality and justice. Therefore, it should be understood that 'the faculty would search out and destroy the listed categories of badspeech. There apparently exists no need to identify the source for this responsibility, whose version of "equality and justice" is to be promoted by it, or how students will know what speech warrants the

listed labels and must be suppressed. Author Charles Sykes says sociology professor Paul Hollander as saying of the Buffalo policy: "It would be interesting to know who will be authorized to define what constitutes equality and justice and just how they are to be promoted. In any event, no totalitarian could have put it better."

Free inquiry, the marketplace of ideas, and tolerance were once the distinctive hallmarks of higher education. Today, "authoritative selection" is the preferred course. Everything, including speech itself, must now promote someone's version of "equality and justice." Ironically, that "someone" is often a tenured faculty or entrenched administrator whose own educational roots are in the 1960s when they led the aggressive demand for tolerance and free speech.

In the public educational sphere, these speech codes are unconstitutional. The Supreme Court has consistently held that content-based restrictions on pure speech must receive the highest scrutiny. Justice Brennan wrote for the Court that "[b]ecause First Amendment freedoms need breathing space to survive, government may regulate in the area only with narrow specificity." (*NAACP v. Butler*, 1963). A federal judge found that the University of Michigan's speech code violated the First Amendment. Judge Avern Cohn wrote that the school could not "establish an anti-discrimination policy which had the effect of prohibiting certain speech because it disagreed with ideas or messages sought to be conveyed... Nor could the University proscribe speech simply because it was found to be offensive, even grossly so, by large numbers of people... These principles acquire a special significance in the university setting, where the free and unfettered interplay of competing ideas is essential to the institution's educational mission." (*Doe v. University of Michigan*, 1989).

At Buffalo, one of the most liberal law schools in the country, a founding member of the school's conservative Federalist Society chapter alone faced the entire faculty, student

government, and student press. He was eventually joined by liberal columnist Nat Hentoff, who blasted the policy as "a revision of the First Amendment," concluding that "the First Amendment has been suspended by the law school faculty of a public university" (*Washington Post*, 4/8/88, p. A25).

These speech codes are also bad educational policy. They restrict, rather than expand, the educational environment. In this atmosphere of "authoritative selection," exposure to other views and the search for truth take a back seat to the party line and sensitivity protection. The codes do not define their terms. Rather, the local political climate determines what constitutes a "hostile educational atmosphere" or "racist" or "homophobic" speech or "remarks based on...group stereotype." The group that exercises its right to free speech the loudest will be able to dictate the parameters of that right for everyone else. This is the very definition of intolerance and bigotry and is the antithesis of higher education.

Third, these speech codes are based on elitist paternalism. Justice Oliver Wendell Holmes wrote in 1919 that "the best test of truth is the power of the thought to get itself accepted in the competition of the market." The dogma of yore no longer rings true. Today, the campus censors assume that women, minorities, or other designated groups can do nothing but sit idly by in oppressed and insensitive silence and need the strong hand of Big Brother to cover their ears. Apparently, some special interest groups now have a "right" to an educational environment free from words they do not want to hear and this right is sufficient to overtake the Constitution itself.

Freedom of speech, tolerance, and the marketplace of ideas are under attack in America. Unless the principles that the censors of today once quoted so they could be free to speak are vindicated, we will have ceased to be a free nation.

Thomas L. Jipping, J.D., is Director of the Center for Law & Democracy, Free Congress Research & Education Foundation, Washington, D.C.

## Protestors of the War are Patriots Too

Even though our country seems more tolerant of the Persian Gulf war protestors than they were of the Vietnam war protestors twenty years ago, I am still surprised by the number of those that believe that these protests are "unpatriotic" and should stop or be stopped either because 1) such protest shows lack of support for the American men and women fighting for democracy overseas or 2) such protest gives aid and comfort to the enemy. I disagree.

The "aid and comfort" argument ultimately seeks to stifle public dissent. This is undemocratic. Democracy by definition will never have unanimity. As a result, the United States is always airing its dirty laundry for the world to see. How often did we hear about the relative ease of the Soviet Union obtaining intelligence information about the United States versus the United States' difficulty in obtaining similar information? Our country has won this Cold War. During this actual war when the stakes are at their highest I submit that we should be even more diligent in insuring democratic freedom.

This is one of the lessons of the Vietnam War experience: that even during war democratic principles must remain true to their democratic principles and the exercise of these principles. For example, consider what would have been some of the results if those anti-Vietnam war protestors had been quashed. The war would have gone on even longer. More American soldiers would have died. And the results in the Southeast Asian region would most likely have been the same. Democracy means the freedom to express views both privately and publicly. Dissent is indubitably a part of such expression. In a democracy we not only should tolerate dissent, we should encourage its expression wherever it naturally exists. Only then can justice be achieved. After all, is this not the idea behind the principle of the "marketplace of ideas."

I contend therefore that in times of war it is everybody's obligation to express their views. Democracy only works if people participate and that means sharing your thoughts regardless or your position. Only then can we know that with each day of the war that that day of the war has been democratically approved. Encouraging and tolerating all viewpoints on the war regardless of whether you agree with

it must be this nation's position.

This in my mind is part of being truly supportive of our soldiers in the Persian Gulf. This is also what separates our soldiers from the Iraqi's. Iraqi soldiers have been sent to battle by one man. Their nation had no choice. They had no choice. It will remain so for Saddam Hussein and soldiers of Iraq until Saddam Hussein is out of power. Our soldiers have been sent to do battle, not by one man alone, but by this whole country. What is even more remarkable is that this is a volunteer army.

We owe it to these troops to keep democracy alive and well in this country. I admit that as Congress debated the resolution authorizing war as of January 15, 1991, I did not support this resolution. I believed then that we should wait. In my mind, we needed to give sanctions more time. We needed time to push for a greater international military presence in the Gulf. We needed time to build a multi-lateral international military command structure, in contrast to the largely unilateral and splintered command structure currently in place. And there is much more I thought we could and should do and that meant the need for more time. However, all that is past and so I support President Bush and I support the war.

I can support our President and this war because I believe the cause is just and our involvement democratically decided. Even if the cause is just, if I thought we were over there undemocratically, I would now be opposed to this war.

I am quite proud of the fact that our troops are in the Persian Gulf as a result of democratic action. President Bush consulted and worked in concert with the United Nations. Congress debated for three days on whether to declare war or not and then democratically passed a resolution which in essence declared war on Iraq. I listened to nearly all of the debate. The debate was substantive, probing, and filled with real soul searching. During this whole time the American people debated along with Congress, the President, and the whole world. However, democracy does not and did not come to an end on January 15, 1991.

Future events may change my support of this war. I have every right to then protest as

now I have the right to support. If ever I cease to have this right, then we cease to be a democracy and the troops cease being in the Gulf democratically.

