The Forum (Volume 23, Number 5)

Valparaiso University School of Law

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By Kevin Anderson
News Editor

This year's edition of the Monsanto Lecture Series focused on the role of insurance protection in circumstances involving CERCLA cleanup liability. In respect for the students who intend to rely upon this article for exam preparation, I have determined to address the lecture in three forms. First, this article will provide the writer's impression of what was said in a brief outline format. Second, the content of the piece will be reviewed in greater detail. Third, the lecture will be addressed, yet again, from the perspective of some of those in attendance.

But first... a bit about the series. As mentioned, this year marked the seventh annual lecture on tort reform and jurisprudence. Past participants have included the likes of Yale's George L. Priest, Chicago's Richard W. Epstein and Peter W. Huber from the Manhattan Institute for Policy Research. The endowed lectures are sponsored by the Monsanto Corporation.

But first... a bit about the series sponsor. On the U.S. EPA's list of the nation's corporations which emit the greatest volume of toxic chemicals into our environment, Monsanto ranks second. Its Alvin, Texas facilities have been fined previously for a similar oversight in 1987. Nevertheless, Monsanto, as a good corporate citizen that sponsors endowed lectures at one of our finest law schools, pledged to reduce its rate of airborne emissions in 1992 by 90% from its reported 1987 emissions. (This writer will keep all informed regarding their success.)

This year's speaker, Professor Kenneth S. Abraham is the Class of 1962 Professor at the University of Virginia School of Law. A paper which is to accompany his lecture will be published in a future issue of the Valparaiso University Law Review and also in a monogram format.

From an outline point of view, the Professor identified the problem in terms of the unjust enrichment of litigants due primarily to the transactional costs (e.g. attorney's fees) involved in Superfund cleanup. Could we adjust the allocation of responsibility and arrive at a negotiated percentage of payment? If so, would this be the insurance industry's source of aggravation for the foreseeable future?

For the second time in as many years, the hourly employees of Valparaiso University have rejected the efforts of large national union to organize them. The struggle to show the University's employees both sides of the equation has been successfully led by Sharon Charbonneau, an administrator in the Career Services department at the University Law School. Through her work as a secretary for the Labor Relations department at U.S. Steel, Charbonneau has developed a working knowledge of how unions operate. This knowledge enabled her to deal with the issue of collective bargaining for hourly employees here at the university.

For the past few years, there has been a rush within the ranks of the university employees (food services, housekeeping, physical plant, security, and clerical workers) to join a union. Many of the hourly employees on campus have complained about wages and working conditions and blamed the administration for not taking their grievances seriously.

After receiving a call from a group of disgruntled workers, the Service Employees International Union (SEIU) embarked on an attempt to organize the workers from physical plant, clerical, food services, housekeeping and security. Charbonneau, out of concern with how the university's hourly employees would benefit from unionization, contacted the author for information about the SEIU from the U.S. government.

Unfortunately, the overnight imposition of CERCLA liability on American industry created a mature scheme of liability without a complimentary mature body of case law to interpret it. The confusing void which developed can be expected to be filled through expensive litigation with high transactional costs (e.g. attorney's fees) in approximately a twenty-year span of time. Unfortunately, one must remember that, in the meanwhile, the population as a whole (e.g. your grandmother) is picking up the tab for this wasteful legislation. Much of the "whole population" predominantly expect the insurance industry to pay for cleanup without court challenges has caused the litigation costs (e.g. attorney's fees) of toxic tort cleanup to impact upon the population as a whole (e.g. your grandmother). The U.S. EPA has become the "Environmental Collection Agency." According to the Professor, transactional costs (e.g. attorney's fees) make sure that "only the lawyers clean up under CERCLA."
From The Dean's Desk

By Edward McGlynn Gaffney Jr.

I can understand the feeling that several of the students who work hard to produce a newspaper might have when many of them end up in a statement of criticism of their paper. It may feel to them like censorship. That, at least, is the word that has been going around paper.

The Chinese government is forcing abortion on its citizens. The Chinese people are not protected by a national constitution. The abortions are forced by the state. The people do not want to get rid of their children, but they have no choice. Stith concluded that the elite, even though they are concerned about population pressure, have the economic means to keep the unborn baby. Stith concluded that the climate in China is in favor of policies controlling the United States, where children are often seen as inconvenient. The Chinese students in Stith's class had intellectual curiosity and were interested in finding out more about the abortion issue. They had no idea that the climate in the Chinese school was not suppressive, even though there was no copy editor in Stith's class. The climate of non-accessibility was not strong there. For "There is not the absoluteness of political correctness [in China] as here in the United States.

example, Stith gave his students pictures of aborted babies in an attempt to convince the students of the need for a formal resolution that was not effective. Stith has not even dreamed of doing to this at V.U. In fact, Stith was once boarded by a law school administrator here at V.U., that he could never mention abortion in any of his classes, the dean of the Chinese school, a communist, did not give Stith any slack. Stith did mention however, that he has been able to have gone away with speaking favorably about the Tiananmen Square experience.

