Karen Walker

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

Since 1972, these few innocent-looking words—the Equal Rights Amendment—have sparked thousands, maybe even millions of discussions. Recently, they were the focus of a meeting of the Women Law Students Association, which featured talks by Valparaiso Professors Rosalie Levinson of the School of Law and Nancy Sederberg of the Sociology Department.

The ERA usually is thought of in reference to women, but Levinson stressed the ERA would benefit both men and women. Laws that discriminate against men would be eliminated, too, if ERA passed, she said.

Levinson claimed the ERA is needed because the 14th Amendment has "never provided the same protection for women as it does for minorities."

The purpose of the 14th Amendment, she said, was to protect Blacks. Levinson added, the Supreme Court subjected state laws to closer scrutiny in the 1970's, but how much protection the 14th Amendment gives women is "not clear."

Federal laws have been very effective in fighting private acts of discrimination, Levinson admitted. They go far beyond what the ERA would do.

However, these laws, Levinson added, "are a piecemeal way to get at discrimination." The ERA would eliminate all gender-based laws in two years.

According to Levinson, the ERA would help end judicial confusion by providing more guidance to courts about sex discrimination than the 14th Amendment does.

The opponents of ERA argue it would interfere with privacy, but Levinson believes that won't happen.

The legislative history of the Act shows a right to privacy would exist even if separate facilities would be possible.

The legislative history also indicates women are intended for laws dealing with the physical characteristics of one sex to be upheld, Levinson claimed.

Draft and registration laws, the professor conceded, would have to be written in sex-neutral terms subjecting females to the draft.

The opponents contend protective labor laws would be eliminated by ERA, but Levinson said those laws already are invalid under Title VII.

She added families are not going to fall apart because of ERA.

Passage of ERA would "demonstrate symbolic interest in equal rights, " as well as eliminate gender-based classifications and clarify the judicial standard of review, Levinson summarized.

Sederberg said patterns of sex discrimination persist. The sociology professor gave several examples of discrimination against women, including the fact that law school faculties nationally consist of only 2.1 percent women.

Even though ERA has not passed, Sederberg thinks it has brought about an awareness of sex discrimination in all stages of a woman's life cycle. She outlined numerous changes in the life cycle she believes have been precipitated by this awareness.

The ERA is to ensure equality does not mean men and women are identical. Women should have an opportunity to be human and to be proud to be uniquely women.

Sally Schalk

The regional Moot Court Competition in Chicago recently was an educational experience for the Valparaiso Moot Court Team. Valparaiso's two teams, Cathy Molnar and Steve Gerken, and Mark Carberry, Randy Money and Fred Siekert did not win both petitioning and responding arguments, and so were not eligible to compete in the regional competition's semi-final rounds.

Both teams from IU-Bloomington and the respondent teams from IU-Indy and Northwestern battled in the semi-final rounds with IU-Bloomington capturing the spotlight in the final argument with both of their teams vying for the trip to New York in January. IU-Bloomington's respondent team won the argument and the chance to represent Region VIII in New York.

"We were very competitive," Mark Carberry said. The team felt they did well orally. Carberry attributes Valparaiso's solid preparation to faculty support and practice. "Our faculty did an excellent job in preparing us for all possible questions. We had heard the judges questions before," he said.

The petitioning team of Carberry and Money opposed Wisconsin's responding team in the first argument. Carberry and Money were given 15 minutes each in front of a three-judge panel. Money acted as "swinging man," with Siekert in the responding argument against Northwestern on Friday night. Each team received a combined numerical score for their oral presentation and their written brief.

Valparaiso's strong point every year has been with the oral skills developed over several weeks of practice. "Once again our brief scores proved to be our downfall," noted Gerken. "We have this problem every year—trying to write a brief which will satisfy the judges."

This year, the team spent about one week extra concentrating on the briefs to be sent to the national and regional committees. However, the hard work did not pay off. Eight judges graded each brief. Petitioner's brief received scores ranging from 90 to a low of 69, with an average of 79.0. Respondents Gerken and Molnar received marks of 95 to a low of 70, with an average of 79.79. When informed of the brief scores, Cathy Molnar could only remark, "That's depressing."

The competition for this year is over now and the team members have returned to the process of studying for finals. Tryouts for Tri-Slash Team will take place early next Spring and tryouts for the National Team will take place in May.

