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How the future will judge Bush



The public's view of President Bush is divided. The Gavel columnists debate how future historians and generations will view Bush's presidency.

BROADSIDE, PAGE 6

Special insert: The Gravel

After a revival last year, The Gravel returns once again just in time to distract you from studying. This satirical insert looks at the lighter side of law school life.



INSERT, PAGE 1

Alumus career shaped by JAG

Judge William O'Neill has a distinguished career including a stint in the JAG Corp. The Gavel interviews Judge O'Neill about his experiences.



CAREER, PAGE 4



THE GAVEL

VOLUME 55, ISSUE 6 APRIL 2007

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

BLSA hosts annual banquet

By Chuck Northcutt
STAFF WRITER

On March 30, 2007, the Black Law Student's Association, BLSA, held its annual scholarship and awards banquet at the City Club of Cleveland.

BLSA gave three separate awards for their 2006-2007 essay competition. Recipients were Meredith Danch, Jennifer Carroll, and Donnetta Jones. Jones won a full bar review exam course donated by Supreme Bar Review. Carroll received \$500, while Danch received \$250.

Members of the Cleveland legal community and C-M faculty and administration attended the banquet, including Dean Geoffrey S. Means who gave the opening remarks prior to the invocation given by 2L Jerome Price.

The Honorable Judge George White '55, retired from the U.S. District Court, Northern District

See **BLSA**, page 2



Photo by Chuck Northcutt

BLSA President Anthony Scott welcomes Judge George White at The City Club of Cleveland. Judge White was the keynote speaker at the annual BLSA scholarship and awards banquet held on March 30, 2007.

Professor Tyler, director of legal writing, retires

By J.R. White
GAVEL CONTRIBUTOR

Professor Barbara Tyler will retire at the end of this academic year, bringing an end to an amazing career that has spanned professions and touched many lives.

Tyler began her journey to law school by doing something sneaky. With her son Thom enrolled as a first-year student at Cleveland-Marshall College of Law, Tyler snuck away and took the LSAT without his knowledge.

Soon, Tyler was sharing classrooms with Thom, who was particularly grateful when his mother provided him with a last minute employment law outline just days before the exam.

Just as her son was grateful for her covert decision to enter law school so are C-M students and faculty.

Like many of our students, Ty-

ler did not enter the practice of law through traditional means. Tyler worked as an emergency room nurse and nursing instructor for 22 years in her first career.

In law school, while most were overwhelmed with class preparation, Tyler balanced homework with eight-hour weekday shifts and twelve-hour shifts on weekends. She graduated magna cum laude.

Tyler entered a two-year judicial clerkship for the Hon. Blanche E. Krupansky in the Ohio Court of Appeals-Eighth District before returning to C-M as a legal writing professor in 1991.

In 2000, Tyler became advisor to the Journal of Law and Health. Her medical and legal background made her a perfect fit for the publication, which focuses on points of intersection between the two disciplines.

See **TYLER**, page 3



Ohio Rules of Professional Conduct

Rule 1.8(j): Sex with clients

A lawyer shall not solicit or engage in sexual activity with a client unless a consensual sexual relationship existed between them when the client-lawyer relationship commenced.

Journal hosts speaker Dr. Denno

Anupriya Krishna and Austin McGuan
GAVEL CONTRIBUTORS

On April 5, 2007, C-M's Journal of Law and Health presented the third speaker of its 2006-2007 annual lecture series: Dr. Deborah Denno, the distinguished Arthur A. Givney Professor of Law at Fordham University School of Law.

Dr. Denno drew a dynamic audience comprised of a mix of students, area lawyers, and C-M faculty.

In her second visit to C-M, Dr. Denno presented *Legal Implications of Research on Genetics and Crime*, based on her widely cited article, "Revisiting the Legal Link Between Genetics and Crime," published in Duke University School of Law's prestigious Jour-

nal of Law and Contemporary Problems.

Dr. Denno received her master's degree in criminology from the University of Toronto. In addition, she received her doctoral degree in criminology and law degree from the University of Pennsylvania.

Prior to joining the faculty at Fordham University, Dr. Denno served as a member of the U.S. Sentencing Commission's Drugs-Violence Task Force from 1994 to 1997 and consulted for eight years on the New Jersey Death Penalty Project.

Dr. Denno pointed out that the introduction of genetic research as a defense in court is more common now since the Steven Mobley case, a Georgia murder case.

In 1994, convicted killer Stephen Mobley attempted to have his death sentence overturned because of his family's history of psychological disorders.

In an attempt to mitigate his sentence, Mobley argued that his family shared a genetic propensity for criminal misconduct and that genetic testing would reveal this.

The trial and appellate courts rejected this kind of reasoning, and, in 2005, Mr. Mobley was executed.

Although the Mobley case was the first to suggest so persistently a link between genetics and criminal misconduct, it was not the last.

Dr. Denno has been studying the relationship between biology

See **DENNO**, page 3

Dean Mearns responds to Gavel Editorial

By Geoffrey Mearns

In the last issue of *The Gavel*, Kathleen Locke wrote an opinion piece about the recent visit by a team of external evaluators whom I invited to assess our legal writing program. In that piece, Ms. Locke expressed some concerns



The Dean's Column

about the fairness of the evaluation process and the way in which the team conducted its visit.

Prior to publishing her opinions, Ms. Locke expressed some of those concerns to me directly, and we met to talk about them. I appreciate the professional and thoughtful manner in which Ms.

Locke assessed the issues and expressed her concerns.

Before responding to some of her specific concerns, I would like to provide some context for this evaluation. I think this context is important.

It is a fact of academic life that we are all subject to formal evaluation processes. Students evaluate their professors. I annually evaluate every professor based, in part, on those student evaluations. In order to obtain tenure, a professor must have her scholarship evaluated by academics from other institutions. Every year, the Provost evaluates my performance. Moreover, every three years, every dean at the University is extensively evaluated. External evaluation is an integral aspect of how our performance is measured, as well as a necessary part of self-improvement.

Yet, one of Ms. Locke's principal concerns is that it was unfair to evaluate the legal writing program and professors "while all of the other departments are left untouched."

In fact, as many of you may recall, in March 2006, a team of legal educators visited our law school to conduct a site visit in connection with our ABA re-accreditation process. The ABA site team evaluated the entire curriculum and legal education program. The members of the team visited many classes, they reviewed hundreds of student evaluations of all of our professors, and they spoke with many students, faculty, and some graduates.

In September 2006, we received the site team's report, which contained many observations. In its report, the ABA site team recommended that we engage a team of experienced legal writing professionals to evaluate our legal writing program. Although the ABA site report contained some constructive criticism about other aspects of the law school, the report did not recommend an additional external review of any of our other programs.

In short, *all* of the departments at the law school have recently been evaluated by a team of external educators, and those professionals concluded that our law school would benefit from a more thorough assessment of our legal writing program.

After conferring with President Schwartz, we concluded that it was important to you – our students – to accept this recommendation. Our decision was based on our view that any program, even a strong

BLSA: Judge White inspires audience

Continued from page 1--

of Ohio, was the keynote speaker of the night. White's speech focused on community service and overcoming adversity. White carried the lessons that he learned from his father, a Baptist minister, throughout his legal career.

As a judge, he always sentenced defendants to what he would expect to be sentenced if he was that defendant. White told a story about a defendant that he once sentenced and then later encountered. This man told White that he did the right thing by sending him to jail and that he now had his life together and was no longer an alcoholic.

White said that the justice system today needs improvement, explaining that we are "building too many buildings," and that "prisons are not going to change people." White explained that "education is the key" and that this message needs to be relayed to the younger generation.

In discussing diversity, White explained that the color of a person's skin does not matter, because "we are all family." White also stated that if one person doesn't do well, we all don't do well.

White said to never give up on your talents, and that your talent is exactly what you do with it, by relaying his own personal account of how he got into law school several years after dropping out of college.

When the law school dean asked Judge White why he should be admitted, he replied that after working at the Federal Reserve for eight years and fueling airplanes, he was then ready for law school. After the dean admitted him on academic probation, White excelled

as a night law student while keeping his daytime job.

The point of this story was to never give up on your talents and that your talent is exactly what you do with it.

White then told a story of how, when he was 10 years old, his father told him, "son, you never will be a rich man, but you'll always have your reputation."

White explained that as aspiring lawyers, if our idea of success is money, then we are in the wrong profession and that we should use our talents to benefit others. White further explained that if you do the right thing and do things for other people, then the money will come back ten fold.

White closed his speech by emphasizing that you should never cry if you lose, but instead, you should find a way around the obstacles. Falling back on his experience in politics, White explained that if you don't win, it's not really losing, but a learning experience.

After White addressed the audience, BLSA president Anthony W. Scott presented him with a special recognition award. Awards were also given to Dean Gary Williams, the Honorable Melody Stewart, Michaeline Carrig, and retired Judge Jean Capers.

An award was then presented to 2005-2006 BLSA President LaKecia Foster for her ongoing commitment to BLSA. In addition to Foster, the following graduating members of BLSA were honored: Kristen M. Boamah, Matilda Carrena, LaDavia Hatcher, Karrie Howard, John Sheil, and Ladi Williams.

Following the special presentations, Magistrate Gregory Clifford introduced the incoming BLSA Executive Board for the 2007-2008 school year Jason Carter, Camille Tucker, Sufian Doleh, and Maurice Perdreau.

C-M competes in annual softball tournament

C-M sent 13 students to the annual 2007 University of Virginia Law School Softball tournament.

C-M's team went 3-2 overall, advancing past the first round before being eliminated by less than one run.

The tournament successfully raised over \$17,500 for the Children, Youth and Family Services of Charlottesville, Virginia.

According to a press release from the University of Virginia's law school, over 1,400 students and professors, played on 112 teams. Forty-eight law schools participated in the tournament this year, which was held on March 30 through April 1.

Money raised through the tournament was also donated to the Public Interest Law Association and the Legal Aid Justice Center.

one, can be improved.

It was then my responsibility to assemble the team. I invited our legal writing professors to recommend people whom they believed were leaders in the field of legal writing education.

Our legal writing faculty suggested five or six people. I selected two people from that list: Professor Jan Levine and Professor Sue Liemer. Professor Levine recommended that I select Professor Judy Rosenbaum. I followed Professor Levine's recommendation.