While in China, Stith lectured in Beijing at the International Conference on Comparative Law. A Chinese academician then asked that abortion is the stumbling block to human rights because the legalization of elective abortion removes the principle basis for all human rights. The Swiss professor was not censured or censured.

Towards the end of his presentation, Stith stated that he realized that while all of his experiences could have been a fluke, they all pointed in the same direction - of open-mindedness and intellectual curiosity. In Chinese society as a whole, Stith said, there is not the absoluteness of political correctness as there is in the United States. In the United States, the media sometimes have to be censored, but not abortion victims. Stith ended the talk by asking the question: "Why are so many people in this country so close-minded compared to the people in communist China?"

After the lecture, Stith fielded questions about the Chinese government's policy on contraceptives, the standard of living and health care in China. The Chinese government has no overt policy on abortion, although many aborted babies are allowed to die (ie. not given sufficient food or care) because adoption is not allowed by law. Many children are abandoned only because the mother has no choice. Moreover, it is unlikely that any one will be punished if they allow the babies to starve to death.

When it comes to health care, the socialized medicine concept is not as strong as in the United States. Everything is free because every thing is publicly funded, but do not expect competence. Stith said, yet, there is not the extreme mis­ery in almost all of China that there is in India and Mexico. One student attended, who had spent some time in China, said that the "Chinese [people] are very, very poor, but [they are] all equal."

In this sense, I find it easy to accept criticism fairly easily as a perspective that I happen to be tempted when I feel impelled to do. Because of my regard for the orderly stance and authority that are hallmarks of the legal profession, I felt that it was part of my duty as Dean of this law school to criticize the tone adopted by one of the columnists, but I did not intend my column to inhibit the ability of others to speak out. Following this reading the latest issue of The Forum, moreover, I did not notice that my views have had that effect.

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**Viewpoints**

**The Forum**

**Cheers & Jeers**

**Cheers...** To the School of Law for hosting the Board of Visitors three weeks ago. Hopefully the information that they gathered, both positive and negative, will be given consideration by the Administration and the faculty.

**Cheers...** To the students who shared their views and concerns with the Board of Visitors. You exercised your right to be heard, and may now justifiably complain about the School of Law.

**Jeers...** To the students who did not come to meet with the Board of Visitors (at least those who continue to complain about the School of Law). You were provided adequate written notice; there is no excuse for any complaints now.

**Jeers...** To BLSA for further polarizing the issue of race in our society by stereotyping all whites as racists or sociological morons in the cartoons on their bulletin board in the main hallway. This constructive step is sure to enhance the dialogue between all racial and cultural groups.

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**The Clinton Mandate**

(Shown Actual Size)

**Pilgrim In An Unholy Land**

By Mike Thompson

The Voters Always Get What They Deserve

Now that Election Day is over, I am reminded of three relevant quotes. The first one is, “Be careful what you wish for; you just might get it.” Come January 20th, Governor Clinton will be President of the United States. The American people have spoken. They said they wanted a change, and, by golly, they’re gonna get one.

Change is on the way, whether I want it or not, so let me just say this: you have been warned. If this country reverts to Third-World nation status, if your party was on the losing side of this election, I am still filled with awe and pride when I examine this wonderful experiment we call America.

When you look at the way men cling to power all over the world in countries that are nothing much more than a few handfuls of dirt, it makes you appreciate more than ever how this wonderful experiment we call America works.

Even though my party was on the losing side of this election, I am still filled with awe and pride when I examine this wonderful experiment we call America.

**The Right Side**

By Daniel Baksa

Editor

The King & The Pharisees

Advent is here. It is the season in which we prepare for the celebration of Christmas. We celebrate because God so loved the world, He sent His only Son to us for our salvation.

It is appropriate during this coming season of Christmas to remember the life and message of Jesus.

The message Jesus delivered was one of peace and love, tolerance and freedom. He extolled us to do that which is right.

When you look at the way men cling to power all over the world in countries that are nothing much more than a few handfuls of dirt, it makes you appreciate more than ever how we are blessed and fortunate to live in a country that they be successful in the best interest of the whole mankind.

The third and final quote that I’m reminded of comes from Beau James, one of my favorite movies of all time. It is a movie about the life of Jimmy Walker, the mayor of New York City during the late 20’s and early 30’s. He presided over an administration in which graft and dishonesty flourished. His opponent, Fiorello H. La Guardia, warned the voters that this was exactly what would happen in the Walker administration, but despite his warnings, the voters put Walker in office. As scandal after scandal was discovered, Mayor Walker was forced to resign. What he said in his resignation speech is something I hope everyone will remember four years from now if the things I’ve warned you about come to pass:

"Remember this... the voters always get what they deserve. I wasn’t the only chump in this city, it took a lot of you to elect me."