Kmiec Interview

By Bill Sawyer

Professor Douglas W. Kmiec, formerly of Valparaiso Law School, is alive and well and living in South Bend. Kmiec taught Property and Land Transfer and Land Use at Valpo in the two previous years. After giving a farewell lecture that left his Property professor "as swing man," with Siekert in the responding argument against Northwestern on Friday night. Each team received a combined numerical score for their oral presentation and their written brief.

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Kmiec also felt that the distance between Lembke Hall and the Law School decreases a professor's access both to students and other professors, which is an essential element of a meaningful legal education. The nature of Valpo's physical campus and the Dean's unwillingness to consider an alternative plan that would have allowed all of the professors to maintain offices in Wesemann Hall convinced Prof. Kmiec to leave for Notre Dame.

Such a plan, however would have required that some administrative functions be performed in Lembke Hall. Kmiec felt that the choice made by the Law School to insensitivity to the needs of a law faculty.

Continued on page 4
**The Myth & the Metaphor**

*Editor: Alan Zimmerman*

"Law school is not hard." --Speech at Orientation

I think that about statement quite a bit, especially while I am poring over my first-year material, which is hard. - Tom, first-year, from recent school, it is beginning to become clearer and clearer that "law school" really is not what it's cracked up to be. What is driving so many of my fellow students up the walls, I mean, to lose all the drive and self-confidence they exhibited on Day One? I believe that those guys who spend every night walking through the library a lot of sessions, or hornbooks, or Casenote sessions, or hornbooks, or Casenote Legal Briefs that you have to drive to Chicago to get, or even in the casebooks themselves.

It is part of the curriculum. It's not in the catalogue. No syllabus contains that professor over deals with it in class.

No, "law school" is not hard. What is hard is making the time mean anything.

A long time ago, I suppose, someone who didn't like law school decided that those are the words they were going to use as a way of saying anything else? So he spun a tale of law school, and of, and, of, at times, selfless, backbaiting hate to deliver to his successors in legal education.

Law school was to be endured, not relished. The film "The Paper Chase" was supposed to be a wake-up call, to indicate the two years of accomplishment always was to be replaced with the fear that was a disrupting, gut-wrenching shallow feeling that you have never studied enough, you are never going to be ready, all the cases that are not prepared for the final examination. Every non-study activity is looked on later with a sense of guilt and self-brow-beating. I shouldn't have laughed the big joke. I shouldn't have talked so long on the phone. I shouldn't have slept. I shouldn't have lived.

The victims of this well-worn story, one that has outlived both time and distance, are now, during these last weeks of the year, going to be making their way on Day One. Bright, chosen, expectant, compassionate personal ties have become introverted, suspicious, self-deprecating. The crowds in front of the Book Store corner where all the books are, are bigger, bigger, grabbing for armfuls of cramming material. And your access to classes once spoiled by the use of a one-dimensional view is not found in Gilbraltars and Paris and Cambridge sessions, nor hornbooks, nor Casenote. Legal Briefs that you have to drive to Chicago to get, or even in the casebooks themselves. It's not part of the curriculum. It's not in the catalogue. No syllabus contains that professor over deals with it in class.

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DEAR THIRD YEAR: For three years Valparaiso Law School to re-vamp the administration intends to expand from experts to cover topics ranging from how to bring an ethics case. of the ethics of altering courses and memo, a class presentation and will about the impending exams. Could the lot of nerve scheduling the holiday season right in the midst of finals. I Farago, and he assures me that there offer my peers some assistance in one's research and "What would you like Santa to bring Harvard Citator, an unemployed supply and demand. A seller is a set of lawyer's briefs with such bits of legalese as 'res judicis," and "accord and satisfaction." Now that lawyers can adver-

Valparaiso University Law exam:
1. Show up early. Make stupid jokes and laugh at others' nervous attempts at humor while you wait for the test to begin.
2. Bring 12 well-sharpened pencils with rubber, a watch and extra new erasers, a watch and extra with the prospective attorney in mind. the quality of Valparaiso-area enter-

If you have already spoken with Dean Farago, and he assures me that there offer my peers some assistance in one's research and "What would you like Santa to bring Harvard Citator, an unemployed supply and demand. A seller is a set of lawyer's briefs with such bits of legalese as 'res judicis," and "accord and satisfaction." Now that lawyers can adver-

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quality hands. It had a Jazz night and a blues night every week with fine Chicago-area talent and filled out its calendar with rock, country and one big-name concert a month. Now Ross's is latching on to the country craze and will soon have only a bit of rock and blues.