The substantial input by our legal writing professors in the process of selecting the members of the evaluation team was designed to ensure that the evaluation would be fair to our legal writing professors.

Ms. Locke also expressed some concerns with the way the team conducted its site evaluation. Based on observing and participating in one open session, Ms. Locke concluded that the members of the team did not have experience in conducting "similar reviews at other schools" and "that they were simply evaluating their own teaching styles with that of our professors."

In fact, Professor Levine, who has directed the legal writing programs at the University of Virginia, the University of



Photo provided by Lydia Arko

Arkansas, and Temple University, has conducted formal, on-site evaluations of the legal writing programs at six other law schools.

Prior to coming to our law school, Professor Rosenbaum had participated in five legal research and writing evaluations at other law schools. And Professor Liemer, who has developed and directed first-year legal research and writing programs at three different law schools, has served on an ABA site team. In short, their experience is extensive and impressive.

I cannot render an opinion as to how they conducted the one open session with students that Ms. Locke observed, because I was not present.

To the extent they might not have been familiar with all of our programs, however, that is the purpose of the site visit – to get that information.

And I am gratified that our students proudly supported our institution and our faculty.

But I do not think it is prudent to assess the quality of the evaluation based simply on observing or participating in one open session.

The evaluation has consisted of much more. The team reviewed hundreds of

documents, including student evaluations and some papers that our legal writing professors critiqued.

The team observed every legal writing professor in the classroom, and they had individual meetings with every legal writing professor. The team also had meetings with large numbers of first-year students, and they met with many of the other professors here at the law school.

Given the extensive nature of the evaluation, I think we should reserve judgment about the quality and fairness of the team's conduct until after we have received their final report.

Before accepting the ABA site team's recommendation that we conduct this independent evaluation of our legal writing program, I knew that doing so would cause some anxiety and uncertainty.

It would have been less disruptive for many of us, including me, to ignore that recommendation. But I decided that it was important to engage in this evaluation process to ensure that we were providing our students with the best education we can provide.

That is our responsibility, even if the evaluation process may be unpleasant or unsettling.

C-M appoints new dean of admissions and financial aid

By **Tiffany Elmore**

STAFF WRITER

C-M recently appointed Christopher Lucak as Assistant Dean of Admissions and Financial Aid. Dean Lucak spoke to *The Gavel* about the admissions process, his expectations, and C-M's goals.

Q: *What recent changes have been implemented in the admissions process, and what goals have been served?*

A: We have seen slight decreases in application volume, but that is a national standard across the board, and the decrease that C-M is experiencing is less than the national average. We have made fewer offers for admission to date, however, we have more students deposited to date, which means more students have accepted our offers. This is helping us to increase the quality of our class, reduce the size of the class, and meet the expectations of the institution.

The new construction project is a physical indication of some momentum that people are excited about. We have incorporated more of our alumni into our recruitment efforts and the admissions process. We are doing a wonderful job in

getting our alumni, our faculty, and our current students more involved.

Q: *You mentioned a decrease in applications, is there an economic trend that reflects the exploration of opportunities in law?*

A: Certainly the economy has always been a factor in graduate and professional education. We are looking at a pretty savvy group of students who, over the past few years, have been watching the application volume and how it increases. They are recognizing or fearful that there may be an overabundance of people going into the legal profession, which may limit opportunities for them.

Q: *How has the Legal Career Opportunities Program helped to prepare admitted students to transition into law school?*

A: The Legal Career Opportunities Program serves a very important purpose and is a very important mission of our law school. [We recognize] that student accomplishment can be identified or defined in very different ways.

These are not just people who might have lower grades or scores, these are people with lower grades

or scores who have a reason why those things have happened [or] have [had] some certain life circumstance that precluded them from performing at their optimal level. But, at the same time, there is some evidence of the student's ability to be successful.

When a student comes to the LCOP program, they start in the summer taking one course that provides foundational skills. Hopefully, when they are sitting in their first year [class] with all the other students, they are well prepared, their expectations are there, and they understand and are able to move forward with a degree of confidence.

Q: *How do you recruit students outside of the northeast region and the state and get the message out that C-M is just as competitive as other Ohio law schools?*

A: We do have really outstanding academic programs – not only in our concentrations, but with our joint degrees as well. We have a nice combination of traditional legal theory in the classroom and experiential learning opportunities. These are things that students find very attractive.

I also think that our location

in this sophisticated legal community is increasingly important, and students are recognizing this. They realize that they can have a quality of life and a quality of work life within a community that can support their goals and their interests.

Q: *For prospective students – what assets, like undergraduate coursework or professional experience, are helpful in applying to law school?*

A: LSAT scores and GPAs realistically are the most important consideration. Law school is such an academic venture that having a lot of extra curricular [activities] and work experience and those can round out your experience as a law student. But those things in and of [themselves are] not going to get you through the rigors of law school.

We still want people who have different experiences, diverse backgrounds, sexual orientation, geographic upbringing, social economic status – all of those things have to come into play here.

When you are in the legal classroom talking about the rule of law, that rule is going to mean something different to each of

the people in that classroom, and that's what we are trying to achieve here.

Q: *What types of financial aid are available to students who would otherwise be discouraged to apply because of financial constraints?*

A: First and foremost, tuition at this law school is the lowest in the state of Ohio so that is a plus for students. We do have scholarships, which range from \$2,000 to a full in-state tuition scholarship, available for students that we incorporate through the admissions process.

We are working as we redevelop our Web site to make sure that students are aware of various search engines or entities that have scholarship money available.

Students who are looking for the best financial deal and are selecting their law school simply because that is the law school who gave the most scholarship money may not be making the best life decision for themselves. It is important that students are living now like students.

If you live like a lawyer now, you will definitely live like a student when you are a lawyer.

Journal gives Tyler award

Continued from page 1--

During her tenure as advisor to the Journal, Tyler has assisted the publication in making strides towards greater recognition.

She names the growth of the Journal's acclaimed speaker series and its decision to place the publication online as accomplishments that she is most proud of as advisor.

By placing the Journal online, Tyler hopes that increased access will lead to a greater number of submissions from across the country which will, in turn, lead to nationwide recognition of the publication.

Tyler's passion for writing and research is not confined to her activities with the Journal. In the future, she would like to see more niche publications at C-M.

Every student should have the opportunity to write for a publication, Tyler said. Not only does membership look good on a resume, but it also gives the student experience as an editor and makes them a better writer, she added.

Her advice to students writing a note: pick a topic in an area you want to practice. Tyler recommends using the note as a tool in the interviewing process, which could give one an advantage over other candidates.

Finally, Tyler advises students who are not initially picked for publication not to give up but to pursue publication elsewhere. Several students have been able to gain publication in journals across the country, Tyler said.

When asked what took her from her career in nursing to a career in law, she stated, "it was just another advocacy position."

As a nurse, she was an advocate for patients. As an attorney and professor, she has been an advocate for clients and students. And most importantly, as a mother, she has been an advocate for her children.



Photo by Shawn Romer

Professor Tyler speaks at the annual Journal of Law and Health banquet held on April 13.

After retirement, Tyler intends to continue her life of advocacy as a volunteer hospice worker, lending her medical and legal talents to those in the twilight of life.

The Journal of Law and Health will continue Tyler's legacy at C-M with the establishment of the Barbara J. Tyler Award for Best Note, which the publication will award yearly to the Journal member who authors the best student note.

This year, the winner for best student note was Angela Ferneding for her note: *Regional Health Information Organizations: Lower Health Care Costs, Fewer Iatrogenic Illnesses, and Improved Care – What Are We Waiting For?*

Those interested in contributing to the Barbara J. Tyler Award can contribute through the Graduation Challenge.

The Journal of Law and Health would like to thank Professor Tyler for her years of service and dedication to the Journal, C-M and her students.

C-M Republican seminar addresses financial planning for new lawyers

By **Chuck Northcutt**

STAFF WRITER

On March 29, 2007, the C-M College of Law Republicans sponsored the "Financial Advice for Young Lawyers," seminar. Susan B. Brooks and Daniel Ryder, financial advisors from Skylight Financial Group, gave the 53 law students in attendance financial advice.

The speakers indicated that lawyers are often the target of financial advisors, so it is important to find the best one. Ryder and Brooks discussed smart tips on tax reduction strategies and early retirement planning that can give new attorneys a head start on managing their money.

One attendee, Mary Malone felt the program was helpful. "The two speakers did a nice job of explaining different investment options and how to balance-out the choices for long and short-term goals," said Malone. "Their best advice was to start planning early."

The financial seminar was the idea of

C-M College of Law Republican member Greg Condra. Like many C-M students, he gets calls from financial planners, making him realize that new attorneys are often targeted and that a seminar on the topic may be beneficial.

"Everyone wants to make the most of his money," said Condra. "I thought people would appreciate learning how not to be taken advantage of." Condra was pleased with the high number of people in attendance.

"It just shows that if you put on meaningful programming, people will support it," Condra said.

Condra said that he also got useful advice from the financial seminar in tax reduction strategies that Ryder had spoken about. "I am all for learning about how to avoid costly errors," Condra added.

The financial seminar was part of a series of speaking events hosted by the C-M College of Law Republicans this past academic school year.

Denno speaks on genetics, law

Continued from page 1--

and criminal behavior since the early 1990s. Recent publications have examined the controversies surrounding the Moble decisions and subsequent cases in which attorneys cited genetic disorders in appealing their clients' convictions.

Dr. Denno writes on a wide range of topics, including the death penalty, criminal law defenses, and interdisciplinary approaches to crime.

She is the author of the forthcoming book "The Killing Country: How Execution Methods Define Our Nation, Reveal Ourselves" and the forthcoming book "How the Law Thinks: International Views on Mental State and Responsibility in the Criminal Law."

She has authored numerous articles including "Criminal Law in a Post-Freudian World" published in the Illinois Law Review (2005) and "Who is Andrea Yates? A Short Story about Insanity" published in Duke's Journal of Gender Law & Policy (2003).

The Journal of Law and Health sponsors speaker events throughout the academic year. This event was the third this academic year for the Journal.

In the fall, the Journal presented the Medicare Prescription Drug Forum, and this past February, the Journal hosted Dr. Joseph Lex, who presented *The FDA: A Watchdog that Doesn't Bite and Has no Incentive to Bark*.