The current protestors are exercising their democratic rights. Most importantly, I believe that the protestors are protesting out of love and support for our troops. Hopefully, the protestors know that in their hatred for this war that this does not include hatred for our troops. These men and women regardless of your opinion on the war are heroes.

Unlike any of us here at home they are sacrificing the ultimate for the democratic coun-

try of ours. The best support we can give them is to keep this country even during this time of war democratic, especially during this time. This is the only way to do justice to their efforts on our behalf.

Patriotism in a democratic country can and should take many forms, even dissent. I would think that, especially in times of war, patriotism would manifest itself most publicly in many forms. Protestors of this war are patriots too.

## Thoughts on a Self-Defense Workshop

by Kim Price and Margie Skelton

Maybe you think that a self-defense workshop is not for you. For some it may conjure up images of militant women karate-kicking each other. Others may believe that self-defense is only for the paranoid. However these workshops, often conducted by the police, do not fit these stereotypes. They are attended by elderly women as well as mothers and children. These workshops are an informative (and even fun) way to learn about how to prevent a crime that doesn't always happen to someone else.

Contrary to popular opinion, most rapes are not committed by a stranger jumping out of a dark alley. In 86% of reported rapes, the victim knows the rapist. (*Know* is defined as somehow acquainted; i.e., a person met on a bus or in a bar.) 50% of reported rapes occur in or around a person's home and 40% occur during daylight hours.

Nationally, every 2-3 minutes a woman is sexually assaulted. Rape is the fastest growing violent crime in the United States. Following this national trend there has been a marked increase in the St. Paul area. A rape in each of the past two months caused residents in the Macalester-Groveland area (District 14) to present a self-defense workshop for women on Saturday, January 26.

The workshop presented by Detective Ser-

geant Duane Fredrickson of the Minneapolis Police Department, focused on common misconceptions about rape, hints on general safety practices and defense techniques to be used if confronted by a potential rapist.

A common misconception about seeking medical attention after a sexual assault is that a law enforcement agency is automatically contacted. In reality, it is the victim's choice unless the victim is a child, receives a stab wound or is shot. The procedure recommended by the Minneapolis Police Department is twofold; first get medical attention and then call a law enforcement agency so they can identify the assailant and prevent another rape.

A main theme of the workshop was avoidance of confrontation by projecting awareness and self-sufficiency. This is accomplished by extension of the focal point as well as routinely scanning the surroundings.

Self-defense workshops provide a social setting for discussion and action to prevent a growing problem.

To find out about future workshops, contact District 14 at 698-7973 in St. Paul or 627-3169 in Minneapolis.



**Gulf War (continued from Page 5)**

Mahyai (English Bible has a bad translation of "in the midst of her"). Lev-Qah Mahyai is Chaldee or the Middle East.

Also, Jeremiah talks of a Nebuchadrezzar, not the same as the Ancient Nebuchadnezzar (note the "n" and "a" difference) who destroyed the first Temple. The number of his name as written in Hebrew is 573. Add the zero which is always omitted in the Hebrew system and you have 5,730 which was 1969-70, the year Saddam Hussein came to full power in the Ba'ath Party in Iraq. This new Nebuchadrezzar, like the old Nebuchadnezzar will be an arrogant egotist. Jeremiah Chapter 50:31. Saddam Hussein has in a recent Time Magazine interview declared himself the new Nebuchadnezzar. Also, in Jeremiah Chapter 51:1 the L-rd will bring a destroying wind against Babylon. The Hebrew translation of destroying wind is Desert Storm! Another Hebrew translation of 51:11-12, Jeremiah talks of a Desert Shield! See also Chapter 49:7-22 and the prophesy regarding Saudi Arabia or Edom. It talks about an eagle coming from across the Yom Suf or Atlantic Ocean and the eagle spreading his wings over Bozrah or Bazra, Iraq. In 50:8 the L-rd says he is stirring up against Babylon a band of great nations from the north.

Jeremiah Chapter 51:30-32 says "Babylon's warriors have ceased to fight, they remain in their strongholds; Dried up is their strength, they have become women." It goes on to describe a blockade ("one runner meets another...telling the King of Babylon all his city is taken.")

Jeremiah even tells when it all should end. Chapter 51:33 says "the harvest time will come for her." If the war began on Tisha B'Av, August 2nd then it should be consummated by Lag B'Omer, which is the week of

May 2nd and the time for threshing or harvest.

The materials almost detailed every passage of Jeremiah Chapters 50-51 and found some significance in the Gulf war. This Article in no way could do any justice to Jeremiah except to suggest that everyone read Chapters 46 - 51 and be your own judge.

**Conclusion**

As I said before, these are not my views and not the views of Vendyl Jones but my interpretation of his materials on Jeremiah's prophecies. I only included a small portion of what those materials included. There was much more! I would suggest to those that are interested to actually read Jeremiah Chapters 46-52. I sincerely hope I haven't offended anyone, its hard not to in these days of politically correct speech! I thought I might add a few tidbits on Vendyl Jones, he seems to be an amazing person.

Vendyl M. Jones, a native of Sudan, Texas, has been excavating the Caves of Qumran beside the Dead Sea for over twenty years. Believe it or not, in 1977, a free lance journalist wrote a script about Jones and the excavation "In Search For The Ashes of The Red Heifer." Jones was excavating with the help of the "Copper Scroll" considered a hoax by many, until he found the Anointing Oil from the Second Temple. Suddenly CNN was there, and of course Hollywood. That's right "Indiana Jones-Raiders of the Lost Ark" came out of the script written about Jones! Vendyl Jones was, as Time put it, "the only American to fight in the Israeli Army." He consulted with Golda Meir and is known to consult with the Israeli Army even today (its no wonder after reading this!). He has recently written George Bush about the prophecies of Jeremiah. Vendel Jones claims he is "not a prophet, nor the son of a prophet."

The Weekly Crossword Puzzle

<b>ACROSS</b>	37 Mathematical term	5 Guarded	9 Sin
1 Baseball club	38 Finishes	6 Printer's measure	10 Edible seed
4 Squandered	41 Spelling contest	7 Negative	11 Possessive pronoun
9 Slender finial	42 Woody plant	8 Group of three	16 Writing fluid
12 Artificial language	43 Click beetle		18 Decorate
13 Protective covering	44 Lager		20 Drunkard
14 Soak, as flax	45 French article		22 Pamphlet
15 Half mask	47 Metal strand		23 Severity
17 Crowns	49 City in Texas		24 Babylonian deity
19 Seines	53 Military students		26 Expressed by numbers
21 Hypothetical force	57 Guido's high note		28 Agave plant
22 Migration	58 Shift		29 Indian tent
25 Vast age	60 Permit		30 Willow
27 Director	61 Marry		32 Be ill
31 Inlet	62 A tight closure		33 Roman bronze
32 Registrars	63 Prime of life		35 Period of rest
34 Symbol for silver			39 Coroner: abbr.
35 Convenc	<b>DOWN</b>		40 Haul
36 Males	1 Proposition		41 Exist
	2 Bother		44 Plot of land
	3 Male turkey		46 Listener's loans
	4 Rational		48 Beams
			49 Condensed moisture
			50 Sudsy brew
			51 Young boy
			52 Diocese
			54 Shade tree
			55 Oolong
			56 Pigpen
			59 Note of scale

COLLEGE PRESS SERVICE

# The Opinion

Published by the Student Bar Association of William Mitchell College of Law

Do you enjoy reading **The Opinion** every month?