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**The Right Side**

December 1, 1992

By Daniel Baksa

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During His public life, Jesus extolled to us to do that which is right. When He encountered something that was wrong, something that was a sin, He stood up and said that it was wrong. Not only did He speak out, but in His anger, He took action. There is an account in the 21st Chapter of the Gospel of St. Matthew in which Jesus went into the Temple precincts, overturned the tables of those people who were defiling the Holy Place, and cursed them as hypocrites and blasphemers. Furthermore, He said that those who rejected His Word would wind up in hell, wailing and gnashing their teeth. But just as His message fell on deaf ears back then, so do they today. There is no doubt in my mind that He would be accused of being negative, mean-spirited, intolerant, so the feelings of those who He criticized. He would be crucified even today.

He is reviled by the modern-day Pharisees, those in authority who relish their authority and prestige.

"He is reviled by the modern-day Pharisees, those in authority who relish their authority and prestige affect on our mortal souls. We must choose to do that which is right."

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He is reviled by the modern-day Pharisees, those in authority who relish their authority and prestige. This will then lead to lack of unanimity of purpose, necessary for all military success, and will irretrievably impel our nation’s defenses.

Futhermore, in this age of AIDS, we, the taxpayers, will be paying for the medical treatment of not only disease-infected homosexual military personnel. We, the taxpayers, will also have to remove any planks in their eye before pointing out the speck in our neighbor’s eye, we must never lose sight of the fact that there is but one Truth, one Way, one Answer.

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Which brings me to a current issue in the news. An institution in which I proudly served and held dear is about to be sacrificed on the pagan altar of political correctness. The politicians who never wore the uniform and spent their time smoking dope in England when their country needed their help, now say that homosexuals must be allowed to revel in their Sodomistic glory while serving in the armed forces of the United States of America.

For those of us who believe homosexuality to be an abominable sin against nature and nature’s God, the issue is one of concern. This is an issue that those of us who have served know that the officer and the NCO is held out by the institution as a role model. These men are crucial examples to be emulated by young, impressionable recruits.

The military’s mission of deterrence and destruction cannot be successfully accomplished by leaders who are more concerned with pleasing “politicos” than their authority and prestige.

The behavior of openly flaunting their homosexuality will result in the loss of that respect which we as a nation must demand of our armed forces.

Those of us who answer know the pagan alter of political correctness and will irretrievably impel our nation’s defenses.

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On a more cheerful note, finals will come and go and then Christmas will be with us. May the peace and joy of Christ be with all of you.
To The Editor

Forum Fair and Balanced

Dear Editor:

Thank you for the latest copy of The Forum. Like the prior one, it is a well-done presentation of a very much needed point of view. I would think, or perhaps just hope, that your law faculty would support and encourage it, in the interest of fostering thought and useful debate, no matter how strongly they hold opposite views. I am disappointed that a number of them have instead mounted a name-calling attack, unsupported by any statements of fact, that can hardly serve except to chill debate.

Keep up the good work.

Lino A. Graglia
Professor of Law
University of Texas(Austin)
School of Law

Vandalism Inexcusable

Dear Editor:

Saddened, but not surprised. That is how I felt after noticing that someone stole the poster from the Jus Vitae bulletin board. The one foot by two and one-half feet plastic poster stated that “One in Three Babies Dies from Choice.”

For the first time in Jus Vitae's history at this law school, we experienced three continuous months without having pro-life signs torn down. What a record. But some poor soul thought that it was her or his duty or right to steal someone else’s property.

I am asking the thief to return the poster to its rightful place, up on the bulletin board. There are more blatant ways to educate the law school community about abortion, but I would rather approach the subject reasonably. I wish I could continue to do so, but it seems that the far-left, radical, pro-abortionists (excuse the redundancy) will not listen to reason and the facts of the abortion procedure.

Jim Kraayeveld, 3L
Jus Vitae President

Celebrate Martin Luther King Day

Martin Luther King Day is quickly approaching and in celebration, Valparaiso University will offer an entire day filled with various events. This will take place next semester on Monday, January 18, 1993. The university looks to continue the success which was enjoyed at last years' commemoration by extending a special welcome to all who wish to participate.

It is particularly important to remember Martin Luther King and his accomplishments because he endeavored for unity. In addition to the substantial legislative influence he exercised upon Congress, he was also awarded the distinguished Noble Peace prize. Doctor King organized marches and rallies to protest the hideous racism that overshadowed the nation. His work was instrumental in his day, and continues to be a source of inspiration in the lives of many individuals.

Valparaiso University has waived classes for January 18 in order for the community to observe M L K day, and to learn how his message is still relevant for us today. The activities will commence with the Gathering of the People, a march on campus, at 10:00am. The undergraduate school will hold various activities from 10:00am to 9:00pm.