The series will continue next year under the leadership of Heather Heberlein and Christal Contini, the Journal of Law and Health's editors-in-chief-elect.

Allocate time wisely for successful exam prep

By Karen Mika

LEGAL WRITING PROFESSOR

What is the best way to prepare for final exams in terms of apportioning time?

As with all endeavors, the best preparation is knowing the material.

Hopefully, each student spent the adequate amount of time during the semester going over the material periodically so that reading week will not start with trying to get an overview of a course.

I am asked about outlining many times, and my advice has always been that it is not the concept of the outline that matters, but the notion that the student has an understanding of the material that has been covered in a given unit.

Legal Writing

Some people work well from a sparse outline. Some people work well from constantly rewriting material. Others work well with tapes that give an overview of a particular subject.

In any event, Reading Week should not be the time to start constructing an outline for the sake of writing an outline.

Assuming that you have a decent grasp of what went on in the course during the semester, the object would be to parcel out the time in reading week so that each course has some review.

It is important that you schedule this time rather strictly and that all courses have some form of review.

Part of the scheduling has to do with your exam schedule, what exam is first, and how many days you might have between exams.

Although it is important that all courses be covered during reading week, it is equally important that your last preparation be for your first final exam.

The best way to prepare for exams is not simply to go through outlines and notes and think about the law.

The best way to prepare is to actually do sample exams, either those on file, or those in commercial books.

Ideally, if time allows, the best preparation is to do exam questions under exam conditions and compare the answer with any sample answers that might be available.

Another alternative is to use exam questions as the basis of group discussions in study sessions. The group mind generally fleshes out gaps in knowledge that some people may have.

What is also important is cleaning the slate after an exam is taken.

Although there is a propensity to want to rehash the questions on an exam, the best thing to do is to conclude the first exam and then immediately begin preparing for the second one, and to do that after each exam.

Try to keep time productive, and try to be methodical.

Set aside certain time periods to do certain tasks.

Also take care to get adequate rest. There is no such thing as cramming in order to do well on a law school exam.

Good Luck!

Alumnus supports JAG program

By Emily Honsa

STAFF WRITER

Judge William O'Neill strides into the Yours Truly restaurant in Chagrin Falls, and it is instantly clear that this is his hometown. He knows most of the servers by name, and as they come over to the table to greet him, it is obvious that he is a favorite.

The C-M alumnus has had his share of personal tragedy—his wife passed away years ago in a car accident, and his son, recently home from Iraq, became a paraplegic due to a motorcross riding accident.

His casual demeanor and small-town familiarity belies his experiences. First, he was a National Guardsman commanding a cavalry unit.

In the blizzards of 1978, the Army activated his unit to save Northeast Ohio, and O'Neill was part of the project as a tanker. The heavy snowfall had forced the Army to use tanks to open the roads, and a team of tow trucks was stationed at dead man's curve.

After law school, he left the Army. But at the encouragement of his best drinking buddy, who had since become a two-star general, he was soon persuaded to head to the University of Virginia for Judge Advocate

General or JAG training.

JAG officers specialize in such areas as military law, criminal prosecution, overseas legal assistance for servicemen and women, and international law. Founded at the insistence of

George Washington in 1775, the JAG Corps stemmed from the appointment of William Tudor as a Judge Advocate to assist with the many court-martials after the Revolutionary War. Their mission is to support the soldier and the military; to act as prosecutors, advisors, and defenders—a tall order indeed.

Rising to the ranks of captain in the Army, and then becoming a JAG officer, was an influential experience for O'Neill.

"The amazing thing about being a JAG is that you are an advisor to generals, admiral," said O'Neill. "A 25-year-old JAG will be advising a 50-year-old career soldier who commands 3,000 people, and the soldier is hanging onto every word."

O'Neill was the only white

man included in C-M's minority recruitment program headed then by Gale Messerman, who has now retired from a successful Cleveland practice with her husband Gerry. O'Neill qualified for the program based

on his status as a Vietnam veteran. He had been out of school for ten years and purchased a cottage on Geneva-on-the-Lake, where he was employed working on a political campaign.

O'Neill would drive an hour to and from school each day. Luckily, he was able to combine these drives with a fellow classmate, then-school teacher Bill Kobelak, who now practices law in the Geneva/Ashtabula area.

Kobelak provided the wheels, a new Ford pickup, and O'Neill took care of gas and parking. The long drives allowed the two to discuss school for two additional hours.

As a JAG, O'Neill handled complex and extremely diverse issues. These included advising generals on constitutionally

sound ways to catch drug users in the Army and advising on sexual harassment prevention programs.

He supervised random urine tests aimed at discovering cocaine use among the national guardsmen, and he even assisted the Department of Defense in providing security for the Atlanta olympics.

At one point in Atlanta, O'Neill had to appoint his still-green assistant—a fellow C-M grad, and now a "big-time" corporate lawyer—as defense counsel for a guardsman who would in all likelihood be charged with any of a host of crimes, including murder. It was unclear whether he'd be tried under municipal, Georgia, or federal law.

In a film worthy exchange, when his inexperienced assistant hesitated, O'Neill said firmly, "We are JAGs. You are his lawyer. That is everything you need to know. Now get in there, and tell him not to talk to anyone but you."

If you are interested in the Army JAG corps, visit their Web site at <http://jagcnet.army.mil/> or the recruiting Web site, <http://www.goarmy.com/jag/>. Interviews can be arranged through the Office of Career Planning.



C-M students volunteer with Cleveland City Schools in Mock Trial and 3R's programs

By Chris Tibaldi

STAFF WRITER

There are a myriad of activities that a law student can participate in at C-M.

The hardest part is often not lack of interest, but lack of time. One of the activities that many students are taking part in is the Cleveland Bar Association's Three R's, Rights, Responsibilities and Realities, and Mock Trial competition in which lawyers, judges and law students help high school students in the Cleveland area.

Pamela Daiker-Middaugh, the director of the pro bono program at C-M, is the liaison with the Cleveland Bar Association, and she helps run these programs.

Right now, there are about 80 students and faculty from C-M involved in either the Three R's or the Mock Trial. Both of these programs directly involve law students and attorneys working with high school students who either need to pass their Ohio graduation test, or need encouragement for their future.

The Three R's consists of a group of students, attorneys, and judges who go into the classrooms of every high school government class in the city of Cleveland. They work together to present one of the rights all citizens have listed in the Constitution.

The ways these lessons are presented are extremely well thought out. First, the group introduces the topic, for example Due

Process. The students will then be given a fact pattern based on a real case involving high-school students.

Small groups form, and they discuss other fictional stories based on real cases. After this, the whole class comes back together to discuss why the law has been interpreted in the way it has. They discuss the Supreme Court holdings, levels of scrutiny, and the student's personal opinions on the decisions. Finally, there is counseling component designed to stimulate student's interest in careers and post-secondary education.

The Mock Trial completion is an extra curricular activity that, for a time, was only being done by suburban schools due to the extra costs. The Bar Association, along with volunteers, resurrected this program in Cleveland. According to Daiker-Middaugh, this has been a great success for the students.

"Last year, the tenth anniversary, there were four high school students from the schools who were offered summer jobs in the municipal courts based on their outstanding performances," Daiker-Middaugh said.

These included students who acted as attorneys or witnesses, and one who wrote the outstanding essay based on the fact pattern. All of these students completed their summer jobs and are now considering careers in law. This year's Mock Trial will offer the

same to four outstanding students.

C-M students have also benefited from the experience. C-M alumna Susan Seacrist participated in 1991, but still remembers the experience fondly.

"We worked at Shaw High School, and the students were energetic and really responded to the opportunity to present their side of the case," Seacrist said.

Daiker-Middaugh has had the same experience.

"The biggest surprise has been the high level of motivation of the students," Daiker-Middaugh said.

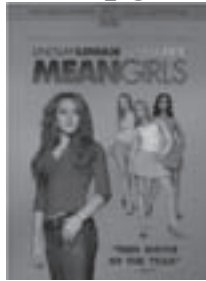
With so much negative press about students in Cleveland schools, this program appears to be one small way for the community to recognize the multitude of talents that the students have when given a chance to shine.

"The kids were so quick on their feet. In fact, many of them could give some attorneys a run for their money," Seacrist added.

Daiker-Middaugh sees that this program as equally beneficial to law students. "This is fun, and more importantly, it helps law students get more involved in the community, something all attorneys should be doing," she said.

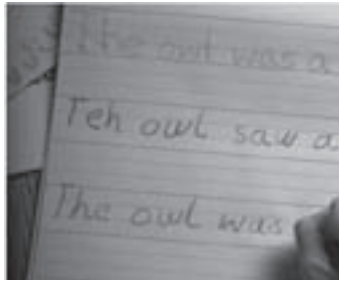
C-M students and faculty performed 10,000 service hours last year. The program will be offered again in the fall of 2008.

Professor Sundahl denied admission to pg-13 movie



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Dyslexic 1L tries out for toom court taem, gets picked



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CSU opens lab testing toxicity of microwave and fridge bacteria



CAREER, PAGE 6



THE GRAVEL

VOLUME 55, ISSUE 6 APRIL 2007 SPECIAL INSERT

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

O'Neill, Ghandi finalist for Nicest Person to Ever Live Award

By Susette Kelo
STAFF WRITER

New York--The United Nations, in a closed session, has announced the finalists for the commemorative award to be given to the nicest person to ever live.

The semi-finalist field was competitive and heated, though O'Neill and Ghandi ultimately beat out Mother Theresa and Jesus.

"Mother Theresa was close, but Jesus severely lacked support from the Asian constituency," commented Abdullah al-Masri, chairman of the elections committee.

O'Neill commented on his ascendancy into the finals.

"I am really sorry for everyone who didn't make it to this level. You all gave excellent answers during the quarter and semi-final rounds, and for that you should be applauded," said O'Neill. "I sincerely apologize that the nature of the competition requires

See O'Neill, page 2

C-M dissolves affiliation with CSU

By William Marbury
CO-EDITOR-IN-CHIEF

Cleveland-Marshall College of Law Dean Geoffery Mearns announced the law school's plan to break its affiliation with Cleveland State University and join St. Ignatius High School at a press conference on Tuesday.

The proposed change would make C-M the first law school in the United States to claim an affiliation with a high school.