Do you get a bang out of seeing your professors and peers humiliated in "Letters to the Editor?"

Wouldn't you be sad if you could no longer enjoy this??

Well, then, the time has come to do something about it. Join **The Opinion** staff. We are currently seeking students to fill the following positions: staff writers; photographers; business manager; coffee supervisor; all nature of editorial positions (including the coveted "Editor-in-Chief" position, which pays a princely \$1000/year stipend + prestige); and general office peon.

Haven't got experience? Not to worry! Neither do we! The work is messy, but the pizza and beer are free! Stop down to **The Opinion** office, in the basement of the LEC building, next to the bookstore, or leave your name and number in our mailbox (where all the other student organizations' boxes are).

# Interview with Collins Byrd

**Q:** Can you see expanding enrollment in the future?

**A:** No. I think we're going to want to try and stay small. Or stay where we are in terms of the size. This past entering class was 357 and I think that was just an abrogation, I don't think we're going to want to do that time and time again. It throws off not only class schedule, but we take pride in having a student/teacher ratio that is rather nice. If you include the adjunct professors, our student/teacher ratio is about 9-1. We want to maintain that. If we wanted to grow, I don't think we could. Right now we're the biggest law school in the state with a total enrollment of 1,135.

**Q:** With the indebtedness of the school couldn't allowing more students in with high tuition be another recourse?

**A:** Sure, we could do that. It would probably mean expansion of either the classes or of the number of classes that are offered, or the times. What that might mean is offering classes in the morning, say 8:30 to 12:30, adding more faculty members, etc. So there is a cost to adding on. But, that is an option. I don't know what the administration is going to do about that. I'm not sure exactly how much debt the school is holding, if we're in good shape, bad shape or whatever.

**Q:** Have you been married long? Where did you meet your wife?

**A:** We got married in August of '85. We met in graduate school. She was in the joint program at Northwest. She has a JD and an MBA, and I have an MBA in Marketing. Actually I have three majors. Marketing, Strategic Planning, and Public and Non-profit Management. So we met during what was actually her first year of business school and my second year of business school. I graduated and came up here and started working in the corporate sector and she had another year to go with a combination of law and business before her degree program ended. It worked. One of those graduate school romances that worked. We've had some shakey moments, not in terms of our love or affection for each other but in terms of the dual career situation that we're in. I've had a lot of opportunities elsewhere. She is more limited in terms of where she wants to go and what she wants to do. She likes it up here, and I do too. But, there were and are some wonderful opportunities outside the Twin Cities that I could have taken advantage of but she didn't want to move. In fact from '87 to '89 I was commuting between here and Chicago. I was working at Northwestern University in Chicago, and I would come up every other weekend to visit.

**Q:** Long distance love?

**A:** Yeah. That was probably the toughest thing we've ever done. That was where I gained more respect for her than I ever had. Because I saw what she had to do and the lifestyle she had to live, and with me down there I think she proved to me and herself that she's a lot tougher than she is willing to let on. She's very quiet, she's an introvert. But, when push comes to shove, she is in some ways a killer.

**Q:** Silent rock of Gibraltar?

**A:** Exactly. I admire that in here. She may be in the top five people I've ever met in terms of intelligence. She is incredibly smart, and I like people that are smart. So, in fact maybe that's the main reason that I married her. I like people that are smart and think.

As an attorney she's got to be very analytical. She deals in corporate securities work. While she's very analytical, an introvert, and good with quantitative things, I am a little less analytical. I'm more conceptual, I'm more strategic, I'm more of a long-term planner and I sort of set the direction in terms of where I think we ought to go. She takes care of the little details of how we get there. We balance each other out.

**Q:** Do you have any children?

**A:** None.

**Q:** Any plans for the future?

**A:** Well, that could happen.

**Q:** You're still fairly young.

**A:** Thirty something. I'm older than I look, but I'm young enough. We are both at the point where we have to make a decision rather soon as to whether we have children or not. I think even if we decide to blow it off for another couple of years, we'll still be okay. The myth of being thirty-five or forty plus and having kids is

blown out of proportion. It's done all the time and it works out just fine. You just have to be a little more careful. But, we are really into our careers and each other right now. So we probably are not going to have children for a little while. But we probably will at some point.

**Q:** You mention that you worked at Northwestern. You graduated at Northwestern and subsequently worked there?

**A:** Well, no. I graduated from Northwestern's MBA program, then I came up here. I worked for General Mills for two years, and then I worked for Pillsbury for a year and a half.

**Q:** In the administrative sector?

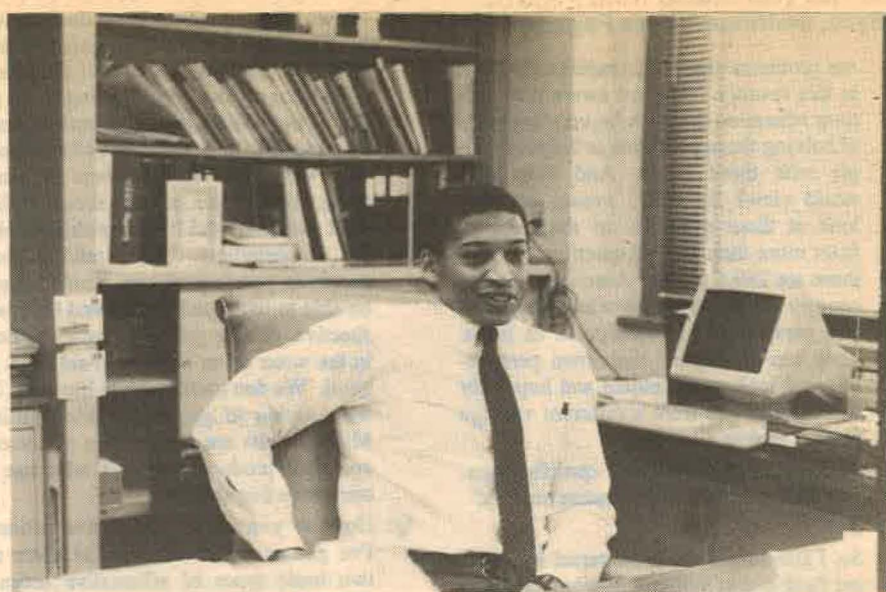
**A:** In marketing, corporate marketing. That was a lot of fun. I learned a lot. I went to General Mills out of school because I had not had any corporate experience. I knew that I wanted to get back into higher education administration, long-term. In fact, that's why I got an MBA, with one of my majors being Public and Non-profit Management, to go back into education. I got side-tracked a little bit, and romanced by the corporate world and the dollars and all that, so I decided to give that a shot. I did it because I knew I could always go back to the non-profit sector, but also, I really feel that the best managerial skills are reflected in the corporate world in terms of how corporate managers solve problems, in terms of their ability to look at the big picture while taking care of little details. I am impressed with the way in which corporations are run. So I came up here out of business school to work in the corporate world. Then decided after three and a half years I wanted to get back into what I really love, which is education.