The Law School will partake in the celebration with a program from 12:00pm to 5:00pm. The film Eyes on the Prize will be shown from 12:00pm to 1:00pm in the Tabor classroom. An oral argument dealing with the issue of “Is redlining in the insurance business a form of racial discrimination in violation of the Fair Housing Act?” The MLK committee is currently in the process of securing the attorneys which argued a recent 7th Circuit case dealing with this issue, along with two law school students. The oral argument will be followed by a panel discussion on the relevance of MLK in the 1993. The panel will consist of a mixture of students and faculty members. A student will moderate the discussion much like a talk show.(Oprah's on/Here's Phil).

These activities are offered to celebrate the life and achievements of MLK, and to inform students of his accomplishments. We encourage everybody to take advantage of these activities.

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Trompe Le Monde

by Mark Hansen

For almost a year I have been writing for the Forum in one form or another. For the entire time I have had one basic theme for all my columns, yet amazingly it has only been recently that I have had any response from the faculty or administration about what I had written. Now, that I have said what I thought needed to be said, it is time for me to stop writing this column.

I admit that I may have been cynical, caustic and perhaps a bit distasteful, but when a person is competing in a job market where people from schools like Notre Dame get first preference at jobs, you can learn to be cynical. But the important thing is that it is time for me to put regret behind and prepare to live life in earnest.

I have gone to eight years of grade school, four years of high school, four years of college, and now I am ending my third year of law school. For nineteen out of my almost twenty-five year old life I have been in school. All I have ever really known is school, and I guess every school I have attended has flaws similar to Valpo Law.

When I first started writing for the Forum I was told I would have creative control, it is amazing what can happen in a year. I must be honest in that one factor for the surcease of my column is that my style has been curbed. I would hate for the wit that I strived for to deteriorate into self serving banter similar to a form letter, or to vainglorious ravings of political ideology. I guess the only result of my column was that Dean Berner recently invited me to his office to discuss my views. I have not been able to meet with him yet but I intend to in the near future. It will be interesting to see how he responds to what I say.

For this year I have written what I perceived the truth to be. I do not think that anything I have said has been refuted. So for my final column I will use a personal anecdote and turn it into a parable about truth. When I was in high school I had an arch nemesis. He weighed at least thirty pounds more than me and taunted me perennially. The conflict arose because my personality does not lend itself well to being taunted by people I hate. So one day after school, while the students loitered in a parking lot, my nemesis went about his business of taunting. I responded in kind.

That day I responded to my nemesis that it didn’t matter what he said about me because I was blessed not to be going out with a girlfriend as ugly as his. She was present at the encounter and the small group of students could see that it was true, his girlfriend was horrendous, not that my nemesis deserved any better though. Well, a brawl ensued and after what I hope was a valiant effort I lay on the ground, my nose broken and gushing blood, tears welling in my eyes from the pains in my head and body. My nemesis similarly battered, gloated above me and asked what I thought of his girlfriend now. As I picked myself up from the ground, I squinted from my blackened eyes and told him that she was still “ugly as sin.”

The moral of the story is that the truth hurts. It hurts the person who it is directed against, and it hurts the person who says it more. It is funny that lies always seem to build the ego, while the truth seems to tear it down. Maybe that is why people accept lies more than the truth.

The jejune of the spirit can be overwhelming. That is why I will end with a benediction that these are days of change and emotion. Soon my class will begin the business of living a quixotic quest to seek more than this. We will leave and Valpo will remain behind.

Greenwhich Street Blues...

By Jenji Sackett
Managing Editor

It really doesn’t matter that I have driven home to Chicago at least fifty times from Valparaiso, I still managed to get lost on my way home this weekend. When I saw the signs welcoming me to Wisconsin I realized I had made a wrong turn somewhere, so I exited the expressway only to find myself at a very large shopping mall. Well, Christmas is approaching quickly, so I was going to make the best of my little mishap and get a start on my Christmas shopping.

I walked into the mall, overwhelmed by the smell of fake pine and the sight of fake snow. I tried to disregard what I saw, blaming the poor decor on being near Wisconsin. I walked into the nearest and least pine-scented store. “Hello, can I help you...are you looking for something special?” This was my greeting. I felt like responding, “Yes, he is six-one and...” but I refrained and forced a smile and a “No, thank you.”

Every generation has a “meaning to Christmas. Christmas has traditionally been a religious holiday for sacred prayers, a family time, and a time for children and fantasy.
Ignorance and the Resurgence of Censorship

By Robert Lakefahr & Phaedra Walker
Guest Columnists

On October 28, a conserva-
tive radio host scheduled to p
appear at a "Pro-American Rally" held by The Americans for
the University of Wisconsin at
Milwaukee, was confronted by a
mob of student protestors deter-
mined to prevent his talk. The
protest succeeded. Armed with
whistles and signs, the estimated one
century protestors screamed, chant-
ed, blew their whistles, and threw
toys, ice and other objects at the
guest. Fearing further violence,
the speaker left.

"Nowhere is the First Amendment more
imperiled than on college
campuses."
The quotes from the above paragraph have not been identified as such.

