**University Board Says 'Not Yet' to Reno Honorary Degree**

By Mike Thompson
Editor-in-Chief

The University's Board of Directors declined a recommendation of the Law School faculty to grant an honorary degree to U.S. Attorney General Janet Reno. The Board expressed concern about the short time that Reno has been in office and the fact that she has not yet had the opportunity to demonstrate whether or not the University would like to be associated with her through the presentation of an honorary degree.

Reno has been invited by the School of Law to speak at Commencement exercises in May. She has not yet committed or declined the invitation, and she was not aware at the time of the invitation that she would be considered for an honorary degree.

University President Alan Harre noted that the Board granted an honorary degree to then-Attorney General Edwin Meese and later regretted it due to later controversy involving Meese. "Because of the highly politicized position of Attorney General," Harre observed, "there was a desire by the Board to wait for a couple of years and see how (Reno) conducts her office."

Reno was one of three candidates recommended for honorary degrees by the Law School faculty. Hon. William H. Rehnquist, Chief Justice of the United States, and Hon. Jose Cabranes, Chief Judge of the U.S. Court of Appeals, were approved for degrees which must be accepted in person.

Neither of the degree recipients have yet been formally notified of the Board's decision, and there is no word as to whether the recipients will accept the degrees.

Also considered for a degree was Illinois Senator Paul Simon, who was rejected by the School's Honorary Degree Committee because he is a politician.

The recommendation of the faculty is sent on to the University's Honorary Degree Committee, which then submits its recommendations to the Board of Directors.

This year marks the first effort by the Law School to attract nationally-known speakers to the University by the conferment of honorary degrees. Now that Law School commencement is held separately from the undergraduate commencement, the Law School has undertaken the effort to honor and attract well-known and well-respected attorneys and judges.

**Policy Without Politics Is Focus of Monsanto Lecture**

By Deven Klein
News Editor

Professor Hans A. Linde spoke to a standing-room only crowd in Tabor Auditorium on November 4, in the eighth annual Monsanto Lectures on Tort Reform and Jurisprudence. The lecture was entitled Public Policy Without Politics: Ethical or Illusory?

Linde, who served on the Oregon Supreme Court from 1977 to 1990 and is currently a visiting professor at Hastings College of Law, discussed how judges can assert policy decisions without being labeled political lawmakers. In answering that question, Linde asserts that judges employing the policy style of decision-making must point to some identifiable public policy source—usually found in statutes or common law—if judges are to avoid acting as legislators.

Linde began by noting that while the courts are looked to for tort reform, there is no real policy decision.林德认为，政策并非基于政策，而是源于司法。然而，林德认为，司法必须有一种“政策”来指导其政策，即当法官不指明任何政策来源时，法官最好避免作为立法者。

"Unless judges have an identifiable public policy source, they must resolve disputes within the matrix of statutes and common law," summarized Professor Linde. He continued, "Judges must use a style of explaining their decisions that they can't point to something within the matrix."

As to policy within tort law, Professor Linde noted that in the absence of evidence that law student housing would be welcomed by the students, the Board did not reject the idea of providing law student housing, however.

Dean Edward Gaffney said that the University will proceed with the housing project only after it has determined that it can provide the housing at equal or lesser cost than the housing currently available in the community and when it is confident that there is enough student interest in such a project.

Some landlords in the community have expressed concern over additional housing provided by the University, noting that since the University is exempt from many of the taxes that other landlords have to pay, the community landlords will be undercut by the University's prices.

Richard W. Duesenberg, '53; Cornell Boggs, '85, and 1993 Monsanto Lecturer Hal Linde.

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**University Considering Housing For Law Students**

By Mike Thompson
Editor-in-Chief

Hoping to ease the financial burden on its students while simultaneously encouraging community development, the University is considering building housing for law student use. The idea of building law student housing first arose during the summer, the University noted.

"We were interested in developing community, providing convenience for our students, and making it easier for our out-of-state students to obtain housing without having to make a special trip to Valparaiso."

The idea has been in hiatus since that time, but has recently taken up again. This summer the University was approached by an organization in town with a proposal to work with the University to provide law student housing.

The University's Board of Directors declined to act on that proposal due to a lack of specifics from the organization and an absence of evidence that law student housing would be welcomed by the students. The Board did not reject the idea of providing law student housing, however.

Dean Edward Gaffney said that the University will proceed with the housing project only after it has determined that it can provide the housing at equal or lesser cost than the housing currently available in the community, and when it is confident that there is enough student interest in such a project.

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**Bradwell Honored at Seargers’ Banquet**

By Robin King
Staff Writer

On November 12, 1993, Professor Linde lectured on the life of Myra Bradwell, the first woman admitted to the Illinois Bar. Honored at the presentation were the Hon. Mary Ann McCormor, and the Hon. Ilana Roger, who graduated from Loyola University School of Law in Chicago, is the first woman Justice of the Illinois Supreme Court. Justice McCormor is also the first woman to prosecute major felony cases in Cook County, while an Assistant State’s Attorney.

Rovner, who graduated from Chicago Kent College of Law, is the first woman to sit on the United States Court of Appeals for the Seventh Circuit, located in Northern District of Illinois. Rovner has also served as Deputy Governor and Legal Counsel to former Governor James R. Thompson from 1977 through 1984. Professor Ann Gellis, of Indiana University served as Special Guest Pianist. She is a member of the Indiana Task Force on Bar Admission. She is a 1971 Magna Cum Laude graduate of the New York University School of Law. She has practiced in New York with an emphasis on corporate finance. Bradwell, deeply impressed by her parents involvement in the anti-slavery movement, was an activist for female emancipation. With the Jacksonian era came an ethic of individualism, a demand for moral perfection, the abolition movement, organized labor, and the women’s suffrage movement. Bradwell, a devout 1830’s, no college or universities would admit women for matriculation on the theory that females did need any skills because they would never enter the marketplace.