**Q:** Education and here you are. How did this job come about?

**A:** This is a good example of networking. And never burning bridges. Never, ever burn bridges because you never know when you're going to have to cross it. I was working for a consulting firm, down in Bloomington. It's a fund-raising and development consulting firm. I came back from Northwestern to that job because it allowed me to, number one, be back in Minneapolis, and be with my wife. But also, the talents that an admissions officer needs are the same as a development officer needs. There were some parallels, so I took this job here but still I always wanted to get back into education. Campus settings or admissions, or enrollment management because that's what I do best. So I was looking around informally and the wife of one of my former co-workers works at William Mitchell. I was talking to this guy, one of my former co-workers, I told him I was looking for an admissions position. He said his wife's school was looking for a director of admissions and suggested that I call. So I did. And Gayle told me about the job. In the back issues of the *Chronicles of Higher Education*, I found the advertisement for the job and read about it. I went right down the line in terms of what the school was looking for and said, "I've done that. I've done that. Hey, I've done this job. I can do this." So, I updated my resumé, sent in my cover letter, and came over and took a look at the school. I went through the recruiting process, the interviews and all of that. I met all the key people, and I got it. So it was one of those situations where I let the word out to the right people that I was looking and fortunately, things worked out. The key thing was I was able to be in admissions in this town because I didn't want to move. It worked out very well.

**Q:** Were you aware of the MMLA's boycott on William Mitchell, and what were your views on that?

**A:** I was, because my wife is a member of the MMLA. I know the MMLA membership very well, including many of the key people that are in support of the boycott. I thought about it long and hard. It wasn't an easy decision. Unfortunately the issues that the school is having to deal with are not unique to William Mitchell. It is, unfortunately, happening all over. I have been fortunate in being able to have attended and worked at two of the better schools in the country, at least in terms of perceived quality. Both Dartmouth and Northwestern and they both had the same issues when I was there as a student and when I was there as an administrator. So being in that environment didn't really bother me. The other thing is that I re-



spect the right of the organization to boycott. There may have been justification for the boycott, I can't say either one way or the other because I wasn't here when that went on. But I said to myself, the way in which I'm going to try and help create positive significant change is to get into the system and learn the system, play the system, beat the system, and then run the system. I'm probably going to have more of an impact changing the situation for the better by going in there and becoming a part of what's going on and creating change from the inside. So, the boycott was an issue with me, and I thought long and hard about it, but I thought that maybe I could help anyway. I never let groups for whatever their good intentions, dictate what I do. I knew that the boycott was going to impact the admissions process. Now whether it actually has or not remains to be seen. It is still too early in the season to say.

I think there are some things that can be done here to change things for the better. So I came in spite of the boycott and the MMLA said, "we can't necessarily recommend that you go to William Mitchell, but if you do go, we'll support you in every way that we can." They have been very supportive of my efforts and some of the things that I want to do. So, that's what it is. Where the boycott's going to end up, or when it's going to end I don't really know.

**Q:** You mentioned about getting into the inner structure and creating changes from within. Do you have any views on changing the school and how those changes will come about?

**A:** One of the things that has happened, I think, was the NCBI training, that many people went through. I think one of the key things that we have to understand is that we live in multi-cultural society, and one of the ways in which we can break down some barriers is not to say, not to think that "my culture is my culture." It's all our cultures. We have to embrace all of these cultures and take pride in the fact that we have access to and exposure to and an understanding of those cultures. But at the same time, take pride in our own. I take pride in the fact that I am an African-American. A lot of people take pride in the fact that they are what they are. I think that it's important to realize that we can learn from each other; that instead of saying "I'm so proud of the fact that she is so supportive of her American Indian culture," I think we need to say "I'm so proud of the fact that she is so supportive of our American Indian culture." Although it may not necessarily be yours personally, it still is. Ownership of different cultures is important, and I think the NCBI training taught us a lot about that. A lot about how, while being very different in many ways, either physically or emotionally, we're all very much the same in a lot of ways, and we've all have little badges of courage that we carry around with us. We all live with that. Once you find that common ground, you can begin to build relationships and create coalitions. I guess NCBI was a reflection of the kinds of things I was hoping to do and also of the types of things I was going to try and recommend for orientation. Whether that gets off or not we'll have to see. A lot of it has to do with my educational background. Especially an MBA education, which teaches you how to create coalitions, how to create teams, how to have an objective, and create teams and motivate those teams to reach that objective. A legal education, albeit very valuable, doesn't always teach you to create coalitions. Our

legal education in this country is based on the adversarial approach to things. That isn't conducive to getting along; it just accentuates the negative, or accentuates the reasons why things are wrong, while an MBA education concentrates more on being effective, which says, "Ok, this is what we're going to do, this is how we're going to get there. We've thought about this up front so we know that strategically we're on the right road, let's go do it." My parents are both teachers; one is a minister as well, so I grew up in a culture and an environment where coalition-building and team-building were very important. Team-building has always been very important to me, not breaking down of individuals.

**Q:** Is that a real possibility, though, considering the judicial system?

**A:** I think it's going to be kind of tough, frankly. The judicial system in this country is based on dissent and argumentation and debate. I think it's going to be tough. In other countries the legal system isn't based as much on the adversarial process. Now again, I'm not an attorney, so I can't profess to be an expert at this, this is just my perception from what I've read and seen and observed. I think it's going to be a little tougher, but it can be done. If we are able to start at the graduate-school level, and graduate people who have an understanding of team-building, negotiation compromise and ownership of the people and the process, then I think we will start getting more and more attorneys out into the field who can think like that. That will help change the industry. I think if there is a place to start, it's going to be in the schools. I think we can take a leadership role in creating that change. I think NCBI and some of these other things are examples of how we can take a leadership role. I know that Matt Dow has expressed an interest in some of the ways in which team-building, or coalition-building, has been done at other graduate schools; some law schools, but most have been business schools. Sort of approaches your question, how ironic that how a lot of the things I want to do are not in law school because of the adversarial approach that law schools have. But I think it is possible.

**Q:** In applications that are submitted to you, is that one of the factors that you may look at, perhaps a background that shows a cooperative kind of setting or volunteer work, etc?