"How did things get this way? After all, less than a genera-
tion ago college students were
demanding more freedom of
speech. The simple answer is
"ignorance." College students no
longer understand the historical
roles of political correctness and
constitutional protections. A 1989
survey conducted for the National
Endowment for the Humanities
reported that less than one-half
of the 700 college seniors it sur-
veyed could correctly identify the
founding principles of American
politics, and more than one-third confused the words of Constitution of the
Soviet Union with those of the
American Constitution. As the
NEH report noted, students
understanding of the Constitution is
superficial.

But instead of instituting a
more rigorous program in the
fundamentals of American politi-
cal philosophy, most colleges and
universities have allowed the
emasculating of their student body,
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The McCain Institute, a D.C. think tank. It is re-printed
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America has undergone dramatic changes in the last several
decades, many of them extremely harmful to our families. "In our
day, grass was mowed, coke was
a cold drink and pot was some-
thing you cooked," said a letter
received in the Freedom Alliance
offices and titled, "For all those
born before 1945."

Reflecting on the Baby
Boom generation, it said, "Rock
music was a Grandma's lullaby and AIDS were helpers in the
principal office.

One of the most alarm-
ing changes in American society has been the rise of the "homo-
sexual rights" movement and the
deadly disease AIDS that is
killing innocent newborns and
others. But the "gay rights"
movement has spawned an orga-
nized group of pedophiles known as
NAMBLA, the North American
Male Bondage Love Association (NAMBLA), whose members prey on little
boys, sexually abusing them and
temporarily contributing to the
spread of AIDS.

NAMBLA's ads have been
carried in homosexual news-
wires and its members have
operated in "gay rights" parades.

It was recently revealed
that NAMBLA, with chapters in
various cities, has been meeting in
a public library in San
Francisco, in a few days before
children's reading room and a
short walk from a public school.

The police said that about a dozen people associated with the
group have been arrested on child molestation charges. One
NAMBLA member, who tested AIDS-positive, was suspected of
having more than 130 victims.

In an interview, a NAM-
BLA spokesman said, "In the
children at any age know what
they like and don't like. The
spokesman told an undercover
operative how he tried to pick up
boys at arcades.

Though Jeffrey Dahmer,
the serial killer who was
sentenced to life in prison, was not a known active member of
NAMBLA, he was a homosexual/ pedophile who targeted
little boys in this country.

Syndicated columnist
Samuel Francis commented, "Unlucky to satiate their passions in
normal fashion, 'gay's' must
return to the bizarre and the mor-
bid, reducing sexuality to orgies
in order to gain release. Every
sinful sexual act is seen as a
right, and bars that makes it to the light of
day is the same: group sex, multi-
ple couplings, sadomasochistic
variations and pedophilia.

Jeffrey Dahmer may have
been an extreme case, but he was
the logical extreme that proceeded
from sexual ignorance, studen
to their students to take a course in
the history of Western civiliza-
tion, and in a few days before
thirty-eight percent require no
history at all. Then this diluted college curricu-
lum is coupled with the frightful
ignorance of high school gradu-
ates, the results are a predictable
failure to grasp or appreciate the
basic principles of freedom offered by the First Amendment right.

Beyond the considerable
gaps in the formal curriculum, the
information "brown-sale" of young
government, it said,
born before
also, the students who share your views, are bol-
stered by their heartfelt desire to
create a more amenable environ-
ment for minority students, and the
ironic notion that "tolerance"

In addition, over the
last several years. In addition, over the
top-flight schools during the past
decades, many of them extremely harmful to our families.

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}}
Collective Project On Environmental Racism

By Adam Stern
Asst. Viewpoints Editor

A collective project has begun by the Equal Justice Alliance, MELC, BLSA, the Federalist Society, HLSA, Health Law Association, WLSA, JLSA and the Christian Legal Society on the topic of "environmental racism." The premise the project is operating on is that minority neighborhoods are exposed to a higher level of all forms of pollution than white neighborhoods. The topic of environmental racism is an "emerging concept" in the law, and we would like to be on the cutting edge of the research.

Besides the above mentioned organizations, numerous faculty, students not affiliated with any student organization, and practitioners in the field have also joined on. We are looking to spend the next two months researching the issues, followed by two forums at the law school. The first in mid-February with students presenting, and the second, in late February, with faculty, alumni and practitioners presenting. And this all followed up by publications by law newspaper and a legal journal.

We are looking at the issue from a variety of angles, including economic, statistical, health, discriminatory intent and effect, and community involvement. If anyone would like additional information, please contact Kevin Anderson or Adam Stern, lockers 27 and 470, respectively.

Career Services, From Page 2

Two weeks ago we began summarizing the Class of 1992. Questions regarding the perceived value of the pro bono program are included in the survey. Of the 41 responses received, 71 percent of the responses indicate that the pro bono program is beneficial, and 17 percent said that the program helped in their job search.