Bradwell, whose husband was also an attorney, studied his work and schooled herself in much of the law. During this era, married women had no legal existence, the husband had to have any personal asset separate from their spouse. A woman’s existence merged with her husband's.
It is Not All the Parents’ Fault

By Melinda Bass
Staff Writer

Yes, let me add another editorial comment to the well-publicized issue of TV violence and its effect on children. Recently MTV and The Psychology have both caught a lot of heat from the public. In order to satisfy public opinion both have restructured the offending portions. “Hearts and Bodies” are now aired at night, with no mention of fire, and “The Program” no longer has the “test of bravery” scene. Will this make a difference? Many parents say no. I would have to agree with them.

But, is it a concurrence in the judgement but not the reasoning. The argument goes, when you have a five year old alone in a house with matches why blame television? Partial points in reasoning. It is stupid to leave a five-year old alone in a shopping cart let alone a house. So, does that mean TV gets off the hook entirely. The evidence of the rise in media violence is hard to dispute. All of us have heard the statistics regarding the number of violent episodes a person watches in a day. Can we deny the effects it might have?

The media is based on the premise that what is flashed in front of us will affect our behavior. Advertising is the best example. Billions of dollars a year are spent on trying to entice people to buy this phone service, soap or beer over another. One show about AIDS awareness and child abuse use the television because they believe it has some influence. Can we now turn around and try to argue that this effect means nothing?

By saying that it is the parents responsibility to govern their children television watches too much blame off the T.V. Before you get all upset and think I am advocating a complete ban on violence in the media, let me finish. Parents have a definite responsibility to try to control what their kids see. What I must emphasize is try. Parenting is not a totalitarian regime. They can only govern what they know about.

“Have you ever slipped into a “R” movie before you were 17? Watched T.V. before Mom and Dad got home? Or convinced the babysitter that “we’re always allowed to watch this”? Besides, the minute a parent forbids something it becomes all the more fascinating.

This is where responsible media programming comes in. I admire Attorney General Janet Reno for her stance that if T.V. stations did not clean up their act “the government should have to make it.” How much involvement the government should have is not my point. All I am saying is that blaming everything on the parents is not the solution.

WOW...LOOKS LIKE OUR TV JUST INSPIRED A VIOLENT ACT!!

From the Dean’s Desk

By Edward McGlynn Gaffney Jr.
Dean

In this column I would like to focus on the quality of teaching the law students. When my colleagues on the faculty drafted a resolution statement two years ago, we placed teaching excellence at the top of the list of the purposes of VSU School of Law: “to foster a learning environment in a residential setting in which its students will receive effective training in the human and technical skills necessary to be competent and compassionate lawyers.”

University professors are hired, in part, because of what they know, but only in part. We are also hired because we are presumed to be competent to help others—the students—to come to know things they did not previously understand. On our side of the desk we professors cherish our ability to decide what is taught in the classroom as an important aspect of our academic freedom. But that does not mean that we cannot learn from our students; the best of us readily acknowledge that we learn from our students all the time.

In any event, I would like to encourage all of the students to take the time to complete the evaluation instruments that are distributed to you at the end of each course. Some may think of this exercise as burdensome, but it is necessary to hear your comments. Both the Associate Dean and I read a generous sampling of all of these comments, and the echoes from the evaluation files—after they have handed in their grades. In addition, your comments are given significant weight in the process of evaluation of candidates for retention, promotion, and tenure. This form of evaluation is imperfect, but you can always improve that situation by interacting with your professors informally.

In a recent article in The Chronicle of Higher Education Michael A. Olivas, the Associate Dean at the University of Houston, writes: “My discussions with students and my own experiences as a student and professor lead me to believe that any comprehensive theory of professorial autonomy to determine how classes shall be taught must incorporate a feedback mechanism for students to take issue, voice complaints, and point out remarks or attitudes that may be insensitive or disparaging.” I agree.

“At a minimum,” says Dean Olivas, “faculty members should encourage students to speak privately with them to point out uncomfortable situations.” If you have a grievance with a particular professor, there’s a lot of common sense in trying to resolve it directly with that professor. For one thing, you’ll have to learn to deal directly with people very soon in the practice of law. Because deciding what to teach and how to teach it is at the core of academic freedom, moreover, neither the Associate Dean nor I want to micro-manage the classrooms of our colleagues. Speaking to a prof in his or her office has the added advantage of avoiding an open confrontation in the classroom where one or another party might get defensive or hostile. If communication breaks down, however, one of the many things in the job descriptions of the Dean and the Associate Dean is to listen to students who have concerns about the quality of their education, similar to the concerns that students raise about other aspects of this law school, including the performance of administrators. So you should feel free to come in and share your perspective with either of us. But, once again, I would recommend that you try to speak directly with the professor in question.

Finally, I would like to wish all of you good luck on your final exams, and that all you have a very pleasant and enjoyable Christmas break. If you’re looking for a couple of good flicks, I’d recommend The Joy Luck Club and The Remains of the Day. See you in the new year

Career Services Corner

Interviewing for Information

By Gail Peshel
Director, Career Service

With finals almost over and semester break about to begin, consider filling some of your time away from VULS with one-half hour conferences with attorneys in your home town. Yes, this is “networking” but networking is an important part of any job search. Networking builds relationships. Networking acknowledges three points: 1) people are the best sources of information; 2) information is power; and 3) the better informed you are, the better career decisions you’ll make.