Mearns acknowledged the gravity of the decision, but remained steadfast in his conviction that it was in the school's best interest.

"There will definitely be some significant changes ahead, but I believe that Cleveland-Marshall will reap great rewards from this move, including a much prettier campus, and a superior athletic program," Mearns said.

When asked why C-M would break off from CSU after a symbiotic 38-year union, Mearns explained that "it was simply time for a change."

An unnamed high-ranking law school official later revealed that



Eager to announce the new affiliation with St. Ignatius, C-M spray paints the new logo.

C-M wanted to secure its merger with St. Ignatius before the Case Western School of Law finalized its plan to merge with University School, the prestigious private preparatory school in Hunting Valley.

While officials from both

schools are still ironing out the details, both sides agree that C-M and St. Ignatius are a natural fit: "Sure, they're going to have to stop admitting women, but the remaining students stand to benefit immeasurably from the networking opportunities that Ignatius

will provide," said St. Ignatius President, the Reverend Timothy P. Kesicki, noting that most of the top lawyers and judges in Cleveland are St. Ignatius Alumni.

The C-M community met the announcement with mixed reac-

See IGNATIUS, page 2

OCP secures Subway for fall interview program

By John W. Terry
STAFF WRITER

The Office of Career Planning announced that Subway, located on E. 18th and Euclid Avenue, will be added to Simplicity for the Fall Interview Program in an effort to give students in the bottom 25 percent an opportunity to participate in the FIP.

The summer associate position with Subway is not legal, but entails the assembly of submarine sandwiches with a variety of fresh meats and vegetables.

Associates or "sandwich artists" may be required to pour bowls of soup for patrons. But, this is unlikely because of the unpopularity of soup during the summer months.

Highlights of this program include the possibility for students to

meet Jared and John Lovitz, beloved Subway celebrity sponsors.

Subway is not looking for a particular G.P.A., and does not care whether applicants are members of Law Review or Journal.

"This is a perfect opportunity for our poor performing students," said OCP. "Let's be honest, students in the bottom of the class have no chance of getting legal jobs for the summer, and Subway at least pays minimum wage," added OCP.

Subway has many opportunities and experiences that summer clerks at Jones Day, Squire Sanders, or any of the other big firms just can't get. Subway associates have relatively no stress, except at lunchtime between 12:00 p.m and 2:00 p.m, and will be able to wear comfortable cotton polos

and light weight khakis as opposed to stuffy suits.

The restaurant chain's vicinity to the law school was one of the reasons C-M approached Subway about offering students positions. "We've heard complaints that OCP isn't responsive to lower-ranked students, so when I was at Subway getting lunch one day, I thought I could kill two birds with one stone: see if Subway would be willing to hire some of our students, and get myself a delicious sandwich," said one OCP representative wishing to remain anonymous.

"The bulk of our time has to be devoted to getting people in the top 10 percent jobs, so we really didn't have much time to go anywhere but across the street for the rest of our students," added the anonymous source.



3L student dresses for success

By Thomas Gibbons
STAFF WRITER

The outgoing class of 2007 chose fellow student Fred Papalardo as "Most Likely To Look Like A Lawyer."

In the final tally, it was no contest, as Papalardo gathered 100 percent of the total votes.

He accepted the award at the Barrister's Ball, wearing a Calvin Klein Three-Buttoned Non-Vented Tan Micro Suede Sport Coat.

Papalardo thanked his classmates for the award, but cut his acceptance speech short, adding that he had "a [big]-load of work to do for [the] trial team."

The C-M community has long recognized Papalardo's superior fashion sense, and most students and faculty alike agree that if they ever needed a lawyer, they would want one that looks like Papalardo.

In addition to his well-tailored suits, Papalardo maintains a conservative, yet fashionable, hair-cut, and his eyeglasses further suggest a respectable level of intellectual achievement without emitting an air of pretentiousness.

The ability to "look the part" is an essential element of lawyer-



Papalardo's impeccable fashion sense has also scored him his hot fiance, Jen.

ing, and Gary R. Williams, Assistant Dean for Student Affairs, suggests that Papalardo's unique ability could be a major driving force behind a promising career: "Normally, I try to encourage [Cleveland-Marshall's] students to prepare diligently for the bar exam, but with Fred, I don't think it really matters. No judge or jury would ever question his place in a courtroom."

In a recent telephone interview during his seven minute lunch break at Reminger & Reminger,

Papalardo discussed his plans for the future.

"I've got my eyes on a Brooks Brothers Linen Twin Stripe Sport Shirt for the firm picnic," Papalardo said.

In addition to the formal recognition of his classmates and future colleagues, SBA President Scott Kuboff presented Papalardo with a \$50 gift certificate to the Men's Warehouse, which Papalardo promptly gave back to Kuboff, adding that he "wouldn't be caught dead shopping there."

The Journal of Law and Health to begin publishing exclusively on myspace.com

By Salim Ahmed Hamdan
STAFF WRITER

The editorial board of C-M's Journal of Law and Health announced on Tuesday that it will begin publishing the quarterly journal exclusively on Myspace.com, the popular social networking Web site.

In a press release citing the growing costs of publishing a printed journal, co-editors-in-chief Anupriya Krishna and Austin McGuan suggested that the new format will have the added effect of increasing readership. "Law and health are important topics that effect the lives of every man, woman and children alive, and we believe that publishing on Myspace will allow us to reach past our traditional audience of lawyers and legal scholars, and help to educate and inform the general population, including promiscuous teenagers and sexual predators."

In a growing trend, many scholarly journals are turning to online publication as a means of cost-control.

"Modern legal research is conducted almost exclusively through online database services, such as Westlaw and Lexis[Nexis], so online publication makes good fiscal sense for many such journals," said legal writing professor Karen Mika.

Senior editor Jack Mills anticipates many advantages to the new format. "We'll be able to post pictures from the annual social at Dive Bar! Plus, we can use the money we save towards an open bar- it's [a] win-win [situation]," said Mills.

When asked whether the Cleveland State Law Review, C-M's other publication, would consider a similar change, Chan Carlson, executive editor, responded, "We're not looking to make any changes just yet, but if we do, we would probably publish on Facebook.com, which we believe to be a little bit more sophisticated than Myspace."

Gavel staff declares war on Student Bar Association

By Douree Mapp
STAFF WRITER

Under increased personal attacks and possibly with jealousy as a partial motive, the three Co-Editors of *The Gavel* convened last Thursday in a secret meeting to discuss the final solution to the SBA problem.

"Those guys are bastards," commented Margan Keramati, the war-hawk editor often considered the impetus behind the push for action. "They think they run this school, when we all know that the press always wins - you hear that - we get the last word, and we always win."

Kathleen Locke, the senior Editor on the staff and generally considered the voice of reason, stated, "I am so sick of hearing about task forces."

Upon a unanimous vote by the editors, the war resolution was presented to the general body of the Gavel Staff Writers. Some

debate ensued. "Um, what are they talking about?" commented columnist John Rose, a big 3L with a big attitude.

"I think they're on drugs," responded investigative reporter Kevin Shannon.

After general debate, the resolution declaring war on the SBA was passed by an eight to four margin. Paul Deegan and Emily Honsa, members of both organizations, respectfully abstained.

After the resolution was presented to the SBA, battle lines were drawn in the cafeteria. Gavel staff and editors on one side, and SBA senators and exec board on the other.

"They can take our office, they can take our discretionary funding, but they'll never take our FREEDOM," chanted Gavel Editor Shawn Romer while pacing up and down the melee line on his horse Smokey. Romer adorned his favorite cowboy hat and decora-

tive blue face paint for the occasion.

Gavel staff charged the line, but first met near disaster when SBA President Scott Kuboff greeted the charging Romer with a kick to the balls.

Kuboff adorned his favorite steel toe boots for the occasion.

However, the Gavel staff rebounded, as Emily "bat out of hell" Honsa sucker punched SBA treasurer and President-elect Nick Hanna.

Honsa had initially lined-up as an SBA Senator, though this was all Tom Foolery and balleyhoo. Her loyalties obviously lied with the newspaper.

2L senator Greg Gentile, forgetting that he was no longer in West Virginia, ripped off his shirt, exposing not only multiple white-trash tattoos, but also massive amounts of body hair. Veteran Senator Mandy Shaerban reacted by throwing-up a little in her

mouth.

Paul Deegan, on the other hand, could not commit. He was seen to the side engaging in a self-fighting scene similar to the one Edward Norton engaged in during the hit movie *Fight Club*.

After the melee cleared, few were left standing. No one seemed to have won. The writers and senators, broken, beaten, and torn, returned to their respective offices.

Gavel contributor Chuck Northcutt, while smoking a Black and Mild, had the following to say about the event: "Ehhh - I just want to put my two cents in here.... Uhhh, speaking as a man here. Ya, know, I mean, come on over here. Sometimes you gotta bada bing, and sometimes you get bada binged. Ohhhhhh!"

Former SBA Senator and Mr. Law School Brian Hardman responded, "What the hell did that mean?"

O'Neill: apologizes for niceness

Continued from page 1--

that there only be two finalists. In fact, I apologize that the term "finalist" denotes that there can be only two."

O'Neill then apologized for any lack of clarity in his preceding apology.

Ghandi, because he is dead, was unavailable for comment.

Jim Morrison, a political commentator who has been following the race, commented, "this one is going to be close. I mean, Ghandi did some great things. But, let's be honest. If O'Neill were in Ghandi's position, the whole thing with the British would have ended much quicker."

"O'Neill would have sat down with them, had some tea and krumpets, and apologized that the nature of the Europeans was to rape, pillage, and plunder other cultures," Morrison said.

"O'Neill would have made it clear that the British really did give an excellent effort at civilizing the rest of the known world, but that their methodology was just a little bit slightly kind of a tad off," Morrison added.

"I mean, come on. Can you see Ghandi teaching Civ Pro or evidence? The guy would just sit there and be hungry."

The United Nations will announce the winner of the prestigious award in the coming months.

The finalists will be subject to a three-tiered test to determine just who is the "Nicest Person to have Ever Lived." The competition will include a Q&A, a talent portion, all followed by a swim-suit competition.

Ghandi, again because he is dead, will be re-created in a virtual reality program to determine his scores.