Coupled with the fact that the vast majority of the population are not served or underserved, pro bono work is in everyone's interest. As U.S. Supreme Court Associate Justice Sandra Day O'Connor stated in her presentation at the 1991 American Bar Association Annual Meeting Pro Bono Awards Luncheon: "The American Bar Foundation has estimated that nearly one quarter of all poor people each year have a civil legal problem deserving a lawyer's attention. But publicly funded attorneys can handle only 12 percent of the load. According to the ABA, 80 percent of poor people's civil legal needs go unmet. In big cities, the problem is even worse. In Los Angeles, for example, there is an estimated 800,000 people each year who need legal services but cannot afford them... every day, all over the country, people lose their homes or apartments when the law says they should keep them, and people can't feed their children when the law says they should be able to feed them. People don't know the rights they have and even if they know the rights they have, they don't know how to enforce them. And it all has one cause: many people desperately need legal services but can't afford to pay."

I applaud Valpo's student groups and activities that assist people who are less fortunate. One of the best formulas for success is "to do well by doing good."
Union, From Page 1

If the university is to avoid the United Steelworkers, Charbonneau believes that the university must begin to seriously address the hourly’s grievances. Issues concerning wages, safety at the workplace, and uniform codes are just some of the issues that continue to divide the university’s management from its workers.

Charbonneau feels that the way to address these issues is through the creation of an “internal union” at the university. The dues would be $1 per month. In addition, a representative would represent the collective grievances of the workers. One important aspect of this idea is that it keeps the problems of the hourly employees internal to the university without the powerful national unions getting involved.

Charbonneau, while not being anti-union, feels that some unions are more interested in collecting dues than they are helping the workers that pay them. Within the last ten years, 500,000 jobs have been lost as a result of deadlocks between the United Steelworkers and the management of a variety of corporations. Charbonneau feels that the union will come to unionize the hourly employees simply for the survival of the national organization. In addition, she worries that if the union is successful next time, the financial health of the university, which is private and without the benefit of state funding, may suffer.

Charbonneau said that she hopes that other hourly workers follow her lead, and push for an internal union here at the University, one which the university is to avoid the control over and which would be private and without the involvement of a variety of corporations.

The National Labor Relations Board voted down by a 125-57 vote. The union was brought up was one of an increase in both the unions and the university’s management from its workers.

An important issue that was addressed in the committee were not interested in sincerely addressing any issue that came before it.

The union is absorbed in union dues? Those included employees from workers that were allowed to vote paid an in pay.

The workers that continue to divide the university’s management from its workers.

The workers that pay them. Within the last ten years, 500,000 jobs have been lost as a result of deadlocks between the United Steelworkers and the management of a variety of corporations. Charbonneau feels that the union will come to unionize the hourly employees simply for the survival of the national organization. In addition, she worries that if the union is successful next time, the financial health of the university, which is private and without the benefit of state funding, may suffer. She wonders where the money for wage increases that the union promises is going to come from when the university currently has a tight budget.

Charbonneau said that she hopes that the other hourly workers follow her lead, and push for an internal union here at the University, one which the employees would have more control over and which would be more attuned to the needs of the University’s workers.

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1. Bonded in (p.
5. For all
10. The Unplugs
2. Karamoko
6. Coors Lite
11. The Loyal
3. 99 cents -- Bucket-a-Beer
7. Shooters
12. Shooters
4. New
8. Coors Lite
13. New

Solution on page 5

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Wednesday -- Shooters Nite -- $1.00 Shooters
Thursday -- Coors Lite 99 cents -- Bucket-a-Beer
2 quart bottles of Miller Lite -- $5.00
Heard In The Halls

By Kip Winters
Columnist

The Way I Heard It...

...much to the misconception of many law students, CALI is not a exam preparation program, it is actually design to emulate a frustrating and repetitive problem in order to test the outer limits of one's psyche. CALI actually stands for Carnivorous Alligators, Lizards, and Insects or something like that.

...Stress is in the air. Award goes to the LLs for finding J's as a salvation to sanity in law school. The retention can be fought. ...vileur dress .. .it's all too much, dress me now .

...fetishes. Did you ever have a serious yearning for your girlfriend to dress you up as a woman. Think of the bright red lipstick, the shocking blue eye shadow, the ruby red blush, the taught silky panty hose, the...retains.

...3) Which professor is that with Dan Quayle?

...1) All I know is that check #523 is missing, and I have the amount of $250 written next MILK. All I remember is that it's suppose to be alot better than his weekly breakfasts.

...I know it could kill someone else, but it gets a little cold outside between classes. recount.

...Pre-registration Gate. The Trino years. You shall take the criticisms, ask for no help, expect no thanks, and only hear from the people after you act.

...Should she go or should she stay? Should we go or should we stay? Social ping pong. I think we have quite a team. (Majority should be confused, because this is a very inside joke, so read on).

..."Let me just state that Racquetball is better than a cold shower. It is not a mere coincidence that you hit a blue ball with all your might against a wall repetitively until you score or someone gets hit."