How to schedule an informational interview by telephone:
1. Telephone your contacts and ascertain if they have a few minutes to talk.
2. Tell them you wish to work in the area and wish to speak to experienced people in the field to acquire additional information.
3. Politely explain that you’d like to arrange a time to meet at their office—or a time to call back and talk with them in greater detail.
4. Keep the appointment—be prompt and prepared.
5. Indicate your reason for the interview—(a) you wish to learn about potential employers in the area; (b) you would like feedback on your resume but realistic your goals are; (c) you have particular goals and wish to learn about some of the avenues one could take in order to reach those goals.
6. Write down any employer names that are given, including phone numbers, firm names, and addresses. Obtain permission to use a contact’s name in your cover letters to the suggested employers. (Double check the spelling of each employer and whether “Mr.” or “Ms.” is appropriate).

7. Send a thank you note to every attorney who meets with you—no later than the day after your meeting.

What to ask during the informational interview? Suggestions follow.

1. Are particular courses, experience, or personal attributes important in obtaining a job in their practice areas?
2. Are there particular professional journals that should be read?
3. What qualifications do your contacts look for when hiring an associate or associate attorney?
4. What do your contacts think

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THE FORUM
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Spotlighted Owls Made Homeless By Our Paper To Date: 1,002
In The Eye of the Storm

By Patrick G. McCarthy

"Let him without sin... cast the first stone." For my bibliically challenged friends, this line of wisdom is found in the book of John, Chapter 8, Verse 7 of the New Testament (Concordia; New Int'l ed.). These words were uttered by Christ a few thousand years ago when He admonished certain civil leaders who deigned to stone a prostitute under Hebrew law. We generally agree today that such a law is unjust. But is it truly unjust to point fingers at Jesse Jackson or the Kennedys of Massachusetts to name a few?

In considering the protests of black leaders in New Jersey, we must look to the fine art of politics. Finally, the ultimate suppressive activity I am aware of is the "politicians agreement". This is where heads of political factions secretly meet in smoky, wire-tapped offices, get drunk, and make solemn oaths that if one does all she can to get votes for the other, and agrees not to endorse the opposition (suppression), once in office, the other shall grant future endorsements in return.

I do not say that Republicans in my city or any other city do not do this, for these are universal tactics and there are others I will mention. However, since it is Democrats screaming loudest over this Rollins affair, I thought I should remind my readers that their history is not so pure.

And are such tactics somehow more reprehensible when applied to black ministers? Not if you view black leaders just as human and just as much a part of the Democrats invented the fine art of "getting out" or "keeping in" the vote; The Daleys did it in all of their elections, so did Flynn of Boston, Kotch of New York, and let us never forget the Kennedys of Massachusetts to name a few.

Working in both Democratic and Republican campaigns in St. Louis has allowed me to see first hand how vote suppression works. You simply do not politic in areas you know you will lose, or in areas you know you will win. Why waste the money? Next, you "encourage" certain organizations (usually couple of unions or a retirement home) to persuade their members to vote for candidates that you support and to encourage their neighbors to do likewise. I've even heard of paying directly for votes, especially in housing projects where a mere thousand dollars will buy enough votes to secure a precinct.

And what does accepting such money say about black leadership? It is certainly not a new phenomenon. After all, King took two to tango, right? I suppose now that some semblance of equality has been achieved, that also means minority groups must accept the good and bad that political power has to offer, including the age old bribe, kickback and gift.

On the flip side, what about the black voters in New Jersey? Are we saying they so blindly and unwaveringly follow the dictates of their civil leadership that they would sit in pews on Sunday and ignore to not exercise their right to vote? Do black citizens know they have such power over their flocks? Is this why politicians know they can attempt such deals? If this is true, then blacks citizens ought to be far more critical of their own leaders and less critical of politicians who are simply playing the game as it always has been played. The only difference now is that blacks are finally a factor to be reckoned with and must be paid off like everyone else. And from the news accounts, these same black ministers are learning the game well in their oh-so-predictable denials of any such offers from Mr. Rollins. Welcome to American politics.

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**Letter to the Editor**

**Abortion Foes Are Woman Haters**

**By Wayne Taylor**

I read Ed Hearn's article. I was more than a little upset. Here was one man who was attacking one of the views that I hold so dearly. Yet, I hesitated to reply. The abortion issue is too serious to be handled lightly. Should I participate in an argument that never changes? However, after seeing the new piece of propaganda on the Jus Vitae board I felt it was my duty to defend my beliefs and possibly those of others.

First and foremost, I will respond to Ed Hearn's letter in the 18 October Issue of The Forum. If one were to believe Mr. Hearn, then a would-be vandal not only destroyed the Jus Vitae activities because he did not like the writing "PRO-CHOICE" on the board, but the vandal desecrated the cause as well. Mr. Hearn claims that he was not offended by the words on the board. However, he states that Americans should have choices as long as those choices fit into Mr. Hearn's own idea of what is morally right. Yet, we should be, before conception choices or the choice of abstention. "Choice," he states, "however, should not mean that individuals should have a right to determine whether or not they are to be, before conception choices or the choice of abstention.

Tell me if I am wrong, but isn't Mr. Hearn creating a bit of anarchy himself? Obviously he has committed the moral judgment that it is wrong to "actively kill [a] person." In fact I believe that one conviction of the right to life (individual life as well as the group as a whole) movement are members of the militia, Mr. Hearn has made the moral judgment (individual members as well as the group as a whole) movement anarchy himself? Obviously he made a right to determine whether or not it is morally wrong to actively perpetuate oneself. Yet, as long as those choices fit into Mr. Hearn's own idea of what is morally right. Yet, we should be, before conception choices or the choice of abstention. Something has got to give.