"I'll nail the Q&A, and no one can beat my talent of ball room dancing, but I'm having trouble getting a waxing appointment for the final round of the competition," commented O'Neill.

In the mean time, the entire world awaits the results in eager anticipation.

Ignatius: C-M hopes merger will increase ranking

Continued from page 1--

tions.

When told that the new arrangement would restrict admissions to Roman Catholic men, 3L Kathleen Locke said, "God! That sucks. I'm glad I'm graduating this year."

Tim Paluf, a third-year joint degree (MBA) candidate was more than happy with the announcement: "That's great! I'm gonna have to ease back on my course load so I can squeeze out another few years here. How are they looking at quarterback for next fall?"

St. Ignatius Head Football Coach Chuck Kyle expressed some doubt that the merger would affect the composition of the school's athletic squads.

"We'll have to check with [the Ohio State High School Athletic Association], but I'm pretty sure we can't have post-graduate twenty-somethings playing for us," Kyle said.

Kyle also indicated serious doubt that "any of those geeks would have a snowball's chance in hell of making the team anyway."

Former House Rep. James Traficant to Chair C-M Illegal Writing Department

By Helen Palsgraf
STAFF WRITER

James A. Traficant, Jr., the former Democratic Congressman from Youngstown, Ohio, will chair C-M's new illegal writing department upon his release from federal prison in 2010.

Though Traficant has no formal legal training, he has worked closely with lawyers throughout his career in Congress.

An open letter from the C-M faculty association expressed hope that the acquisition of Traficant will lend instant credibility to the new department, and place the law school at the forefront of the growing field of illegal advocacy.

Traficant, who was convicted on ten felony counts, including bribery, tax evasion, and racketeering, will also act as advisor to the Johnny Cochran Moot Court Team, which will specialize in



training students to craft plausible legal defenses for defendants who are obviously guilty.

"Just because you did it doesn't mean you should have to accept a plea-bargain," said Traficant, speaking from a prison phone behind two inches of bullet-proof plexiglass.

Overzealous 1L can't believe his family and friends have never heard of Judge Learned Hand

By Carroll Towing
STAFF WRITER

First-year student Matt Ultinara finds himself hopelessly frustrated with his family and childhood friends, the vast majority of whom are not familiar with renowned Judge and legal scholar Learned Hand.

"Whenever I so much as mention his name, I get these blank stares," said Ultinara, shaking his head in disgust. "I mean, [come on] people, we're talking about one of the most influential figures in American Jurisprudence."

Judge Hand, who served as a federal judge on both the Southern District of New York and the Second Circuit Court of Appeals between 1909 and 1951, is widely regarded among legal scholars as one of the most influential judges in the history of the United States, despite the fact that he never served on the U.S. Supreme Court.

Nevertheless, Ultinara says that most of the people he talks to outside of the C-M community are essentially oblivious to Judge Hand's work.

"My dad thought I was talking about that dog from the old Rocky and Bullwinkle Show- you know, Mr. Peabody," Ultinara said.

Ultinara's former roommate from Xavier Uni-

versity, Eric Stratton, says that Ultinara's outrage is nothing new: "I remember during sophomore year, Joe got all excited because I didn't know some guy named Noah Chompy. He kept saying how this guy was 'one of the most influential something-or-others' in the world. Whatever, I was a finance major. What kind of name is Chompy, anyway?"

C-M Professor Stephen Gard was not surprised to hear of Ultinara's passion for Judge Hand's work. "There's always a few first year students who get so consumed with some aspect of law school that they start to lose perspective on the outside world, but they tend regain their composure towards the end of the year, usually after their girlfriends dump them and their friends stop hanging out with them." Gard chuckled, adding "don't print that last part, OK?"

While Ultinara has found endless frustration in his loved ones, his single-minded dedication has paid off in the form of excellent grades.

He ranks among the top five percent of his class, and hopes to parlay this success into a high paying summer associateship after his second year of law school. When told of the prestigious firms that were already expressing an interest in Ultinara, his father, Dave, replied "Jones Day? Wow, doesn't he play linebacker for the Steelers?"

Mr. Law School refuses to enter rehab, loses crown

By Clarence Earl Gideon
STAFF WRITER

In a surprising development last week, Brian Hardman, the newly crowned Mr. Law School was forced to resign after a series of scandals raised serious questions about his ability to maintain the integrity of his title. "I am truly sorry that a few lapses of judgment have forced me to give up the position that I fought so hard to achieve," said Hardman in a released statement.

Upon winning, an elated Hardman exclaimed, "I've accomplished all I ever wanted to do in law school." Winning the title was a lifelong dream and the pinnacle of his law school career, said Hard-

man. "Without this title, I'd be just another regular law student."

Unbeknownst to him, these statements would become a self-fulfilling prophecy, in what must be one of the swiftest falls from grace in the history of C-M.

Hardman let the power of his crown go to his head. He began to frequent the downtown Cleveland clubs and bars, where he found a steady stream of groupies and admirers. Every bar he entered found him besieged with partiers hoping to catch a glimpse of the man and his crown.

On the outside it looked like he had it all, however the sad reality would soon become apparent. It began when a series of incrimi-

nating photos were posted on the internet.

The photos, showing Hardman in various stages of undress, were quickly distributed on Myspace and Facebook. Eventually, the photos made their way to the Mr. Law School Pageant committee, who demanded that he explain.

At a meeting, Hardman explained that the fame went to his head, and that he had a problem with alcohol. He asked for one more chance and begged the committee to let him keep the crown that he had worked so hard for.

The next day, the committee issued their decision. They decided to give Mr. Law School another chance, and would allow him to

keep his title as long as he got help for his problem.

However, it became apparent that Mr. Law School's lifestyle was out of control. Just weeks later, an undercover sting operation busted Mr. Law School for attempting to trade his LexisNexis reward points to other students for alcohol and marijuana.

Mr. Law School's partying had gotten so out of control that he had maximized his federal and private loans, which he then spent on alcohol and drugs. With nothing else to his name, he was forced to resort to barter his LexisNexis points, his one remaining asset. However, an undercover campus police officer caught wind of the

plot and arrested him.

This time the committee was not as forgiving. They immediately stripped Mr. Law School of his title and forbid him from ever entering another law school pageant. Now, Mr. Law School is a sad, broken man. Without the title he worked so hard to win, he is just another law student.

He hopes that his experience will serve as a lesson to future Mr. Law School's, about the high price of fame and glory. Summing up his roller coaster ride, he stated, "I had everything a man could ever want, but I threw it all away for cheap thrills." Without his beloved crown, now all he has are memories.

THE GRAVEL

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C-M diversifies by admitting zombies

By Jane Roe
STAFF WRITER

Diversity is one of the integral foundations of C-M. The college prides itself on providing opportunities for minorities and unconventional students. However, administrators realized that one ethnic group was absent from the law school: the undead.

Beginning last summer, C-M attempted to rectify this problem, heavily recruiting from traditionally zombie communities and schools. As a result, 15 zombie students applied and were admitted to C-M.

"Just because they don't have souls doesn't mean they shouldn't be allowed to learn law," one administrator said. "I have confidence that there are plenty of excellent soulless lawyers, and I hope that C-M can produce even more."

The zombie students began classes in the fall and, so far, they've had only positive experiences.

When asked what he liked most about his experience at C-M, one zombie student answered "brains." This stands as a testament to the remarkable intellectualism exemplified by every C-M student and faculty member. At C-M, brains are clearly valued over all else, and it reflects in the zombie student body.

"I think the zombies add greatly to the classroom environment," one C-M professor said. "They fumble with words sometimes, and they can't write complete sentences, but they're an asset to this law school. In fact, most of the time, I can't even tell which students are zombies and which are human. It's been a seamless transition."

Human students have also embraced their zombie peers.

"I know two zombies, and they're both good guys," one human student commented. "They're smart and funny and the smell isn't nearly as bad as everyone assumes."

"I'm actually dating a zombie," another human student said. "A lot of people told me that it would be hard to be with someone of the undead persuasion, but I don't think so. My girlfriend is a person like anyone else. She has feelings and thoughts and dreams. We have to sew her right arm together sometimes, but that just brings us closer."

"Really," the same student joked, "the biggest problem in our relationship has been that she's in a different 1L section."

Zombies have also contributed significantly to student organizations.

One zombie student was elected to an SBA senate seat earlier in the year. His al-

ternative nutrition petition to the university was responsible for raw meat being stocked in every vending machine on campus. He has also chaired several task forces.

Another zombie student recently made the moot court team.

"She has a presence unlike any other student on moot court. When she argues her brief, people pay attention. She started chewing on a judge during a practice session but, to me, that means she's highly motivated," a moot court advisor said.

The zombie students have even created their own organization, the Zombie Law Society. The ZLS has been involved in numerous charitable activities, including a canned goods drive and a visit to a children's hospital. Raising awareness of the rights of the undead, or living-impaired, as ZLS zombies prefer to be called, is one of the organization's primary concerns.

Overall, C-M's plan to diversify the student body with a blind eye toward consciousness has been a complete success. Zombies walk the halls of C-M with pride.

They have shown themselves to be as able to practice law as any human. Indeed, zombies have become the future of C-M, and what a bright future it is.

Anti-war activists engage in counter-recruitment

By Dan Kelley
STAFF WRITER

Despite poll numbers showing dissatisfaction with the course of the Iraq occupation, little in the way of principled anti-war activism has been on display throughout the United States.

One notable exception is a small but determined band of counter-recruitment advocates who have become active in their local communities, by seeking to dissuade people from joining the military.

While the names of groups like Military Families Speak Out, Bring Them Home Now, and the Iraq Veterans Against the War are obscure, the military is apparently concerned as evidenced by their strong reaction to counter-recruitment efforts.

Different groups emphasize different points when addressing potential recruits.

Many argue that deciding to join the military is against the potential enlistee's material self-interest. Others emphasize the dehumanizing effects of the rigidly authoritarian military hierarchy and the requirement to commit acts of violence, regardless of justification and at the whim of one's commanders.

Antiwar slogans from the Vietnam Era such as "Join the Army. Visit strange and exotic places. Meet fascinating people. And kill them," are echoed by contemporary advocacy such as a picture from Abu Ghraib with a caption reading, "Joining the military is hazardous...to your humanity."