Still, there has good acoustics, a pleasant atmosphere and a great deep-dish pizza. If you need to ask the cover or food and drink prices, you can't afford to entertain here. You can afford to drink at the Gridiron Tap in Crown Point, but the question is would you want to? This place is a real zoo—especially on weekends. But it is a relatively safe place to view the wildlife that inhabits a typical region-tap bar.

Every summer the Gridiron hosts a picnic with free food and drink for its patrons. It used to be held at the Crown Point fairgrounds until someone decided to wrestle one of the black bears in the animal cages.

Anyway, the place is located on the Square in Crown Point, south of 30 on 55. Just look for the motorcycles cut from front. To remain inconspicuous, wear the jeans you had on when you left home. When you get there, either order beers or rum/ coke only. .

You may have noticed I didn't make the last issue, I decided needed more time to explore the entire Calumet region. As elsewhere, in the great tradition of Gonzo deadline journalism, I waited until Saturday night, two days before press time, to do all my research. Eleven hours, 167 miles, ten beers or rum/ cokes, 67.08 for a room. For as appropriate dress, you won't feel out of place here in your three-piece.

Cross the street from Ginger's is Rose's, which up to now has been a fine place to impress your date with the quality of Valparaiso-area enter-

Happy holidays and good luck on finals!!!!!!! By Debbie Wildhage

Continued on page 4

CLASSIFIEDS

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mobile home, in city less than 2 miles from highway, heat conditioned, stove & frig, large wood-

frame storage area. Asking $3500, average lot rent $150. This place includes water & sewer. 462-1695

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TYPING SERVICE-FORMER V.U. SECRETARY WITH MUCH EXPERI-

ENCE DESIRES TYPING IN HER HOME. 1156 Ave Avenue (Across the street from Flapper's and next door to Jackson's Bar). Fax: 462-0199 and 462-4625.

PERSONAL—Welcome back Kathy, it's been too long! love, Mark

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December 5, 1980

THE FORUM

Dear Kathy,

Signed, I'm mad-as-hell, but I can take more.

DEAR STUDENT: No state action. Actually, this is only the first step by Valparaiso Law School to re-vamp the Legal Profession course. Next year the administration intends to expand from two to five the credit hours and to re-title the course "Legal Profession and Perspectives": Lecturer Bergman will head up a crack team of ethical experts to cover topics ranging from ethics and the alcoholic attorney to how to bring an ethics case. Unfortunately, time will not permit coverage of the ethics of altering courses and school rules without consulting the procrastinate. The new numerical grade will be based on two papers, one memo, "class presentation and meaningful class participation— and will average about 65.

DEAR 3RD YEAR: I'm scared to death about the impending exams. Could you give me any hint as to what to expect? Signed, First Year

DEAR 1ST YEAR: Certainly. Here are my ten commandments for taking a

Levity and the Law

Whoever coined the phrase "'Tis the season to be jolly" was obviously not a law student. Someone sure had a lot of nerve scheduling the holiday season right in the midst of finals. I have already spoken with Dean Paragary, and he assured me that there is nothing that can be done to remedy the situation. Swallowing hard, I have decided to make the best of things and offer my peers some assistance in answering the age-old question: "What would you like Santa to bring you this year?"

First on the law student wish list is a software publishing house. With new erasers, a watch and extra
days before press time, to do all my research. Eleven hours, 167 miles, ten beers or rum/ cokes, 67.08 for a room. For as appropriate dress, you won't feel out of place here in your three-piece.

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PERSONAL—Welcome back Kathy, it's been too long! love, Mark

...
Bar Review Continued from page 3

appearing four nights this month. The Playboys are a group of male strippers who tour the country making a great deal of money getting naked in front of their all-female audiences. A colleague once told me they do indeed get naked and that it cost her $7 to get into the show. Another blatanly stupid sample of wage discrimination. It costs just a dollar to see naked women in Hammond.