The instructor quipped about supporters of the organization "coming out of the closet." For the time being, I was definitely more refined than my own. (No, I'm not speaking of my teaching assistant for legal writing. Since that time, I have kept my thoughts and opinions to myself with a firm belief that it is better to keep your mouth shut and appear ignorant than to open your mouth and remove all doubt. Tiling at giants that the majority believe to be windmills is never very pleasant. I reasoned, as the class neared conclusion, that my few pebbles surely would not be enough to make any difference. Besides, why should I spend my breath on words that would fall on deaf ears? The class ended with my realization that I had rationalized away my honor with the passing of an opportunity to defend my beliefs.

My wife, upon hearing of my silence during this experience, became a little irritated at me. Wives are wonderful, and my wife is particularly wonderful. She reminded me of what is truly important in life, and strengthens me by kindly mentioning areas of possible improvement. She reminded me that by not defending the Boy Scouts of America, I had violated two points of the Scout Law. You see, besides being trustworthy, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, clean, and reverent—a scout is loyal and brave.

One lone, brave soul spoke up and tried to explain why the admission of a gay leader offended the very principles of the organization. More laughter and some clapping could be heard as my classmate tried to remember the oath that he had memorized in a distant past.

The Forum

December 6, 1993

**"TROUBLED" TEEN-AGER STRONG ANTI-GUN LAW IS PASSED!**

**On My Honor: In Defense of the Boy Scouts of America**

By Wayne Taylor

**Contributor**

I am a Scout and I will always be a Scout. I am grateful for and proud of my affiliation with the Boy Scouts of America. At a time where violence and crime surround us, gangs threaten our neighborhoods, and respect for people and property is disintegrating before our very eyes, it is comforting to know that at least one organization still exists that emphasizes service, self-improvement, honesty, patriotism, and honor. It is my hope that all young men in America can learn to "help other people at all times" and "keep themselves physically strong, mentally awake, and morally straight."
The heroine of *Pigs in Heaven* is Taylor Greer, a single woman who is desperately trying to hold onto her six-year-old daughter, Turtle. Turtle is a Cherokee who was dumped into Taylor's life (and lap) in an Oklahoma parking lot by a stranger when she was three. Beaten and sexually abused, Turtle clings to Taylor immediately and a special bond is forged between the two. A sham adoption from nonexistent parents releases the child from the Cherokee Nation into Taylor's custody and, through Taylor's intense love, Turtle begins to blossom into a healthy, happy, and extraordinarily bright young girl.

While sightseeing at the Hoover Dam, Turtle happens to witness a man fall into the spillway. The man is rescued, and when the media discovers that it was Turtle who was responsible for saving him, she becomes something of a celebrity. A young Cherokee woman in Oklahoma, Annawake Fourkiller, fresh out of law school, sees Turtle on television and determines that the adopted child is a Cherokee. Annawake knows that one of the most serious problems facing the Cherokee people is the loss of their children who are necessary for preservation of the Cherokee culture. She locates Taylor and when she starts asking questions, Taylor and Turtle go on the lam.

The story grows even more complicated when Taylor recruits her mother, Alice, to assist in the adventure. Taylor sends Alice to Oklahoma to talk with Annawake. While there, Alice falls in love with Cash Stillwater, an aging Cherokee who loves to talk and, more importantly to Alice who has suffered through several inattentive husbands, to listen. The real problem for these people is what to do with Turtle. Taylor and Turtle love each other deeply and intensely. Equally compelling, however, is the Cherokee Nation's desperate need for Turtle, as shown through Annawake. The dilemma is resolved when we find out that Turtle is Cash's lost granddaughter. Annawake fashions an equitable remedy, joint custody between Taylor and Cash, and Turtle will be able to stay with Taylor while

**SEE BOOKS, PAGE 10**
Valparaiso University School of Law sent two teams to the National Health Law Moot Court Competition held at Southern Illinois University School of Law in Carbondale. The first team included Jessica Bowman, Ann Pellegrino, and Jean Schendel, and the second team was composed of Scott Loitz, Bill Ryan, and Deb Williams.

The issue was whether the sale of a physician practice to a health care center constituted illegal remuneration under the Medicare and Medicaid Anti-Kickback Statute. Briefs were submitted on September 28, 1993, and oral arguments took place on November 5, 1993. Fifteen teams sent from law schools throughout the United States entered the competition. Each team argued both sides of the issue in the initial round and returned the next day to argue the other side. The competition was won by the team representing Tulane University School of Law. Their school will receive a $1,000 scholarship from the American College of Legal Medicine.

The panel of judges deciding the Franklin Environmental Law Center placed second and won the award for best brief. The third place finishing team was from University of Iowa College of Law.

Dean Gaffney personally sponsored a team to compete, and the student Health Law Association thanked him for his financial support. Additionally, Professor Bodensteiner critiqued oral arguments, and the team members especially thank him for his assistance. The team would also like to thank Professors Dooley and Moskowitz for the time they spent reviewing the submitted briefs.

Students Visit U.S. Supreme Court, Meet Justice Ginsburg

By Justin Kaye
Staff Writer

Mention the event of the Supreme Court hearing oral arguments involving felony murder, double jeopardy, and statutory reporting requirements (bankruptcy). Dean Gaffney then arranged for the group to listen to three speakers: the Solicitor General, Drew Days; the Clerk of the Court, William Souter; and Justice Ruth Bader Ginsburg.

The lights dim. There's complete silence. The drum roll starts slowly, subtly and then becomes just a bit louder. The music starts and base rocks the stadium, jolt the crowd to their feet. The announcer introduces the World Champion Chicago Bulls (or the equally exciting Kentucky Wildcats) and the crowd bursts into uproarious applause.