**A:** Sure. I do look for people who can stand up on their own two feet, all by themselves in front of a group and express their views and defend their viewpoints. That's one of the basics of what attorneys have to be able to do. They may not do it down the road when they graduate, but you have to have an understanding of that. But I am also looking for people who not only have good academic ability, but have good interpersonal skills. By that I mean they know how to get along with other people, to have good career involvement. By that I mean either they are learning a lot about themselves, what they want to do long-term, based on where they are now. I'm looking for people who have had activities outside of work or school because that shows that they have breadth, that they are just not one-dimensional. They knew what they were getting into when they get into law school and the legal profession. Motivation, they have a high level of motivation and a sensitivity to the human condition. By that I mean, they are aware that there

(Continued on Page 10)

are problems that other individuals have in this country. They are aware that with their education they can be very big parts of solving those problems or helping people with those issues. And they have world view? By that I mean, can they look at those problems or those issues from more than one perspective, because there are 249.6 million Americans in this country which means there are 249.6 million perspectives in looking at an issue. They can go beyond their own perspective and look at a problem and hopefully solve a problem from a different vantage point. I look at all of that.

Q: In order to have all those qualifications, you'd have to be a fairly mature student?

A: Yes.

Q: So, I guess the trend is universal in the legal field and at William Mitchell that age is a benefit and not a detriment as it was in the past.

A: That's rights. Now, we are not going to hold it against someone if they happen to be coming right out of school and want to go to law school, if they are talented. However, the portfolio of someone coming right out of undergraduate is going to be much smaller. They are going to have maybe everything, the good academic numbers, good extra-curricular activities, maybe a team sport, or editor of the newspaper, president of the debate club, whatever. The fact that they don't have work experience is going to limit them in terms of the perspective that they bring to the classroom. That perspective is what is so wonderful when you're in the classroom. You can have your own opinion, but when you hear the opinion of someone who has worked and has seen from a more practical standpoint what does and does not work, or what can or cannot happen, they bring a lot more to the classroom. So it's that the people coming right out of undergrad are bad, it's just that their portfolio is more limited because they haven't worked. Someone with work experience is going to be in a bit of an advantageous position.

Q: Is William Mitchell practicing affirmative action?

A: Yes, I think so, but I can only speak from the admissions standpoint. One of the ways in which I can help create positive, significant change here is to try not to solve all of the school's problems. As far as admissions and getting a good diverse student body is concerned, that's my ballywick. That's what I'm getting paid to do and in that little segment of the world, that's where I am going to create positive, significant change to make things better. So I can speak from an admissions standpoint and say yes, we not only speak affirmative action, but we are doing something about it. We are and will continue to become more aggressive in providing a specific program that earmarks minority students. A lot of people think that the affirmative action issue stops at race, but that's not true. We're also talking about the economically disadvantaged and about the geographically disadvantaged and that can be black, white, garage-door blue. You name it and that can be anything. So I'm looking for people who can come from say, rural areas of Minnesota, Wyoming, North and South Dakota, Idaho, places where there is no law school, places where the person may be very well qualified for law school but unfortunately didn't have the opportunity to go to law school, I'm looking for people like that. So the affirmative action commitment, as far as this office is concerned, is there. Affirmative action is like a car — you take your foot off the pedal, it is going to stop. My foot is going to stay on this pedal because I think it needs to be done. The reason it needs to be done is because if you look at the demographics of this country, one third of the people in this country are going to be minorities by the year 2000. The population of this state is changing. There was very homogeneous society in this state, up until about 15 or 20 years ago. Then you started getting different types of people — racially, ethnically, whatever. So the demographics of this state are going to continue changing. In certain cities like New York, Chicago, Washington, D.C. and L.A., the majority of the population are part of a minority group, whether it be black, Hispanic or whatever. So, we need to have attorneys who can understand and accept those cultures and those citizens and help them with their legal needs, whatever those legal needs. You're talking about

people who are going to be dealing with corporations, say if you're going to be a corporate attorney, because of the changing demographics, you're going to be going to be dealing with a minority person who is going to be chairman of a corporation, or senior vice-president of something. You're not talking about dealing with someone who has an unskilled labor job or something. You're talking about people in power positions. You'll have to be able to listen and understand their perspective, or else you're going to be dead in the water as an attorney. And that's no good. We don't want people like that. So we're trying to get people into William Mitchell who are a reflection of society, and then produce attorneys who can in turn serve that society.

Q: How do you define affirmative action? I've got an understanding that there are two basic types of affirmative action. One where by you have two equally qualified persons vying for a position, and you subsequently hire the minority. Another form of affirmative action is where you have inequalities in the qualifications of the two applicants, and you subsequently do hire the minority. Are you saying William Mitchell practices both forms or types of affirmative action?

A: I will not admit anyone who can't do the work. Affirmative action as it was originally intended according to my understanding was to go out and find and hire and give an equal opportunity to qualified individuals. Somehow though, it went from being giving qualified individuals an opportunity to giving advantages to unqualified individuals. Things got really confused and messed up. I think the practice and the implementation of the affirmative action programs that Lyndon Johnson and others had envisioned went awry somewhere. Unfortunately it gave people a bad opinion of affirmative action. Affirmative action is not hiring or letting people into law school who can't do the work.

Q: If you have somebody with a GPA of 2.2 and somebody with a GPA of 2.8, all other things being equal, I don't have a problem with hiring a person with a 2.2, especially in the legal field, since grades don't reflect what type of lawyer you're going to be in the future.

A: That's right. I'm looking for people that can not only do the work, but I'm also looking for people who have a different perspective on life which they can add to the program. They may graduate from here with a 2.2, but they may also teach this school and the people at this school more than they will ever learn in the legal setting, in the classroom. Those interpersonal skills, career involvement, etc. And looking at not only the just the fact that someone who got a 2.2 at another graduate institution, but looking at what it took for them to get it. Ask them in the interview and application process that I'm creating or revising gets to this. Looking and seeing what it took for that person to get that 2.2, and what obstacles that person had to get over to get that 2.2. For instance, for someone who basically had every advantage in the world, and didn't take advantage or didn't take full advantage of those opportunities, and got the 2.8, I'm saying, I may go for that person who may really know what it's like to work hard. And maybe in a quantitative sense didn't achieve quite as much, then again maybe they have because they have really paid the price of being a minority, or having disadvantages, or going through an educational system which can discriminate quite frankly.

Q: You're looking behind the scenes more so than ever before.

A: Yes.

Q: Behind the marks, behind the numbers, etc.