...the Moct Court has achieved something often talked about but seldom carried out...They have plain out...taken it.

...crunch time is here. The secret studying spots will be revisited, outlines will be fondled, stress will peak, kindness will be banned, and hormones will sizzle. Good luck to all!!

Merry Christmas & Happy New Year

Helen & Courtney's Movie Reviews

Prince of Tides

This movie review is dedicated to Dean Berner—he specifically requested it.

Ode to Dean Berner: A Haiku

Oh distinguished Dean, Evidence king, Contracts stud, We are not worthy!

This movie appeals to many as it encompasses a plethora of movie themes: guilt, shame, death, romance, adultery, suicide, and any other emotional turmoil you can imagine. Tom Wingo (Nick Nolte) is called to New York after his sister attempts her second suicide. His sister's psychiatrist, Susan Lowenstein (Barbara Streisand), needs his incite to determine the underlying cause behind his sister's repeated suicide attempts. Streisand's iron exterior, brainy disposition and confident air (not to mention her short skirt) break down Nolte's defenses and he eventually falls in love with her. (Incidentally, Streisand is at her best when she tells her pompous hubby to take a flying "*#%".) Nolte extends his stay in New York away from his wife and kids to develop their passionate affair. As Nolte continues to help Streisand treat his sister, Streisand realizes that he suffers from the same torment that drove his sister to suicide.

What unfolds is a moving story of a family's attempt to suppress a vicious and criminal event that happened early in their lives. Not until Streisand uncovers the truth does each family member realize what a profound impact the event has had on them. Good call, Dean Berner! This is an excellent movie and we highly recommend it.

Last of the Mohicans

O.K. guys, long hair, bare chests and loin cloths are in. Daniel Day-Lewis—possibly the sexiest man alive—uncovered our hidden passion for the savage looking man. This movie takes place on the Frontier during the French and Indian war. Lewis, as Natty Bumppo, comes to the rescue of beautiful Cora Monroe and her sister, Alice, as they journey to Fort Henry to rendezvous with their father. Lewis abandons his distrust of the English and joins forces with them to fend off the vengeful Mohican nation. In the midst of war and strife arises the forbidden love between Lewis and Cora. During the rigors of battle, Cora sheds her prissy exterior to become more a part of Lewis' wilderness world. (We decided we would do anything to become more a part of Lewis' wilderness world.) The climax occurs when Lewis rescues Cora from the evil clutches of bloody thristy, psycho Magua. Both Cora and Lewis suffer great loss, but—as often happens in the movies—love conquers all.

Although the majority of this movie was about the romance between Natty Bumppo and Cora Monroe, it also revealed the hardships of Frontier life. The viewers sees the great sacrifices made by the settlers and the indians as our nation was built. Another "can't miss," especially to see Daniel Day-Lewis in his skivies.

Organizational Update

By Adam Stern & Beth Parsons
Columnists

This feature will appear in every issue of the FORUM. If any group would like to submit information, please drop a note in locker #4 and the editors will give the only organizations who responded to our request for information:

EQUAL JUSTICE ALLIANCE

EJA would like to thank everyone for the success of the walk-a-thon and the boxer short sales. The walk-a-thon raised almost 600.00 dollars for the summer grant fund. The boxer shorts will be available the last week of classes.

HEALTH LAW ASSOCIATION

Health Law has purchased a copy of Magic Johnson's AIDS awareness videotape. It will be put on reserve at the Library next semester, and will also be shown at the school in January.

JEWISH LAW STUDENTS ASSOCIATION

JSLA's annual Chanukah celebration will be held on Nov. 30 at 4 p.m. in the Atrium. All welcome.

LAW SPouses

December 2, 1992: Our Christmas dinner & shopping trip. We'll meet at 6:00 p.m. at the library entrance of the Law School. We'll then proceed to Cara Gallardo's (across from Southlake Mall) for a 6:30 p.m. dinner. After that we'll go shopping at Southlake Mall. (Hang on, husbands and boyfriends, we women will encourage each other to spend money!)

December 9, 1992: Our annual Christmas party at Julie Stegelman's house. We will start at 7:30 p.m. Please bring a $5.00 gift along for our gift exchange and a plate of cookies. Julie's address is 1207 Sturdy Rd. Phone: 464-4148.