This is the scene that came to mind as I sat watching the nine members of the Supreme Court await entrance into the courtroom, Rehnquist, Stevens, Kennedy, Scalia, O'Connor, Souter, Blackmun, Ginsburg, and Thomas emerged from the maroon velvet curtains like kings and queens ready to take their royal thrones. They took their respective seats and oral argument was to begin on this first day of November, 1993. This, the highest court in the land, the Supreme Court, and I sat in awe.

All the opinions that I had read by these legal gurus came rushing back into my brain, now I was in the very courtroom hearing oral arguments upon which these threshold opinions were based. O.K., melodrama aside, this trip to Washington D.C. was an extraordinary experience for the twenty Valparaiso students who participated.

Now, all those numerous opinions put to the depths of our minds and saturated brains have a bit of a kickback Statute. Briefs were submitted on September 28, 1993, and oral arguments took place on November 5, 1993. Fifteen teams sent from law schools throughout the United States entered the competition. Each team argued both sides of the issue in the initial round and returned the next day to argue the other side. The competition was won by the team representing Tulane University School of Law. Their school will receive a $1,000 scholarship from the American College of Legal Medicine. The panel of judges deciding the Franklin Environmental Law Center placed second and won the award for best brief. The third place finishing team was from University of Iowa College of Law.

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 Guest Columnist

Truth, History, and the Law

By Richard Stith
Guest Columnist

The nineteenth-century nihilist Friedrich Nietzsche once agreed to the skeptical claim that there is no truth to be discovered, why continue to be honest at all? Why not lie, if lying takes us no further from the truth than does truth-telling—as long as our fabrications increase our power?

Professor Sylvia Law of New York University Law School may be influenced by this kind of argument. In any event, she was Counsel-of-Record for the “pro-choice” historians’ brief in the 1989 Webster ease, a brief that lacked truthfulness regarding the history of abortion in America. Professor Law herself concedes that “there is a tension between truth-telling and advocacy” and that the brief’s authors had “serious deficiencies as truth-tellers.” Law, Conversations ..., 12 The Public Historian 11, 14 (1990).

One of the truth-telling deficiencies Professor Law admits is one of omission. She and her fellow drafter of the story of women and abortion in the United States made a conscious decision not to mention “the fact that most nineteenth-century feminists supported laws restricting access to abortion.” She herself calls this silence “disturbing.” Law at 15, and she did include this basic fact in her 1992 Casey brief. One can understand her worry though, given that that feminist path-breakers such as Susan B. Anthony were clearly both pro-woman and pro-life:

“I deplore the horrible crime of child murder. . . . We want prevention, not merely punishment. We must reach the root of the evil. . . . It is practiced by those whose inmost souls revolt from the dreadful deed. . . . All the articles on this subject that I have read have been from men. They denounce women as alone guilty, and never include man in any plans for the remedy. . . . No matter what the motive, love of ease, or a desire to save from suffering the unborn innocent, the woman is awfully guilty who commits the deed . . . but oh! thrice guilty is he who drove her to the desperation which impelled her to the crime.” Susan B. Anthony, 4(1) The Revolution 4 (July 8, 1869).

Professor Law has confessed candidly that abortion advocacy has led to “other distortions of the truth” as well. Law at 15, citing a companion article by Stanford “pro-choice” historian Estelle Freedman. For example, the Webster brief asserts that abortion was “not uncommon” in colonial America. Although she signed the brief, Professor Freedman has admitted that it is, in her opinion, incorrect. The brief’s version of history clearly differs from my own. . . . I find it hard to argue that abortion was ‘not uncommon’ . . . .” Freedman, Historical Interpretation, 12 The Public Historian 27, 30 (1990).

Again, one of the Webster brief’s central claims is that the moral value attached to the fetus became a central issue only in the late twentieth century. The preeminent historian of abortion, James Mohr, also signed the brief, despite the fact that his own prior published work had demonstrated the opposite. Mohr’s book had shown that the nineteenth-century campaign against abortion was indeed the very high value of human life. When questioned by Notre Dame law professor Gerald Bradley, Professor Mohr said he stood by his book rather than by the brief. Nevertheless, he defended his signing the brief as “a political document,” reflecting his own “pro-choice” commitment. Bradley, Academic Integrity Betrayed, First Things 10, 11 (August/September, 1990). (In fairness to Professor Mohr, it should be added that when Sylvia Law and others put together the very similar “pro-choice” historians’ brief for the 1992 Casey decision, Professor Mohr did not sign.)

Mohr elsewhere has admitted he does “not consider the [Webster] brief to be history, as I understand the craft.” Mohr, Observations . . . , 12 The Public Historian 19, 25 (1990). Of course, it was offered to the Supreme Court as history, and “virtually no one contested the brief’s historical accuracy.” Jane Larson and Clyde Spillenger, ‘That’s Not History.’ . . . 12 The Public Historian at 15, citing a written brief rather than in “live testimony, which is subject to cross-examination”! Law at 14.

Sylvia Law is a Seegers lecturer this year at our law school. She will address us February 11, 1994, on a topic in the field of women’s history.
Linde Delivers Monsanto Lecture

CONTINUED FROM PAGE 1
former is elected as an advocate who must press for his constituents' causes while judicial decision-making should be apolitical.

According to Professor Linde, the policy style creates rules of decision that will serve some social reason. Values are chosen as the premise—a factual one—for decisions that can have serious consequences. Because a factual premise is based on a factual dispute, such an approach does not come without danger. Cautions Professor Linde, "Resting an important legal rule on facts in a single lawsuit could produce serious mistaken policies if the assumptions are unfounded."