A: That's exactly right, and it's not a matter of ignoring the numbers, it's a matter of taking a look at the thing behind the numbers. And that is my affirmative action plan. It's to take a look at all the other things that go into the making of that 2.2 or 2.8 or 3.8, 22, 32 or 42 LSAT, taking a look at what goes into those numbers, putting together a complete composite picture of each applicant, and then making a decision based on a totality of the evidence, not hanging my hat on just the numbers. We, unfortunately, as an institution, and maybe as a profession, have become wedded to numbers. We really like to be a school who has 3.5 GPA, and 45 LSAT. We take a lot of pride in that. The problem with that is, and you mentioned it before, a 3.5 - 45's, don't always

become good attorneys. There are a lot of 3.5 - 45's who can also be murderers, rapists, and felons, and God knows what, and I do not want them at this institution. But if we hang our hat on the numbers, we are going to get bright people who have a whole lot of knowledge and no wisdom. They don't understand life. They don't have a broad perspective. They are probably able to learn the law, but they aren't able to think about the law. And good law students, if nothing else, learn how to think about the law, and how to analyze the law, question the law, apply it to different situations and not just learn it. Heck, I can learn it and I don't even want to learn it. So.....

Q: As a group, how do you feel about lawyers?

A: Oh, they are fine. It took some adjustment. I think being married to one sensitized me to attorneys and lawyers. A legal education teaches you how to be right. You don't go to step B until you're right at step A. You don't go to step C until you're right at step B. And so it means being right every step of the way. And it tends to slow things down versus an MBA education, and I actually felt this way before I even got my MBA. It teaches you how to be effective, don't worry about being right every little step of the way, but you have an objective. Create your team, build your coalition and move toward that objective. And fix the little things that go wrong as you go. Because, if you give enough thought to it up front, the big picture and the big things will go right and the little things that go wrong you can fix. So it took some adjustment. And my wife has both degrees so she and I talked about this a lot. And she agreed with me. In fact, she said she had more close friends at business school than at law school because the people at business school tended to have a better sense of direction, tended to have a better sense of what to do. They tended to ask questions; but then they acted. Law school didn't always do that for her and it was too adversarial and she just didn't like it. She got the degree and she did fine, but she did not like law school, but she did like business school. Yet she's practicing law. But I have no problems with lawyers. I admire them for their talent. I admire them for their ability to think and analyze problems; their ability to communicate most of the time. The one thing that does bother me is sometimes they do get bogged down in details and they forget the big picture. I wonder if they would make good CEO's, because as a CEO you have to create coalitions and motivate those teams. Attorneys aren't taught to do that. Maybe you can use your God-given talents you got before law school to create those teams, and use the legal education to help solve and analyze problems, but I respect them very much because they are a very talented group and they have talents that not many people do.

Q: Let me go on to something else. Do you have any outside interests?

A: I used to have more, but I've really become, well with the two years in Chicago, and having to commute back and forth really had a huge impact on my outside interests. I became much more of an introvert. I used to be more outgoing. I know people say, "gee you seem outgoing here," well that's because I get paid to be outgoing here. But when I go home, I'm pretty low-keyed. I like to be a cocon. I just go home, enjoy my house. I read a lot. My two outside activities are reading and physical fitness. I work out in the gym every morning except Sundays. And I do it rather intensely. I was an athlete in high school and college and actually participated in amateur athletics after college, so I've been heavily involved in athletics a good portion of my life. You just don't give it up that easily. So physical fitness is something that's really important to me. The other thing is I read a lot. I read, and I don't know how I got into this habit, but I read two books at a time. One is fiction.

Q: What types of fiction?

A: Military fiction, military hardware and strategy. I'm intrigued by it. I think because of the Persian Gulf situation I can't say I miss it now, although, frankly if they called me up I'd probably go, but at the same time I'm glad I'm not in it. But I gained an interest in military thrillers and military science, military hardware so I read military stories a lot. Submarines, planes, and there are usually a few spies thrown in there. They usually deal with

United States versus Russia or the Persian Gulf, things like that. It usually deals with the lives of the military people, having been one in the past, at least in the reserves and being a psych major, I just became more interested in that. So that's one book I'll read. The other book I'll read is a management science book. Right now I'm reading a management book called "A Thousand Things They Didn't Teach You in Business School". It isn't the greatest management science book I've read, but I'm learning a few little things from it. Maybe it's confirming some thoughts or ideas I had in the past. But I'll read two books at a time and I'll read at least two papers a day. The Star Trib, the Wall Street Journal, and that's at home. Then usually over lunch, I eat my lunch at this desk with a law or education related publication. So physical fitness and reading voraciously are the two things that I spend a lot of time doing. I used to be more heavily involved in community service and I just recently ended a term as vice president of the local chapter of the National Black MBA Association, but I've found that I was beginning to run out of time to do everything because this job. It's really an intense job, especially from September, October, November throughout May. I can't leave the office, on a regular basis so I had to drop some of my community things.

Q: Is one aspect of that the admissions interview that you're allowing?

A: Yes. Next year we are going to be more aggressive with the admissions interview. It's going to be optional, but I am more open to interviewing than the former director, and next year we hope to have a number of alumni doing interviews for us in the Twin City area, or within a two hour drive of the Twin Cities. Over time, I'd like to have a network of alumni interviewers out there. I think that would really help in terms of marketing the school, in terms of increasing the quality of the institution, of getting the alumni to realize what kind of a diverse student body we have, what kind of a diverse student is coming out to enter the legal profession. So in many ways we can be a model for adding diversity to the legal profession, of getting alumni involved, informing them of what is going on and they in turn can go and inform their clients or their firm of what changes are going on. The firms in turn can change the way in which they look at the legal profession. Some of the things that have gone on at the law school are a reflection of what's going on in the legal profession. That's another thing I tell people. If you think you get out of law school and you're going to be done with this issue, you just wait. I happen to be married not only to just a female, but a minority female who is also very smart. She was the first minority member of the Rapid City, South Dakota Human Rights Commission. Rapid City is not a big place but she has dealt with some of these issues. We're trying to change, but unfortunately change comes slowly. Getting back to the interview. The interview is something I'm going to institute because I think it's going to help me get a handle of the people beyond the numbers, or behind the numbers.

Q: What kind of solutions have you applied to the negative aspect of the admissions interviews? For instance, people without the economic funding to come here for the interview.

A: It is very subjective. And I tell people that up front. I also tell people that the interview is an option so you do not have to have an interview to get into this school. Not having an interview will not necessarily impede your chances. The interview can help or hurt. There are people who come here thinking the interviews is the thing that will get them in and they mess it up, and I end up writing up a bad report. Then there are people who are a little nervous about it. They say, "I'm not sure I should do this or not but I really need to come talk to this guy and see," and I meet them and they are wonderful. The thing is many of them are the ones where the numbers are kind of low, not really sure, and then you meet them and right after the interview, after spending an hour with a person and asking them all kinds of questions, I'm sitting there thinking this person can do it. There is no question in my mind, this person can do it and I'll go to bat for this person. So the interview is an option.

## NASTY HABITS

by Tamara Tegeler

INXS: X

X marks the spot. This "tenth" album from the group down-under may be their best yet. The band is tight. The music rocks. Hutchence's voice is superb. Even if you're still sick of 1987's *Kick*, X is worth the time to listen.