Tariq Khan, a 28-year-old Air Force veteran summarized the objections to military recruitment in his own home made flyer. He states, "[F]irst, you have to submit to authoritarianism; second, you have to commit human rights violations; and third, you have to

risk your own life for leaders you might not respect or trust." Khan's efforts to hand out his flyers led to tense confrontations on the George Mason University's campus, where he was a student.

According to Progressive magazine, Khan's exercise of free speech provoked an aggressive reaction by individuals and the police. A marine who served in Iraq confronted Khan by tearing the homemade sign on his chest. In response to Khan's question of, "how many people did you kill?" the marine responded, "not enough. I want to go back and kill more," according to the Progressive magazine article.

The confrontation led to Khan's arrest, but criminal charges were dropped at the behest of the university and local ACLU branch.

Under the "No Child Left Behind Act" schools are compelled to provide the military with personal data about students in order to facilitate recruitment. Teachers and school officials offer students a wider variety of perspectives on the wisdom of volunteering have been met with significant difficulties.

Despite a string of court rulings barring viewpoint-based discrimination against peace groups in schools, counter-recruitment activists and teachers have had a difficult time in offering alternative opinions due to political sensitivities and public reaction.

Besides the obvious physical dangers to oneself, activists point out the deceptive nature of military advertising regarding tuition benefits as well as social science data indicating that volunteers tend to do more poorly financially than others from comparable socio-economic backgrounds.

United for Peace and Justice, ostensibly the largest umbrella peace coalition, highlights the

catchall language in the enlistment agreement that provides that the terms of the agreement can be changed, "REGARDLESS of the

Besides the obvious physical dangers to oneself, activists point out the deceptive nature of military advertising regarding tuition benefits as well as social science data indicating that volunteers tend to do more poorly financially than others from comparable socio-economic backgrounds.

provisions of the enlistment/reenlistment document."

With issues such as the so-called "back door draft," which forces enlistees into deployments far beyond what many envisioned when joining, receiving media coverage, these warnings in particular, have found traction.

Some groups and individuals step beyond the bounds of mainstream discourse to suggest that volunteering to fight, in what they view as an unjust war of aggression is ignoble, regardless of the "patriotic" justification offered.

This questioning of the fundamental precepts of American political discourse has provoked hostility and confusion. In a media environment where critics and supporters of the Bush administration's *conduct of the war* are dominant, principled arguments against U.S. involvement in Iraq (and militarism more generally) often cause bewilderment.

The more confrontational and unconventional tactics of the counter-recruitment activists has rankled many self-proclaimed critics of the Bush Administration's "conduct of the war."

Paul Rieckhoff, executive director of the Iraq & Afghanistan Veteran's of America attacked

the actions of Military Families Speak Out and Bring Them Home Now, suggesting that their actions amounted to "protesting the

troops."

While Rieckhoff does not claim to represent a pro-peace viewpoint, he is often cast in that role on cable talk shows, illuminating one of the little mentioned realities of the contemporary media landscape; arguments about the execution of the conflict are prevalent but, principled opposition to war is all but nonexistent.

But does this reflect the reality of the country's attitudes towards the war? Polls show the public views the war negatively but, there is little political pressure to bring it to a swift end, as evidenced by Hillary Clinton's recent statement to The New York Times that she would keep "non-combat" troops in Iraq, in the event she wins the Presidency.

A specter hangs over pro-peace activities in general, and counter-recruitment efforts in particular, in the form of a potent urban legend. In Spitting Image, Jerry Lembcke, Vietnam veteran and sociology professor at Holy Cross University, examines the sources and functions of the myth that Vietnam veterans were spit on by anti-war protestors when they returned home.

According to Lembcke, despite a total lack of reliable evi-

dence to confirm even a single such incident, the belief that Vietnam veterans were spit on, has been deliberately cultivated, and largely accepted, in order to foster a reflexive support of all things military.

"These questions [about the advisability of volunteering for military service] are topics of legitimate discussion and we deserve to be able to talk them through without fear that any skepticism about the received wisdom on military service will be taken as an expression of hostility" towards military personnel, Lembcke contends.

Reactions to statements by Jack Murtha, U.S. Rep. and former Marine, suggest Lembcke won't get his way. When asked if he would still advise people to join the military Rep. Murtha response that he would not, brought hostility not only from supporters of the Bush Administration but numerous self-proclaimed "anti-war" commentators.

Many concluded that Murtha was attacking the valor of the troops and was wrong for questioning the advisability of military service, despite the admittedly ill conceived nature of the adventure in Iraq.

While the efficacy of the counter-recruitment push is unknown, the military has found meeting recruitment goals difficult.

More recruits with felony records, and those who didn't finish high school are being accepted to meet the demand for soldiers.

Ultimately, the military's inability to engage in a perpetual occupation of Iraq due to lack of sufficient personnel may prove a greater hedge on the strategic ambitions of the current and subsequent administrations than the souring domestic political environment.

Elected SBA executives discuss upcoming year

By Paul Deegan
STAFF WRITER

SBA held its officer election last week for the 2007-08 executive officer positions. The winners, Nick Hanna, president, Rae Lynn Wargo, vice president of programming, Anthony Scott, vice president of budgeting, and Lydia Arko, treasurer, ran on an unopposed ticket.

The Gavel asked the officers-elect about why they ran for office and their plans for next year.

Q. What compelled you to run for office?

A. I had such a rewarding experience as an SBA senator that I wanted to continue that at another level. Being a part of SBA has been my favorite aspect of my time here at C-M. I love being able to fight for the issues that are important to the students here, said Wargo.

Q. What are your thoughts on running unopposed?

A. If we are unopposed due to apathy in the student body, then I am disappointed. In joking around with many of my colleagues, it has been said that our ticket simply "could not be beat."

I would love to think that if such a statement were true, it is based on the quality of the character that Nick, Rae Lynn, Lydia and I possess, and not some misperceived "popularity."

We each take our roles very seriously and a lot of deliberation occurred before we committed to running as a ticket.

I just hope that the student body recognizes our commitment and does not presume that we take this responsibility lightly because we were unopposed, said Scott.

Q. How will you use your office, specifically, to benefit the students?

A. We hope to use our office by doing exactly what our campaign slogan states: "Putting Students First." A major thrust of what we'd like to do is expand the scope of SBA sponsored events so that a broader range of students will be attending.

In addition to our platform, I really want to accomplish whatever the students want to see happen.

My hope is that by this time next year, we are being flooded with ideas from students - not because we aren't doing enough - but because they know we will get it done, said Hanna.

Q. What's the single biggest problem at C-M, and how do you, or the ticket as a whole, intend to fix it?

A. I think it is a clear goal of both the SBA and the administration to make C-M competitive with other schools with respect to bar passage rates, academic standing, and

recognition within the community by local government and businesses.

This goal requires giving students the atmosphere necessary to help them to be successful, including comparable exam rescheduling policies. To this end, we plan to work to make the 24-hour exam rescheduling policy permanent.

As always, there must be balance in everything you do, so we intend to help students maintain a balanced lifestyle outside school by providing community volunteer opportunities and social activities that are enticing to all C-M students.

Finally, we hope that we can help to facilitate a more unified environment where all student types will feel welcome and supported, whether they are traditional full-time day students straight from undergraduate institutions or adult part-time evening students with families, said Arko.

The Political Broadside

President Bush's Legacy Debated



By Bradley Hull

CONSERVATIVE GAVEL COLUMNIST

Historians will judge George W. Bush's presidency highly favorably, barring the future occurrence of tragedy on a scale not seen since before he took office.

Presidential "rater" James Taranto recently observed that historians generally judge those presidents that boldly faced unprecedented challenges favorably, and that their degree of success separates the great from the "above average." If true, this would virtually assure Bush a top-third rating among his predecessors.

President Bush successfully and boldly handled the unprecedented challenge of securing the U.S. homeland against large-scale international terrorism. He oversaw the implementation of numerous anti-terror measures in response to 9/11, the worst terror strike in world history. As a result, for nearly six years Islamofacists have been stymied in their attempts to again strike the United States despite their tragic success in westernized London, Spain, and India. As Bush wisely reminds us, continued security requires eternal vigilance. However, historians will remember Bush's longstanding success in so doing as his primary legacy.

Future generations will remember the wildly successful Bush tax cuts, which took effect by 2003 and were designed to create jobs by encouraging private investment and consumer spending. Investment rates grew 14.6 percent from 2003-2004, nearly three times the post-1970 average. Currently, the economy has grown for 22 consecutive fiscal quarters. The DOW set records 26 times between September 2006 and January 2007. Nearly 8 million new jobs have been created since August 2003. Further, the resultant economic growth benefited the government. The Treasury Department reported a 14.6 percent increase in tax receipts in fiscal year 2005 and 11.8 percent in 2006.

The non-partisan CBO's finding that the tax cuts caused 88 percent of the income gains of the middle three-fifths of wage earners from 2000-2004 refutes assertions that they were "for the rich." Further, the practically unchanged inflation-adjusted U.S. poverty rate since 2002 dispels claims that the middle class is shrinking.

Historians will reward Bush's ahead-of-his-time expansion of international trade. Legendary economist Milton Friedman decried governmental resistance to economic globalization because, as he stated, for over 200 years economists have agreed with "virtual unanimity" that free trade benefits trading partner nations and the world in its entirety. Bush, not uncoincidentally the first president with an M.B.A., has successfully negotiated CAFTA and also trade pacts with 11 countries. By contrast, the United States had only three before 2001.

Historians will validate Bush's failed efforts to partially privatize Social Security and Medicare, the latter attempt receiving the AARP's endorsement. W's 2007 budget forecasts that Social Security, Medicare, and Medicaid will comprise nearly 50 percent of federal expenditures (by contrast, at roughly \$100 billion, annual Iraq War expenditures comprise roughly 3 percent). Bush's recognition that reform is necessary to preserve a safety net because the retirement of 77 million baby boomers threatens to require unsustainable future spending levels will also be recognized as ahead of his time.

Bush's Healthy Marriage Initiative, which will likely reduce U.S. poverty, will be remembered. The 2005 poverty rate was the 6th lowest since 1980. Most social scientists agree that the breakdown of families is the largest causal factor of American poverty. The Initiative combats this by removing many financial penalties on marriage.

Finally, historians will positively remember the confirmation of Bush's appointments of two of America's most highly respected jurists to the U.S. Supreme Court.