Although the professor concludes that the policy style makes judges hard to distinguish from politicians, his insistence to employ the style with backbone—working within the matrix—prevents judges from crossing an impermissible line into the legislative process. Implicit in his remarks was that change should first come from the legislative body before the policy-style can be an effective decision-making method. "No simple formula could substitute policy outside the legislative process," said Linde.

Professor Linde used tort law reform to show how the policy-style has been utilized. "Tort law," states Professor Linde, "presents the greatest potential for change in state law." Citing the 1992 Presidential campaign, he notes that tort law reform has moved from the Ivory Tower to the public arena. He then went through the gradual changes of strict liability and wrongful discharge to demonstrate how the policy-style has coexisted with the political process. "The policy-style must be prepared to handle politics," offers Professor Linde.

In his introductory remarks, Dean Gaffney referred to Professor Linde's unique style as a state supreme court judge and state that he was a "bold pioneer in reviving state constitutions." Professor Linde graduated from The University of California-Berkeley School of Law. During his legal career he served as a law clerk for Justice William O. Douglas of the United States Supreme Court, an attorney for the State Department's Office of the Legal Adviser, and as legislative assistant to United States Senator Richard L. Neuberger. The Professor has also taught at The University of Arizona, New York University, and the University of California.

Managing Editor PATRICK G. McCARTHY and THIS WRITER CONTRIBUTED TO THIS STORY.

Career Services Corner

CONTINUED FROM PAGE 2
of the experience you have had so far and which of your skills are considered strong points?
5. What experiences do your contacts have that they consider invaluable to their practice?
6. What do your contacts like about their positions? What are some of the challenges they have encountered?
7. Do they foresee development paths that will affect future opportunities?
8. What else do they think you should know?

As Professional Development Consultant Connie Palladino, PhD., said, "People are the bridge from where you are to where you're going. You learn what you're looking for and find a focus through talking to people."

From all of us in Career Services, best wishes for a joyous and fruitful holiday season!

December 6, 1993

SAAFE House Opens to Assist Victims of Sexual Assault

By Melinda Baas
Staff Writer

Flowers and streamers lined hallways in Lake Hall, the Home Economics building of VU, as a time of celebration. A dream which started three years ago has finally found a home. Valparaiso University opened the Sexual Assault Advocacy and Facilitating Education (SAAFE) office on Nov 10th. The office was created by campus officials who realized that sexual assault is an issue which needs to be addressed.

Students on the campus provided the catalyst for administrative action. Three years ago, students held the first "Take Back the Night" march (TBPN). TBPN was modeled after other marches held on campuses nationwide. Students spoke out about the reality of sexual assault, both on and off campus. Over 300 people attended this first rally.

The following year over 500 people attended the TBPN. One hundred survivors of sexual assault wore armbands to make others realize that sexual assault happens at VU. Afterwards, there was an impromptu "coffeehouse" and coordinators held an open microphone for survivors to express their feelings and forward stories of sexual assault. Several people came forward that night and in the weeks following TBPN over 60 men and women told stories of abuse. Many of the stories focused on areas where campus departments had failed to assist or protect students.

DURING THE summer the administration and Kirstin Lee, president of SCAR (Student Coalition Against Rape) got together to decide what should be done. Creating SAAFE office is one of those ideas.

Sexual assault is a much bigger issue than just rape. Child abuse, incest and sexual harassment are all encompassed within this term. SAAFE office was created to deal with how sexual assault affects the campus community. Dan Felten, a volunteer worker, stated "When something like a rape occurs it is a problem between two people, it is a larger problem that all of us are forced to deal with."

Creating SAAFE office is only the beginning of the University's plans to deal with sexual assault. President Harré formed six different committees to determine how to better deal with sexual assault on campus. These committees are: Education, Advocacy, Sexual Harassment; Women's Services; and Male & Female Ethos.

SAAFE office is the first step in a continuing plan. This will become the "hub" of the sexual assault program on campus. Volunteers will be able to refer students to other organizations on campus. Other services are provided by SAAFE office. Current focus is on training advocates for women or men who are survivors of sexual violence. Each person who requests assistance is assigned an advocate. The advocate works with the person as needed, whether simply to talk or provide support through an adjudication process. Advocates receive 40 hours of professional training to assist students.

SAAFE office assistants feel that education needs to be a primary focus. Violent acts such as rape or abuse are the end result of a much deeper problem. There is a ground-level issue of men and women learning to relate to each other. To effectively deal with sexual assault, programs must focus on reaching this basic issue. SAAFE office wants to create permanent classes to educate students about sexual assault and create a climate for rape or harassment. Nate Gilbertson, another assistant states, "The intent is to change the way people think about how they can respond to other people."

During the summer the administration and Kirstin Lee, president of SCAR (Student Coalition Against Rape) got together to decide what should be done. Creating SAAFE office is one of those ideas.

Long-term goals involve creating the permanent education classes and looking towards creating a women's center. As problems arise SAAFE office attempts to deal with them. One problem which has presented itself is dealing with male issues of sexual assault. Sexual assault is not a "woman's issue". Men are affected as well, as perpetrators, victims, or as friends of survivors. A group of male volunteers are receiving extra training sessions to help in dealing with male issues.

Valparaiso University's sexual assault program is only in the beginning stages. Through research and education the school will be better equipped to provide for the special needs of victims of sexual violence. At the same time SAAFE office will continue to educate the campus community in an attempt to reduce the number of sexual crimes.
Nervousness before final examinations is not unlike the typical nervousness you will feel as a lawyer before a jury, a state Supreme Court, a legislative body, or an administrative tribunal. If you succeed as a law student, you will forever feel the stress as a lawyer - even more stress as generally someone's life or concerns are on the line. An individual lawyer can change society's norms profoundly from one case. One Lawyer! It's also stressful in that one simple mistake can have everlasting repercussions to the client and the lawyer.