The first single "Suicide Blonde" has been getting overkill rotation on the radio and MTV. Just in case you have been living under a rock: It's a hard driving, repetitive song about a man's infatuation "to make" a suicide blonde. It gets old after a while.

"Disappear" debuted as the second single, complete with a terribly hackneyed chorus that's repeated a bit much: "You're so fine. Lose my mind. And the world seems to disappear. All the problems. All the fears. And the world seems to disappear." By now, one should expect the most repetitive songs with the catchiest hooks will be released first to attract attention. Yet, INXS manages to fulfill expectations and then move beyond them.

Enter the third single, "By My Side," still an extraordinarily common theme, but done with more intelligence and allure than most. "In the dark of night. Those small hours. Uncertain and anxious. I need to call you... But I wish you were. So close to me. By my side." The song has a powerful and urgent quality. Hutchence's voice is deep, smooth and hypnotic. (If the new Barnabas Collins was half as enticing, NBC might have a hit show—or at least credible mystique.)

The harmonica is hot and the beat is wicked on "Who Pays The Price." The intro is played with tentative, almost skittish notes that splash into a hard, determined beat with wailing sax. The two personalities of the song alternate and mesh together to form a musical character that compliments the lyrics. The well expressed lyrics add to the dark quality of the song.

Hutchence starts "Know The Difference" with a deep, breathy voice: "You're driving all over town. In your big car. Windows down. Sweet perfume trails behind. The impression is in my mind." The music builds and Hutchence nearly moans: "Its crazy how much I ache. For the moments we could make." The song builds from there and it only gets more intense. The sexual tension and imagery is overpowering. Strategically placed sax and guitar riffs drive the point home. A hot, hot song.

The backbeat and piano on "Bitter Tears" makes it rock irresistibly. It is impossible to sit still during this nearly four minute assault. The few, sudden guitar riffs polish off this masterpiece. This **MUST** be a single.

X is a great collection of music, sure to be a monster hit with staying power on the charts. Once reviewed as "dull rock that sounds like a less musical Joe Jackson or a no-soul Graham Parker," INXS has evolved into a band of top-rate writers and performers. They'll perform at The Met in March. Tickets went on sale Saturday the 26th, I think you had to be a close relative to God in order to be able to purchase them. I had an easier time

getting Paul McCartney tickets.

**The Strawberry Zots: Cars, Flowers, Telephones**

The Zots are a party band, straight from the garage, with lots of enthusiasm and character. They're in the same category as Mitch Ryder with intonations of The Doors and Billy Idol. They give an unrestrained performance that doesn't seem calculated, yet its surprisingly polished. The beat never stops and there's lots of grungy guitars and organ riffs.

The Zots do a rousing version of "Little Latin Lupe Lu." The song is charged up with yells and guitar solos, but one wonders if its not being done tongue-in-cheek. Bill Medley should listen carefully, this is the way this song was meant to be performed.

On "Waste Of Time," the lead vocals of Mark Andrews bring to mind a trendier, more hyper version of Jim Morrison. The organ is rather simplistic, but the guitar solos here are above reproach.

"Cold" is your average gripe rock, where the singer complains about most everything in his life. The guitars carry this song as well. Its nothing extraordinary, but you'll find that the song gets stuck in your head.

Perhaps the best song on the album is "I Can't Control Myself." The combination of the guitars and the deep, muddled background vocals give this song its hook—and a vicious hook it is. One listen, and you'll have in your head for days.

Tracks 11 thru 13 are combined into what The Zots call "Little Red Telephone Opera."

It's cute and boppy, 60s bubble-gum type rock. If you've listened to the whole album straight through, at this point the organ has become quite sickening.

The last track, "Hey Jill," is a take-off on the dance scenes from the show "Laugh-In," where they'd stop the music and tell short jokes. The music is of the funky, psychedelic variety and "Jill," who answers with the oneliners, is a parody of Goldie Hawn. Very silly filler.

A 60's/hippy theme is carried throughout the lyrics, sound, title, and design of the album—the CD is covered with bright pink and yellow shapes and a flower round the center hole. Don't expect anything monumental. This album is all fun and silliness. But, The Zots are competent and deserve airplay. I'd go see 'em if they come to First Avenue.

**Twin Peaks Soundtrack**

This is interesting music, which evokes moods ranging from sullen to fanciful. Its great for background music and adds a lot to the overall character and presentation of the tv show, but would you really want this repetitive and mostly depressing crap playing on your stereo?! Please. It reminds me too much of unfocused, rambling, "new-age" trash. After a few minutes, it becomes painful to listen to. The music is good in small quantities or in the right context. Just think about it. Would you buy the soundtrack to "Gilligan's Island" or perhaps the soundtrack for the old "Star Trek" series? I think not.

## FOOD TALK

by Dick Cabrera

So far, this gourmand's column has reported on restaurants in the St. Paul area. Usually these have been within 15 minutes' driving distance from the College. The objective has been to report on establishments which are convenient for our students, faculty and staff. Adhering to this 15 minute limit, reasonable cost, and good taste as guidelines, I believe I can continue to find enough food places to eat and to report on for several more issues of *The Opinion*.

First on this month's list is Wendy's, located at University and Dale. I have to confess to an initial bias against this chain, largely due to some unfortunate experiences a few years ago at another Wendy's. But a sampling of their current fare changed my mind to some degree.

I still think some of their basic burgers are too fatty and may be too hastily put together. This may, in part, be due to the press of rush

hour cooking. But I don't believe any burger that needs to be accompanied by a half dozen napkins is very good. Wendy's "specials" are another story.

Their new chicken breast sandwich, with honey mustard, is a delight. It seems to be consistently cooked to the right consistency and served with just enough sauce to avoid overwhelming the meat. "Dave's Deluxe" is another good choice. The burger was drier than their basic sandwich, yet not too much so. The condiments fill the bun to make a hearty meal for the price.

Recommendation: shop the Wendy's "specials" for a good combination of taste and reasonable cost; their salad bar is another good bet for a healthy and low-cost choice.

Next on this month's list is Lee Ann Chin's. This is the major player in the Chinese fast-food market. It is, in fact, the pre-eminent survivor of a number of attempts, in the 70s, to introduce fast food techniques to

Chinese cooking.

Located at Milton and Grand, it is very convenient to the College. Prices are very affordable and the quality, while not that of some other Chinese restaurants, is still quite good. One thing I have noticed is that the smaller the Lee Ann Chin's, the better the quality of the food.

There is a large Chin's in downtown Minneapolis that I have patronized on several occasions. Their food, perhaps because it must be prepared in much larger quantities, is not as good as it is at Milton and Grand. The food at the smaller Chin's in Har Mar Mall (Snelling and County Road B in Roseville) is superior to Milton and Grand. In each case, my comparison was based on the same menu items at each location.