December 18, 1992: Since law spouses know how to party, we'll have another party at Lesie Pearman's house. Take some snacks along and be there (with your after-two-weeks-of-exams-zombie-husband) at 7:30 p.m. Lesie's address: 6839 Van Burn St., Merriville. Phone: 769-3015.
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The Rentner Senate of The Delta Theta Phi Law Fraternity Congratulates Our New Inductees

The Members of Delta Theta Phi:

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Ryan Beall      Beverly Boenning  Ken Bergerding
Bryan Bradley  Carl Brizzi      Steven Brown
Joe Calderon   Gretchen Cepek    Glenn Champion
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Brad Rippen    Troy Rafferty
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Scott Sibley   Colette Smock    George Straschnov
Stacey Strentz  Jim Thompson    Natalie Vangel
Andy Wilson    Holy Winklejohn  Kip Winters
Chip Woods

Wish to Congratulate and Welcome:

Mary Annerino     Wendy Barnes  Christopher Becker
Michael Bellich  David Berry     Amy Beeze
Jessica Bowman  Clare Bradley    Dione Carroll
Heinke Cockerill C. Jefferson Cragen  Heather Cubilberton
Andy David     Shannon Delamar    Christine Drager

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Jennifer Herman  Daniel Hurst     Karen Jenkins
Renée Kuhs       Deborah Kuzman  Marjorie Lawyer
Justin Lebamoff  Michael Lee     Scott Loiz
Doug Martz     Ilse Masselink    James Mills
Brad Moyer      Blair O’Connor  Bruce Parent
Daniel Parameter Jennifer Pastori

Mary Ann, From Page 1

is on a fixed income, so this is not a good thing.

Professor Abraham proposes that the legislature respond to the problem it created by eliminating the high transactional costs (e.g. attorney’s fees) involved in a CERCLA cleanup situation. This can be accomplished, according to Abraham, through legislation which establishes percentages of liability for costs at each site. The insurer, who may be held 100% liable in one instance or jurisdiction and not at all in another is unlikely to challenge an aggregate allocation of, say, 40%. This will permit the polluters to pick up the tab for the remainder through either direct payment or participation in a risk pool. Consequently, allocation of responsibility will not be determined on a case by case basis, thereby, doing away with transactional costs (e.g. attorney’s fees) so that your grandmother can continue to afford to use her electric blanket.

As national players, both the insurance companies and corporations like Monsanto will likely welcome such legislation. They can fight their battles through their lobbyists, rather than the courts, in an attempt to influence the equitable allocation of percentages of liability.

The crowd had widely divergent reactions to the lecture. Dean Gaffney declared that he will order several hundred extra copies of the monogram edition for distribution to the honorable members of Congress. Monsanto representatives in attendance were all smiles as they exited the auditorium. One mid-level attorney for an environmental enforcement agency repeated the Professor's declaration "only lawyers clean up under CERCLA" and asked, "Why is this bad?" The answer was simple according to this unnamed governmental source, the insurance companies and the big business polluters should participate in any profiteering that takes place.

Some left no less worried about the economic fitness of their grandmothers.

Recruiting Update

Since we are approaching the deadline for the earlier signing period, it is necessary to give an update of the earlier recruiting.

As already mentioned, Wisconsin has already signed Rashard Griffith and North Carolina has signed 6-6 Jerry Stackhouse. LSU has signed the two top highschool guards in the country, Randy Livingston and Ronnie Henderson. Indiana has also had a good recruiting class with the signing of 6-4 Sheron Wilkerson, 6-10 Robbie Egges, and 6-11 Richard Mandeville. Finally, Duke got its normal harvest of talent with the signing of 6-4 Jeff Capel, and 6-9 forward's, Greg Newton and Joey Beard.

Obviously, this is only a partial read on the upcoming season. Since this only represents the top 12, teams such as Iowa, Tulane, Iowa State, Oklahoma, Memphis State, and Connecticut will probably be in and out of the top 20 this season. However, in my opinion, only the teams in the top 8 are capable of winning the championship. (I guess it does not take a genius to say this).
College Basketball Preview - "It's About Time!"

By Adam Karp

College Basketball Preview - "It's About Time!"

The question on everybody's mind is who will finally get to the Potomac finish line that they call Duke. After winning the National Championship the last two years, society definitely needs another champi-

on to develop a new ball-a-chip problem during the season (definitely good) Except for a handful of impact freshman recruits and junior college transfers, Duke will need an additional group of solid players to play until January because he is the start-

ing quarterback on State's football team. When Ward returns, State will have a tremendous three guard rotation of Ward, Ed Davis, and 1/lab Sewell. The Hill Circuit, State returns awesome power for-

ward Doug Edwards, and the athletic Rodney Dobard. Florida State needs to redevelop a solid bench-a problem during the last year was that there were too few backcourt problems, nobody could pick up the slack.

4)Wake Forest-Duke returns 3 starters, Buddy Harrell, and Tommy Williams and the multi-talented Grant Hill. For Duke to repeat(unlikely), Duke needs sophomore center Greg Ostertag. Wake will step up his game.

Under the absence of teams, will not collapse their defense and will have to play a more honest defense against the 3 returning starters. If Parks provides that inside force, Duke could be a good bet for their 5th straight final four appearance.(A big 7)

5)Kentucky-Coachtini returns one of their top players in America in forward Jamal "the Monster Man". Although losing 3 starters, Pitino had the best recruiting class in America. Jaco Rodney Dent should provide the inside power with 5-11 Donnieor, such as Rob Locke, and Leon Ellis do not be back bringing together the inside power.