You must realize that you are entering a society in profound transition. There are many reforms occurring where the legitimacy of the legal adversary method and the consequent need for lawyers will be reassessed. NAFTA, the North American Free Trade Agreement, is only the beginning. As world markets open, the contentious American adversary system may give way to cooperative resolution - with a little fight mixed-in. The contentious American legal approach cannot continue to exist with world markets. Technological changes will also occur which may reduce or replace the need of a lawyer: an Appellate court can now review issues presented at trial by studying a video-tape of the trial, assess the arguments of counsel, and resolve the case without the benefit of appellate counsel.

Current campus-wide alternative dispute tribunals resolve complicated rape cases without lawyers. As the University procedures are refined, this precedent will legitimize private resolution of other criminal and civil matters. The legal profession is not guaranteed to resolve all disputes; the profession itself is burdened by a huge caseload backlog. As people become technologically educated and sophisticated, new methods will be devised to answer age-old questions. Lawyers and law students cannot continue to produce impenetrable articles on obscure subjects that only those involved in the legal profession may understand. Lawyers must de-mystify the profession to be contentious, argumentative, and assertive. But there is also the need for cooperation, ethics, philosophy, and involvement.

Students are taught time and again that academic analysis conflicts with personal feelings; that feelings are exhibited only by the "intellectually puny", that feelings are not to be trusted. But you must feel. If you cannot feel you cannot understand your client's case; you cannot understand the jury; you cannot understand the world around you. Do not let your academic skills impede your care.

If you believe in yourself, in this world of change, then you are not to be trusted. Bring all the analytical forces to bear as you argue competing tensions. Whether or not you are disappointed by your grade, only you will know that the new road you seek as an attorney will provide a different approach, a different perception, which might by the way, liberate others.
The Book Seen
CONTINUED FROM PAGE 5
still being taught the life of her people.
Given the rather convoluted nature of the plot, it seems inconsistent that this book is essentially one about relationship problems precisely the case. Through her descriptions of the various relationships in the book, Kingsolver presents interesting observations about the way in which we interact. One of the most interesting such relations - is that between the white America and the Cherokee Nation. The author's description of the cultural differences is itself revealing. She avoids the all too familiar condescending tone that seems to permeate many of the works by white authors and other observers who have as their subject Native Americans. Kingsolver's treatment of this relationship is also, I think, a realistic one. She thankfully avoids the cliché which tells us that love and understanding will conquer any differences we may have. Many aspects of Cherokee culture (as described by Kingsolver) are basically incompatible with the culture of America at large. The author's apparent acceptance of this notion lends considerably to the bitterness which lies like a melancholy quilt over this entire novel.

The other significant relationships center around Taylor. Her relationships with Turtle and Alice, as well as those with her parents, expose to Breuer's psychotherapy. Yalom seems to be implying that Nietzsche and Breuer were contemporaries or even that Breuer knew of Nietzsche's psychological despair without Nietzsche's knowledge, an extraordinary task considering the intellectual capacity of this deep thinker. Eventually minor relents under the powerful influence of Lou Salome and agrees to continue after Nietzsche's visits to Breuer's office. Breuer performs a complete medical exam, which includes checking Nietzsche's physical ailments secretly trying to get him to admit his suiciidal thoughts. Breuer later discovers that Nietzsche's sister, however, saying that, "Each person owns his own death. And, in the end, he takes his own way. Perhaps—or perhaps—is there a right by which we can take a man's life. But the taking of a life is a taking of a man. In the end, it must be his own decision."

During Nietzsche's visits to Breuer's office, Breuer performs a complete medical exam with Nietzsche about his physical ailments secretly trying to get him to admit his suicidal thoughts. Breuer later discovers that Nietzsche's sister, however, saying that, "Each person owns his own death. And, in the end, he takes his own way. Perhaps—or perhaps—is there a right by which we can take a man's life. But the taking of a life is a taking of a man. In the end, it must be his own decision."

Amusingly, the substance of the dialogue between Nietzsche and Breuer concerns issues that are prevalent in today's society. Is it not true that everything from how many children we have to what the colors of our children should be is the result of personal choice? Nietzsche is able to tearfully uncover the true source of his asperity from a complacency and aimlessness toward women.

Bardwell Honored At Stenger Lecture
CONTINUED FROM PAGE 1
... PRO-CHOICE"... We either have to stop bomb- ing clinics and killing abortion doctors. How ironic that a group which believes in the basic sanctity of life find it terri- ble to kill a group of cells with no known personality but feel that it is okay to kill a human being simply by pumping a couple of bullets into a father. What a judgement call on the part of pro-life move- ment! Is that how we want to be judged? Am I making a moral judgement? Is that anarchistic in thought? Is killing people with God on your side and murdering people with God on your side then claim that no one has the right to kill another living being? Isnic, pathetic, or just plain hyp- ocritical? Mr. Hearn, why don't you decide before pinpointing the finger at anyone else.

MELANIA WIESnMA
Danning, Retired Professional
Baseball Player Resides in Valpo

By Chris Gackenheimer
Staff Writer

Imagine — it's June 6, 1939, and the New York Giants are up against the Cincinnati Reds at the famous Polo Grounds in New York - Reds are in first place, Giants-sixth. The Giants collect 20 hits in the game - good for total of 43 bases. But, the most spectacular part of the game is the fourth inning. The Giants make baseball history by hitting five home runs in the inning. The Giant that hit the first of the five home runs is Harry "The Horse" Danning, a current resident of Valparaiso, Indiana.