Chin's has a basic menu, featuring such items as sweet and sour pork or chicken, lemon chicken, and beef lo mein. Any of the basic menu items are good, and all are served

with your choice of white or fried rice. Appetizers are available, including dim sum, wings, or shrimp toast. Daily and weekly specials are featured. These provide a change of pace from the regular menu and include some delightful surprises. Also, for a taste delight, and at a decent price, Chin's will serve combination plates of half portions of their regular and special menu items.

Recommendation: try Chin's specials or a combination plate. Be creative and make up your own combinations. The food is good and the portions ample. I think you'll be satisfied.

Cheap choice of the month: our local Superamerica, at Milton and Grand, has a choice of inexpensive sandwiches. Their condiment bar is a nice benefit. You can put whatever you want on your sandwich, and usually in whatever quantity suits you. For a quick, change of pace meal, this is a decent choice. And it beats having to drive somewhere for lunch, then returning to a full parking lot.

## Cultural Pathology

*"The good is the enemy of the great, and good taste is certainly the most entrenched foe of literature."*

Mailer, 1991

**Book Review by  
M. O'Sullivan Kane  
*American Psycho*  
by Bret Easton Ellis**

This novel has yet to make it to the bookshelves, but it has become one of the most written-about novels. No doubt we will all be graced with a critique of novel, published simultaneously with the actual text. However, advanced copies, yet to be completely edited by Vintage Books, are abundantly available to the literary underground. The novel itself will be available in April.

So why have so many critics inundated the reading public with so many intellectual speed bumps to the actual text? Bret Easton Ellis' novel, *American Psycho*, is, in many respects, an empty canvas of which critics can only dream. They have the lifetime opportunity to paint this novel with the heavy-handed brush of their own thwarted literary subtleties. For some, this novel is a social and literary atrocity, indicative of the decline American literature has undergone; a graduated crime novel. In fact, Simon and Schuster dropped publication of the novel, claiming it to be too offensively without taste. Some have fashioned the novel as a social commentary inversely proportional to *Bonfire of the Vanities*, and yet others have filled this amorphous vessel with the weighty argument that Ellis

means to revive the true spirit of art: to shock the unshockable, and fulfill our need to be terrified. One can imagine such definitions as the literati at play, maligning "our" standards of art and at the same time, making room for their reckless literary excesses.

But, in truth, art is no more an illumination or revelation of what is beautiful, than the standard of poetry is still dependent upon such persons as Wordsworth. For example, Roethke's muse was hand-wrought in an asylum, and Sexton's genius gathered force with her self-inflicted death. Art is as macabre and unsettling as the imagine of Leonardo Da Vinci manipulating the limbs and expressions of the dead in order to refine art's knowledge of human anatomy.

Art is a transgression, and art history is a series of those transgressions. The face of literature was altered by Joyce and Burroughs to encompass the "obscene." Each age is marked by such changes, the Renaissance artists transgressed the social order by imposing secular images such that man might discover an identity separate from God. From each age's art we may draw some conclusions from that age. And despite some attempts to rid our vision of Ellis' fictional expose on American culture, his novel is a formidable statement we must accept and reckon with.

In *American Psycho*, Ellis violates the public psyche with a novel about a serial killer. The novel's main character is Pat Bateman, an apsexual 1980's yuppie obsessed with his looks, designer clothes, and chicdom. He is the welcome psychopath of the 1980's, and more appropriately, the 20th century. Gain

and looks are everything. In his statement about the 1980's, Ellis creates Bateman as the hanger upon which he draped the clothing of his generation. And to this end, Ellis never provides any physical descriptions of his characters, instead, each is marked only by the clothing they wear. Such is the personality of a people Ellis bring to death in a fictional New York.

Bateman rapes, mutilates, and savagely murders throughout the novel with an angry indifference that marks our society. Each episode is as remarkably horrifying for its unremarkable effect upon Bateman and the New York populace. There is no great manhunt for this killer, who, without detection or even interest, moves the various bodies back to his apartment for disposal in a lime filled tub and easily explains away the smell as the body of a decaying rat he cannot rid himself of.

Like the episodic tales in which the hero moves from adventure to adventure, Bateman episodically murders one person after another. It is the *Leather Stocking Tales* brought to bear on the 20th century and is reflective of a compulsively violent society that has no difficulty in throwing away the lives and limbs of the great underdressed.

There is no redemption in this novel — no moment of remorse or fluid insight into why Bateman kills, nor is this novel about the triumph of the law, for no law enters into this story, save Bateman's own. In fact, there is no truth, which great literature often requires, to be derived. Instead, Ellis seems to mean for us to glimpse the horror, to view it unconnected with meaning. The statement, should

one be inclined to imbue this novel with one, is that this is a society of psychopaths. Psychopaths that find acceptance through their unrelenting ambitions and conscienceless climbs toward the top. The statement is that this society would rather accept a psychopath with a will to power and a lovely designer suit, than search for justice for a savagely murdered, ill-dressed street person.

If you intend to read this, fasten your psychic seat-belt, and if, after reading it, you are not without great revolt, Ellis has certainly made his point.

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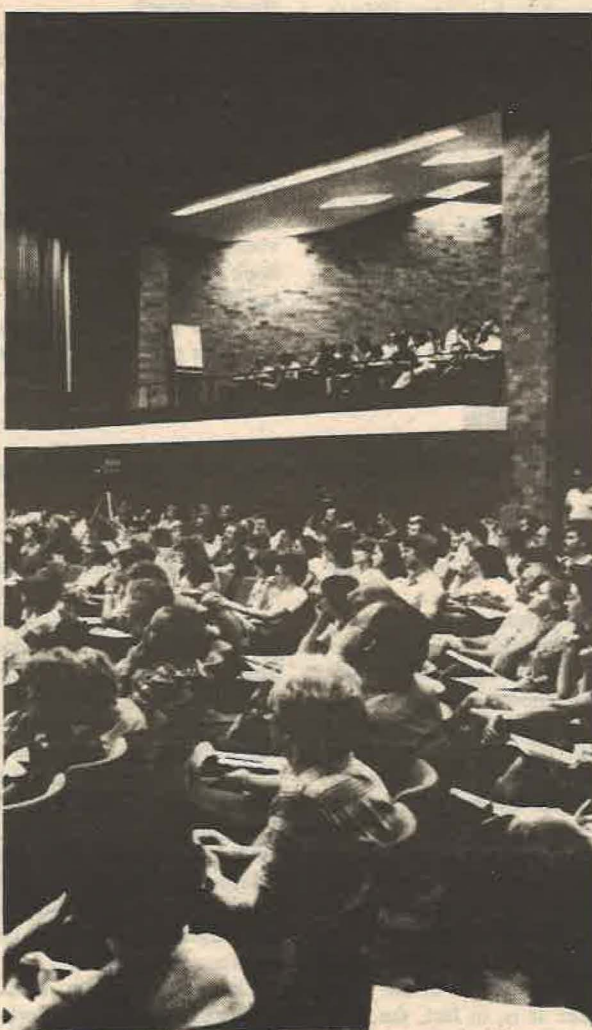
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