Bush's handling of the Iraq War, and the sluggish federal response to Hurricane Katrina, will tarnish his legacy. However, the extent either will damage Bush's image is questionable, given the #10 all-time ranking C-SPAN awarded Lyndon Johnson in 1999. Johnson resigned for his gross mismanagement of the ten-times-bloodier Vietnam War.

Thanks to the editors, Joe, and those who read any of my columns since last April, whether you agreed or wanted to see my nose broken (again).

Liberal rebuttal...

Thousands of young Americans and countless Iraqis have died in an indefensible war.

So what if some political pundits from C-SPAN give Mr. Bush a high number on some contrived chart?

So what if Johnson made number "10" after the "ten-times-bloodier Vietnam War"?

All of that is meaningless when the great majority of Americans remember this President for his mistaken war and what it cost this nation in lives, money, and international support.

Bush's tax cuts disproportionately favor the ultra-wealthy. Your specious argument otherwise is a sad attempt to distort the truth and mislead the readers.

From 2001-2005 the top one percent received about 20 percent of the tax breaks. From 2006-2009 they'll get 41 percent. By 2010 they'll get more than 50 percent. The average Joe gets a few hundred bucks a year. The CEO gets a few hundred thousand.

Fast-tracked free trade agreements steal good jobs from hard-working Americans and send them to the developing world where corporations are free to exploit native labor with impunity.

This President will leave the Iraqi quagmire, a huge trade deficit and war debt, and shattered relationships with our allies abroad. For two terms he has chosen his misguided ideology over rationality and consistently favored the ultra-rich at our expense.

By Joseph Dunson

LIBERAL GAVEL COLUMNIST

President George W. Bush will be known as "the great divider" who polarized the American people and alienated our allies in the international community. Many will consider him to be one of the worst presidents in our nation's history. The damage caused in his eight years will take generations to repair.

In 2000, President Bush touted his 'compassionate conservatism.' It is difficult to identify any group, save the corporate elite, upon which Mr. Bush has since showered genuine 'compassion.' The burdens of his mistaken war are carried on the backs of young men and women from poor and middle class families, while its spoils go to the war-profiteering Halliburton Corp. His fast-tracked trade agreements continue to suck high-paying manufacturing jobs from our middle class so that corporate executives and rich shareholders can realize greater returns on their investments. Mr. Bush has avoided the climate change issue for years to placate his favorite energy industry donors. He will fail America's future generations by leaving them with a huge trade deficit, a staggering bill for the war, and no plan to reduce dangerous emission levels.

President Bush responded strongly to the tragic attacks of Sept. 11, 2001, by razing the terror-supporting Taliban in Afghanistan. Since then his administration has squandered the confidence of the American people, and our allies abroad, through a series of contemptible mistakes. These include:

- (1) Going into Iraq on faulty intelligence and without adequate forces
- (2) Pathetically attempting to privatize social security
- (3) Torturing foreigners held without cause at Abu Grhaib.
- (4) Unfairly detaining foreigners without cause or legal recourse at GITMO.
- (5) Spying on U.S. citizens without warrants in the FISA scandal.
- (6) Outing a CIA operative after her diplomat husband debunked the myth that Iraq sought weaponry in Africa and letting Libby take the fall.
- (7) Leaving tens of thousands to fend for themselves in Hurricane Katrina's aftermath.
- (8) Firing eight U.S. attorneys under the pretext of cause for political gain.
- (9) Allowing deplorable health conditions to persist for our wounded troops at Walter-Reed.
- (10) Rejecting diplomacy in Iran and Syria to stabilize Iraq.

We all know the damage caused by these mistakes. We know that we've lost the international community's support, and that this President is the most fiscally irresponsible in our nation's history. We all surely know that we've lost thousands of young American soldiers in the failed war in Iraq.

What we don't know is how future administrations will harness the dangerous precedents set by President Bush to justify executive power grabs and extra-constitutional actions. Will some President in the future argue that he can ignore established federal law because the Bush administration skated clear Congressional mandates in the FISA scandal? Will the next President cite one of President Bush's signing statements advocating a 'unitary executive' to supplant Constitutional principles?

In *Marbury v. Madison*, Justice Marshall famously wrote "[i]t is emphatically the province and duty of the judicial department to say what the law is." Writer Jennifer Van Bergen investigated the signing statement that President Bush issued upon the passage of the McCain anti-torture bill. She concluded that "Bush asserts not only his authority to internally supervise the 'unitary executive branch,' but also his power as Commander-in-Chief, as the basis for his interpretation of the law -- which observers have noted allows Bush to create a loophole to permit the use of torture when he wants."

Such a vision of the executive doesn't seem to square with Justice Marshall's sentiment, does it?

I'd like to thank Brad, the Gavel staff, and all who've read our columns this year. It's been my distinct pleasure to write them. Good luck on finals and the bar exam.

Conservative rebuttal...

Got facts?

Bush's tax cuts reduced federal rates 19.1 percent for the bottom four-fifths of income earners from 2000-2004, regressively (CBO). Trade in-sources more jobs (203,600 to Ohio by 2004) than it out-sources (45,734 from Ohio from 1995-2003). Consumers create trade deficits by choosing imports, not Bush.

No scientific consensus declares "global warming" a meaningful threat. Absent privatization, some economists forecast entitlements to ultimately require 18.9 percent of the GDP. Good luck growing that economy! Bush's fiscal irresponsibility is not record-setting. Today's budget deficit is 1.4 percent of the GDP. The post-1970 average is 2.3 percent.

"Torture" is unproven. FISA itself is likely unconstitutional. A 2002 Court of Review opinion stated FISA cannot encroach on the executive's power to conduct warrantless searches for foreign intelligence-gathering purposes. Plame's de-classification is lawful if Bush authorized it. #4 is unlikely to damage Bush's legacy. #8 involves no illegality.

Bush's Iraq and Katrina mismanagement are disheartening. However, by comparison, President Johnson resigned following 36,651 troop deaths in Vietnam. The dramatic crime- and dysfunction-increase within underprivileged communities correlated with LBJ's welfare-state expansion negated much civil rights progress his administration made. Bush's success in boldly responding to unprecedented challenges *unquestionably* outmatches Johnson's, who frequently ranks among America's top 15 presidents.



President-elect looks forward to new year

By Nick Hanna

SBA PRESIDENT-ELECT

On behalf of Rae Lynn Wargo, Anthony Scott, Lydia Arko, and myself I would like to sincerely thank the entire C-M student body for showing your support and allowing us the honor of serving as your 2007-2008 SBA executive officers.

We would also like to thank Scott Kuboff, Meredith Danch, Chan Carlson, and Jaime Umerley for their hard work and dedication to the SBA. These outgoing officers leave us each with great shoes to fill. However, I am confident that the members of the "Students First" ticket will not disappoint the student body.

As an administration, we hope to prolong the traditions currently set in place by the SBA, while at the same time expanding the role that the SBA plays in the lives of the student body. Specifically, we plan to create more social and volunteer events that will not only help to engage a broader spectrum of students, but also help C-M gain more recognition in the community.

Along with fulfilling each aspect of our platform, we hope to hear continuous input from the student body as to what each of you would like to see the SBA do. As elected officers, it is our responsibility to seek out the needs and concerns of students, which we plan to do.

While we are excited to take over as an administration, the current SBA has a few events remaining this school year. In our last meeting of the school year, senator Crystal Blevins was awarded the "Gerald R. Walton Senator of the Year Award."

As a three-year senator, Crystal has been an active participant in the SBA and has been dedicated to serving the student body. In addition, the SBA will continue its tradition of giving to student scholarships by making a large donation to the Wolstein Scholarship fund.

Finally, on May 10, the SBA will be hosting its end of the year social at Panini's in the Gateway District. We hope to see everyone there. In the meantime, good luck to everyone on your finals. And to the graduating class, congratulations and good luck on the bar exam.

The law school middle child

Personal reflections from a student somewhere between traditional and non

By Shawn Romer

CO-EDITOR-IN-CHIEF

I didn't go to law school right out of undergrad, but I didn't do something else for all that long, either.

I'm the law school middle child – someone who's done more than professional studenting, but not significantly more.

Law school can be divided into two spheres – the academic and the social.

We're all familiar with the former (that's why we're here, right?), but many of us get plenty of the latter as well.

Come on, everyone of us has made the law school equals high school analogy.

I think the "law school middle child" really is best suited for the academic part of school, better so than our younger and older colleagues. However, it's the "high school" part where we sometimes meander.

In the classroom, I think we're at the advantage.

We're only a few years out of school, so we remember how to take notes quickly and what the dreaded "finals" feel like.

Unlike the students coming straight from undergrad, however, we can bring professional and more personal experiences to our work and study.

Maturity is the key aspect here (not that traditional students lack it, but we just have more, technically speaking, by virtue of having been around longer).

Though the non-traditional student may cream us in maturity, they lack the relatively immediate familiarity with school, and (no offense guys), they generally don't have the stamina of a person in their late 20's.

Most importantly, they usually have kids and a family to attend to, whereas we're still generally free of these obligations. I like being the "law school middle child" in the classroom.

Law school is also social, like it or not. Especially for those of us from out of town, our classmates compose a large chunk of our social companionship.

It actually makes sense – these are

the people you sweat and bleed with during the day. You've been (or are going through) the right of passage known as first year.

My dad always said "once a marine, always a marine – it's the brotherhood that bonds." I see law school similarly – a bonding brotherhood established by mutual ascension through a grueling, but beneficial, experience.

You do the same thing as these people, day in and day out. You have tons in common with them. That's why you hang out with them outside of school.

Also, you've likely annoyed your other friends by failing to return calls and/or emails with any immediacy, or by talking about promissory estoppeling their ass if they renege on something.

However, in my opinion, it's in this sphere where the middle child syndrome takes most ill-effect.

The non-traditional students may hang out a bit after class, but except in the rarest of circumstances, you'll be hard-pressed to find them pounding lemon drops on West Sixth.

Granted, not all, and maybe even a minority, of traditional students partake in this activity. But, I can say from person observation that a significant number do, in far more numerosity than any other group.

So, where do the middle children go?

We don't have families and other responsibilities to attend to. We could just study more (not happening). We could hang out with our slightly younger colleagues, but working 9-5 for a few years has done something to us. We now experience day-long hangovers and get sleepy at 11 p.m.