Background

Danning was born in Los Angeles, California on September 6, 1911. After graduating from high school at age 16, he worked for two years and then played semi-pro ball for three years. It was during his semi-pro days that he was offered a contract by George Washington Grant to play with the New York Giants as a catcher. Danning accepted the offer and ended up playing his entire big league career with the New York Giants. Between 1933 and 1942, Danning played 890 games. A real work horse, Danning caught 890 games in his major league career. An excellent hitter, he topped the .300 mark 4 times. "The Horse" hit a career high of .313 in 1939. In that year, he also hit a career high in home runs with 16. He appeared in 2 World Series getting 3 hits in 14 at bats. In 1940, Danning had an especially good year, as he hit .300, collected 91 RBIs, and was picked best catcher in the Major Leagues. In addition, Danning was an All-Star four times throughout his career.

Danning's career ended in 1943 when he went into the service during World War II. In 1946, the wear and tear on his knees from baseball and the War prevented him from returning to catching and baseball itself. Danning said he "didn't find it hard to adjust, as he knew he would have to call it quits someday." He went into the newspaper and magazine distributing in Long Island, New York. Following this job, he spent many years with the Metropolitan Life Insurance Company. Do you have to see if you should bunt, or hit away, or hit and run. When we played, the hit sign was always on and you were pretty much on your own. Managers and coaches today tell you what to do and I think that has made the game slower, too. They're trying to make an exact science out of a kid's game," he added.

Changes in Baseball

As far as changes in baseball are concerned, Danning says the game today has been taken away from the players. "Now you have to look at the coaches to get a sign. You have to see if you should bunt, or hit away, or hit and run. When we played, the hit sign was always on and you were pretty much on your own. Managers and coaches today tell you what to do and I think that has made the game slower, too. They're trying to make an exact science out of a kid's game," he added.

A Hypo for Berner

Knowing that Professor Berner is a big baseball fan, "The Horse" said, "Ok, see if he can figure this one out!" So, Professor Berner, here it is.....The bases are full-there's one out. The ball is hit and it's a fly-ball that ends up behind the catcher-the catcher misses the ball-it hits in foul ground and bounces fair. The question: Is the infield fly rule in effect or not? (7.5 minutes)

Harry "The Horse" Danning, former New York Giant, earns his pay in his pre-WWII baseball career.

Danning Softball Tournament at the Fairgrounds Park in Valparaiso.

Danning's Start

"Ever since I could remember I could always hit a baseball," Danning said. "A group of boys used to play baseball on an empty lot in my neighborhood. I was pretty young-about 11. They were looking for someone to catch, so I walked up and said, 'I'm a catcher.' And, that's how I got started catching."
Health-care reform, NAFTA. "Reinventing Government" - these are issues that deeply concern you, as an informed American, in the sense that if you read one more word about them, you are going to go nuts.

Nevertheless we intend to address them today, because we are a professional news commentator, and we feel it is our responsibility, from time to time, to go into the details in the plural.

Health care reform
This is an important issue, because many Americans are not receiving adequate health care. We are not. We haven't been to our doctor's office in several years.

Don't get us wrong: We love our doctor, whose name is Curt. He sits right behind us at Miami Heat basketball games, and we're deeply impressed by the wisdom of his observations, such as: "He's a BUM!!" And, "This guy is a BUM!!"

But the last time we went to Curt's office, he suddenly, without warning, put on a rubber glove and did something to us that we cannot discuss in the newspaper except to say that it gave us a deeper understanding of what it must feel like to be Thanksgiving turkey.

And then he made us take a "stress test" wherein we had to run on a treadmill with wires attached to our skin and radioactive chemicals flowing through our blood. So now we're afraid to go to Curt's office, because we don't know what he might do to us next. We're afraid he might have purchased a soldering iron.

Thus our only option, if we developed a serious medical problem, would be to do what millions of other Americans must do: Go to a Miami Heat basketball game. Our plan would be to get Curt's attention by dropping subtle hints. "Hi Curt! By the way, we have a large lesion!"

Then, during timeouts, Curt could diagnose our condition by asking medical questions. "Could I try not to bleed on my nachos?" And: "How come you're referring to yourself in the plural?"

Binding is not a long-term solution. For one thing, it doesn't work during basketball season. When we need it, health-care reform that would require doctors to return to the old type of physical examination wherein they don't actually touch you, but instead ask a bunch of questions, to which the correct answer is always "no." ("Have you ever had the plague? Navel discharges? Eyeball worms? Any trampoline-transmitted diseases?!"

Also, just to make sure, doctors should be required to wear a full-body restraining device like the one Dr. Hannibal Lecter wore in Silence of the Lambs to keep him from turning the other characters into Corpse McNuggets. This would make all Americans feel more comfortable about medical care, and free them to think about the important issue of...

CROSSWORD RD® Crossword

Edited by Stan Chess

Puzzle Created by Fred piscop

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<th>Across</th>
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<td>2. One of those things you can FALL FOR</td>
<td>10. All the inhabitants of the Fourteenth Precinct in Ames, Iowa, are pigs. A recent redistricting law resulted in the fifteenth Precinct Experimental Animal Disease Laboratory in Ames being classified as a separate precinct, the only one maintaining a full-time resident at the site.</td>
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<td>3. Pooped secret society</td>
<td>11. The forty-sixth word from the end of the Forty-sixth Poem of King Hussein is a SDU.</td>
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<td>4. Anacinsubj. Virginia</td>
<td>12. Peter Amen's Rd. named for them is the forty-sixth word of the forty-sixth year.</td>
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<td>5. Beyond a doubt</td>
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<td>6. 25 beyond a doubt</td>
<td>14. Rosella Perot, theifty, popular, plain-spoken maverick space alien, who believes that the real purpose of NAFTA is...</td>
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| 7. "Did you?" | 15. "What's in it for me?"

*Puzzle created by Fred Piscop.*