The Seven Seas lounge is on State Street in Hammond, directly across from the First National Bank. Male strippers there don’t make money on the $1 cover but by hustling drinks from the customers. You can buy them a “Champagne Cocktail” colored water on the house for $3 and win their undying gratitude until the next round. Elbert’s seat is a bar in Griffith. Take Cline Avenue north from 30 until it ends, then go one block east. Two other bars there miss the Booze Brothers, a decent band that regularly plays this dive. No cover, just a good time with a bunch of urban cowboys and weekend warriors.

IM Basketball

Barrett

Wacher

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Kmiec

Continued from page 1

Kmiec was known among Valpo students as a maverick on the subject of grades. He terms grades a “necessary evil” in that they “get in the way of education” by demoralizing students. “Attributes not recognized by employers should not mean that they are not recognized by students and teachers,” Kmiec pointed out. Kmiec calls his view a “realistic approach” to grades.

Kmiec says that he enjoys teaching at Notre Dame. A religious affiliation, serious students and a good learning environment for learning are traits that Notre Dame and Valpo have in common. Kmiec is from Valpo in that his student body is nationally diverse, has broader perspectives and a better football team, Kmiec noted.

National Sports

‘The Life of a Rat’

by Ed Biondi

Here we are folks, another edition of “National Sports.” This article will take us to China to cover “running,” to Texas for “football,” and to my other favorite places for a very popular “seasonal sport.”

November was a special month for the sadists and road-haters of China because November was declared “Rat Killing Month” by the Chinese govern­ment. It seems 90% of the supermarkets and restaurants were overrun by the little buggers who had a booming year of reproduction (or why the life of a rat?).

The government retaliated by en­couraging everyone to hunt the ren­dets with traps, poison, paintball guns, nunchuks, kung-fu, or anything else the people wanted. I’m not sure why they gave a prize for the most rats killed, but if you’re planning a trip to China I wouldn’t eat any of their hamburgers for a while.

Johnny Travolta has helped start another fad. After Urban Cowboy, many bars are clamoring to get one of those mechanical “nut-crackers.” The bar featured in the movie, has become quite a craze, and Gillie’s, another fad. After Urban Cowboy, we have the Keeler Stompers, a band of 1-L’s that include two “stuffers” in Mike Clark and Steve Holway. BARD is led by Eugene Parker, a guard out of Purdue. Chain Reaction, purported to be the toughest team in the league, and the Nocturnal Illusions, a sleeper team trying to achieve their wildest fantasies, will also try to win some. In the Brown League we have the Legal Briefs, another 1-L team that represents the only law school team in that league.

Both Chain Reaction and BARD have played two games at the time of this writing, and both have have “Champ Reaction killed Blass and Psi II,” while BARD defeated the Bear criers, while Nocturnal Illusions also only played once but were dealt defeat at the hands of BARD. Legal Briefs have played twice but were not comprehensive enough and lost to the Hostables 27-21 and the Snakes 30-24. I heard a rumor that they have been trying to get Briefman to help them in their quest for victory, but he is presently stationed at the Mount St. Helena volcano helping “Paperboy” and “Roll em” save the world from volcanic ash by containing the stuff in a big bag of JOBL rolling papers.

IM Basketball

Paperboy Saves World

Another intramural season has started, and most of the law teams are getting off to a good start. The basketball season is underway and we have no less than five teams entered. In the Gold League we have the Keeler Stompers, a band of 1-L’s that include two “stuffers” in Mike Clark and Steve Holway. BARD is led by Eugene Parker, a guard out of Purdue. Chain Reaction, purported to be the toughest team in the league, and the Nocturnal Illusions, a sleeper team trying to achieve their wildest fantasies, will also try to win some. In the Brown League we have the Legal Briefs, another 1-L team that represents the only law school team in that league.

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Psi II, while BARD defeated the icemen and Nocturnal Illusions. Nocturnal Illusions had dreams of winning and only trailed by one point at halftime, but they fell asleep in the second half and lost 36-23. Keeler Stompers only played one game so far, stomping the degenerates, while Nocturnal Illusions also only played once but were dealt defeat at the hands of BARD. Legal Briefs have played twice but were not comprehensive enough and lost to the Hostables 27-21 and the Snakes 30-24. I heard a rumor that they have been trying to get Briefman to help them in their quest for victory, but he is presently stationed at the Mount St. Helena volcano helping “Paperboy” and “Roll em” save the world from volcanic ash by containing the stuff in a big bag of JOBL rolling papers.

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