Generally, many of us middle children gravitate towards one end or the other, either acting younger or older than we truly are.

So, why don't we do what other people in their late 20's do: Happy hours, joining young professionals clubs, visiting trendy bars, etc?

But, oh wait – we can't go to happy hour because we still have to study until at

The
Gavel
Editorial
Opinion

1L reflects on tough academic year

The following is the final part in a six-part series following a first-year C-M student from orientation to spring exams.

The anonymous 1L column has now finished its adventure. To the various random readers of this column, I hope I have made you chuckle a bit, and perhaps for the briefest moment, taken you away from this ivory tower of ours.

I can definitely say that law school has changed me, or at least how I approach things.

This semester I have put out, for me, a massive effort. Studying is not enjoyable for me, but in order to compete with you, my fellow colleagues, I had to.

My social life has taken such a dive, it's on life support somewhere. No lie. Between actually doing the reading, which is just crazy, outlining, and even working over hypos (gasp), it has been a very tough experience for me.

Trying to rebuild yourself into something else entirely is not in the least bit pleasant. I decided that I should try and get a few Bs, maybe even B+s, I know I'll never be an A student.

It simply takes too much work. My hat is off to those who are willing to, though I still think you are crazy, but since you do not care about my opinion anyways, study on.

I was told that writing this column would be difficult, perhaps even a chore. Well it has not been so up until this point.

1L
First year
life
Part VI

I could tell you about who slept with who, who is together and who isn't, but that's pretty common knowledge, and probably not fit for print anyways - mostly because your personal lives are just that.

I wish each one of you the best of luck in pursuing your personal goals regarding relationships or whatever else they maybe.

To a certain guy in a furry suit, you're still the champ and good luck with your girl.

Instead of raining on the parade that is your lives, I'd instead like to thank some of the people who have made my life here enjoyable, Ballz to the Wallz crew: you guys are awesome. Trysta, you and your camera are immortalized for all time on Facebook. Fadi, thanks for making me laugh, and Sheila - you always kept things entertaining.

To my guys at Old Angle Wu-tang clan and Seahawks for life...sorry Mark, you know it's Josh Brown time. To Mr. Dropko for guiding me extensively academically and personally.

And lastly, to my editor Shawn, who has steadfastly encouraged me to be a better writer and a better person and who has put up with me, this column and my antics- thanks Shawn, it really meant a lot.

Now it's almost finals, so good luck, study hard, but try to remember to get some sleep, drink a beer and chill out for 15 minutes - it won't kill you.

Finally, have a great summer and get a tan!

THE GAVEL

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The media and its coverage of celebrity racism: annoying, pointless and possibly even harmful

By Kurt Fawver

GAVEL COLUMNIST

For the past couple days, everywhere I turn there's a news story about Don Imus and his comments calling the Rutgers women's basketball team "nappy-headed hos."

I can't get away from it. It's been the headline story on CNN more than once. Every commentator is weighing in on what constitutes a "racially charged remark." But you know what? I don't care about Don Imus.

I don't care if he called the Rutgers women's basketball team "nappy-headed." I don't even care if he's a racist. And you know why? Because I realize that Don Imus is not a paragon of truth, knowledge, or even decency. I had no respect for Don Imus in the first place, so he had nothing to lose from his disgusting racial slurs.

I feel sorry for anyone that listens to radio shock jocks and takes their sensationalist views to heart. People like Don Imus and Howard Stern shouldn't be idolized or used as moral compasses.

Their sensationalist views shouldn't be anyone's gospel. If these are the individuals that shape American opinion, then we have a serious cultural crisis.

Of course, this isn't the first time American media has focused on a "celebrity" racist tirade. We all remember just a few months ago when Michael Richards jumped the sanity boat and fired off a string of racial slurs against a group of comedy club patrons.

The media was crazed with interviewing Richards and making him apologize. The men who were the target of Richards' vulgarities were plastered on news broadcasts as wide-reaching as Good Morning America. Pundits everywhere wanted to take a side. No one could escape the debate over race relations.

By focusing on these people, however, and by giving the racist remarks extensive media coverage, we give those remarks power. When the media shoves these stories into the forefront of society, it opens a debate as to whether the use of certain disparaging words or phrases is right or wrong.

This debate, in turn, validates the existence of a side that believes racist comments are fine. Individuals who think that it's not a big deal to use racial insults are given time to disseminate these views on a national stage.

It's as if the media is implying that there are two sides, each with well-founded opinions that are competing for Americans' minds. The media is, subtly, telling racists that their views are worthy of discussion and debate. Therein lies the flaw.

Racism is not worthy of debate and even-handed discussion. It is wrong in all its forms and should be universally condemned.

It has absolutely no credible basis. Instead, racism is nothing more than a direct manifestation of unfocused hatred and

frustration.

It should not be given the opportunity to be presented as a valid, if controversial,

As a society, we should be striving to make race a non-issue. We need to strip racist remarks of their power. Media oversaturation of racist comments made by Don Imus or Michael Richards does exactly the opposite.

belief structure. Yet, this is what happens when the media focuses on celebrities' racist remarks.

The coverage given to the victims of celebrity racism is also problematic. Members of the Rutgers women's basketball team, which played in the women's NCAA Championship Game, have told reporters that they are deeply hurt by Don Imus's remarks and that he has "stolen their moment of glory from them."

I understand why Imus's insults were hurtful. But to say that he stole their moment of glory seems too much.

If a nonentity, a C-list celebrity, like Don Imus can take away the pride of playing in the NCAA Championship Game, then the idea that racial slurs hold power is firmly bolstered.

Broadcasting pained reactions to racist comments legitimizes those comments an increasingly powerful weapon.

Ideally, the media should refuse to report on any aspect of celebrities' racist rants. As a society, we should be striving to make race

a non-issue. We need to strip racist remarks of their power. Media oversaturation of racist comments made by Don Imus or Michael Richards does exactly the opposite.

All people should be qualified by their merits and abilities, not their skin color. Yet, celebrity racism, and the media attention it garnishes, helps darken the line separating white from black and yellow from red.

It polarizes and divides public opinion. Don Imus and Michael Richards will not be changed by their respective scandals. If they were racists before, they'll be racists after.

No one in American society will be swayed against or for racism by this glut of media coverage, either. These celebrity racism scandals simply provide spectacle. They purposely pit racists against victims, and implicitly ask the public to choose which of the two is right.

This does not solve the problem of racism. It doesn't even marginally contribute to a solution.

Instead, celebrity racism scandals push racists and racism opponents even further apart, creating more cracks and barriers between the two sides.

If racism is ever to be eradicated, these two sides need to be brought together in a common understanding and unification against all hatred based on skin color.

Media carnivals surrounding Don Imus, Michael Richards, or the Rutgers women's basketball team are certainly not going to accomplish this feat.

Only time, education, and personal experience can make racism vanish, and sensationalist media coverage cannot provide any of these.

LETTER TO THE EDITOR

Journal advocates hiring a health care law professor

How many students know that C-M ranked 9th in the country for health care law in 1995?

The Journal of Law and Health is unique to C-M. Established during a time when the law school devoted a significant amount of effort to health care law, the JLH complemented the school's Cleveland Clinic Foundation summer law clinic.

Most students probably do not know that such a clinic ever existed.

Cleveland is a giant in the health care industry. Between the Cleveland Clinic Foundation, University Hospitals, the MetroHealth System and all other clinics, centers, research facilities, and practices, there is no doubt a market for lawyers in this area.

But interestingly enough, C-M no longer offers the summer law clinic, does not have a full-time professor in the field of health care law, and does not offer a health care law concentration.

For one reason or another, it seems that the emphasis on these programs dissipated several years ago, leaving the JLH to stand alone.

It is our understanding that the Faculty Hiring Committee has yet to determine the specific areas of focus for next year's hiring initiative.

Currently, there are no full-time health law professors at C-M. There are three solid reasons why both C-M and the JLH would benefit from hiring a professor with a background in health care law.

First, the students are interested in health care law. Students are taking an active interest in the JLH.

The organization's initiative of bringing prominent speakers to campus as part of the JLH sponsored speaker series is an indication that the students are interested in health related legal topics.

The redesign of the Web site and on-line availability of the most recent publication also signal the students' interest in the JLH.

Students would like to see more courses offered relating to health issues and taught by professors with the experience and knowledge in the field.

Second, the JLH is a unique publication and with the input that

a full-time health law professional would bring, the JLH could rise to a higher level of recognition.

Although the JLH already receives submissions from professionals outside of the C-M community, having full-time health law professor on the faculty would provide a source of submissions within the law school, as that professor would either be in a position to write articles for the JLH himself or convince his health law colleagues to do so.

Thus, the JLH stands to benefit immensely from access to and input from a full-time professor in the area of health care law.

By enhancing the academic quality and credibility of the publication, C-M will take another step towards national recognition and satisfying the interests of numerous students.

Third, there is a market in Cleveland for professionals in the area of health care law. Ranging

from biomedical ethics to trademark and patents in the medical research arena, there is a diverse need for legal professionals in health care.

Because students are interested, the potential and opportunity for the JLH is unlimited, and because Cleveland is a major medical market, C-M, the JLH, and the students stand to benefit from hiring a full-time professor in the field of health care law.

Case Western Reserve University's Law School offers a concentration in health law. A few of the course options include Health Care Transactions, Food, Drug and Biotechnology Law, and Health Care and the Courts seminar.

The availability of these courses invariably exposes Case's law students to a broader range of health-related legal issues and gives them a competitive edge in the Cleveland job market.

Providing interested C-M students with these equivalent opportunities could only enhance their ability to succeed in Cleveland's health law community.

Because students are interested, the potential and opportunity for the JLH is unlimited, and because Cleveland is a major medical market, C-M, the JLH, and the students stand to benefit from hiring a full-time professor in the field of health care law. This is an area of need that the JLH believes should be addressed during next year's faculty hiring process.

This is an exciting time for C-M. Under the leadership of Dean Mearns, the school has made great strides toward national recognition, increased bar passage rates, and re-accreditation by the American Bar Association.

There is no doubt that C-M will continue to generate support from the alumni and the community. And now is the perfect opportunity to nurture the organizations that will distinguish C-M in the future.

Editorial Board, 2006-07
Journal of Law and Health



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