O'Connor Speaks in VU Chapel

by Robin King
Features Editor

On April 5, in commemoration of 100 years of women in the law, Justice Sandra Day O'Connor visited the School of Law, and was honored at the final Seeger's lecture of the four part series. In the morning, Justice O'Connor spoke to the second year Constitutional Law classes about her duties as a Supreme Court Justice, and in the afternoon spoke to students and guests at the Chapel of Resurrection about the progress of women in the legal field.

Justice O'Connor spoke of the great deal of research which is necessary in order to render decisions in cases heard by the Court. She also explained that, in addition to her position on the Court, she has duties as a Circuit Justice. The students were able to ask questions of Justice O'Connor, and second-year student Robert Null inquired as to why oral arguments presented to the Supreme Court are not televised. Justice O'Connor answered "Because we've said no. The Court has never opened the courtroom to television. It probably will be someday. The press potentially requests us to do so." She commented on a study regarding the effect of television on such proceedings. The final report will emerge someday and the report is presumed to be favorable, in that no substantial reasons for keeping the press out have been discovered. But O'Connor did state that the press would not be allowed in the courtroom until all or almost all of the judges agree.

When asked what types of cases are most commonly heard? O'Connor stated that about two-thirds of the petitions which are filed are in the area of criminal procedure. Criminal procedure cases result in being approximately one-third of the docket which is actually heard. O'Connor explained "there are just recurring problems in that area." She also stated that "very often a particular issue crops up all across the country." Examples of such areas are ERISA, bankruptcy law, environmental law, and abortion issues. As ERISA began to be implemented, many questions arose in regard to the federal law, for example, to what extent does it trump state law? In regard to bankruptcy law, O'Connor said that cases arise every term to "work out continuing" ambiguities. In regard to environmental law, there are many recurring issues involving the Commerce Clause and violations of that clause when there is a charge for waste disposal across state lines.

The rationale behind closed door voting was the idea that students should approach their representatives to request they bring matters to the attention of the SBA. There was a fear expressed within the SBA that allowing open budget meetings would cause the meetings to be "haphazard," said Drager. The result has been semi-open meetings where student visitors are asked to leave during the budget votes. The voting regulation was codified in the SBA bylaws.

The SBA has a $45,000 yearly budget that the organization allocates to a variety of functions and student groups. Drager is planning to establish a parliamentary system that will allow students to attend all parts of the meetings without disrupting the proceeding. The system would allow students to observe and express opinions within guidelines to be developed. One guideline will be time limits for speakers addressing issues.

"It will leave open the possibility of outsiders to address the SBA without getting out of hand," Drager said. The "closed door" atmosphere of the SBA reaches to the election results. While the overall winner's name is publicized, the other candidates' votes totals are not released. The reasoning is that it will embarrass student candidates who lost their bid for office. "Some of those races were fairly lopsided," said Kip Winters, past SBA president. "People will hate you if you publish those numbers.""
By Gail Pesel
Director, Career Service

The perceived notion that employ­ers only hire the top percentage of each class is wrong. The majority of employers hiring graduates in the legal profession are looking for the number one factor for employment stem? The fall on-campus interview program and a number of the jobs posted in the fall had this belief. The on-campus interview program is very visible; students check the hiring cri­teria and become discouraged. I encourage you to think beyond the on-campus program. Nationwide, less than 20% of all law students accept jobs in the fall. Balance this percentage against the fact that approximately 90% of all law graduates are employed six months after graduation, and it becomes apparent that the spring semester gar­ners more job offers than the fall. Spring semester employers include the majority of: federal and state gov­ernment agencies, law firms, public interest organizations and other orga­nizations. State judicial clerk­ships become available after the fall semester as well.

The fact is jobs are and will be available in addition to the positions posted on the bulletin board or included within compilations of avail­able positions, many other jobs are not advertised. These unadvertised positions include law firms, govern­ment, public interest, and some cler­kship positions. They are filled by stu­dents who have learned about the opening from a friend or contact - or by students who have expressed an interest at the right time. The challenge is to identify those positions that are of interest to you. So I pass on to you not to make a connection this summer in a traditional public interest organization. To a sense of com­mitment and equal participation in the legal profession. We will not beご覧する

The process of preparing thoughtful, full integration and equal participa­tion in the legal profession, are worthy chal­lenges for all of us, male and female alike.

Next month, we will celebrate the For­mation of the Supreme Court's decision in Brown v. Board of Education. We will not be session together at that time, but I suggest that all of us pause for at least a brief moment to reread that decision, which — more than any other court opinion of this century — set this country on the path away from apartheid (the Dutch word for our Jim Crow segregation) and towards the day of which Martin Luther King, Jr. dreamed, a day when his little chil­dren could be judged not on the color of their skin but on the content of their character.

I wish all of you good luck in your coming exams, and a most fruitful summer!
Valparaiso Rejects ROTC

Christopher Hedges
Investigative News Editor

A plan to establish a Valparaiso University Reserve Officer Training Corp. was defeated by faculty 81-67. The decision not to bring ROTC to campus does not affect military efforts to recruit on campus, including the law school.

The issue was brought to a vote after 108 faculty members requested a special meeting to discuss the controversial issue. The proposal would have allowed the ROTC to establish a program at the School of Nursing as well as a war training program. The proposal was defeated by sending a petition with 30% of the faculty's support to the President, according to the proposal.

The meeting was called by VU president Alan Harre after the petition was received. A special meeting is required to be held if 30 percent of the faculty sign a petition and submit it to the president, according to VU's Instrument for Internal Governance.

The faculty can rescind University Senate actions with which they disagree by sending a petition with 30% of the faculty's support to the President.

SBA Tries to Prioritize Budget

By Christopher Hedges
Investigative News Editor

Outgoing Student Bar Association members discussed a proposal to put the SBA's budget priorities to a student vote in an effort to educate students about the priorities.

The current SBA budget priorities weigh activities with different priorities. Law week activities are the highest priority as follows: 3L steering, LL orientation, executive fund, The Forum, social and student organizations. The budget priorities are determined by a secret ballot "last chance" referendum by the student faculty.

During the 1992-93 school year, the budget question developed during meetings of the University Senate's Education Policy Committee. The debate that occurred there, it was moved to the full University Senate for consideration.

The proposal that emerged from the EPC was marked with a negative recommendation after a few key votes were switched by committee members, said Berner. Because of this, the issue was not automatically heard by the Senate, but was able to be called by a senator.

By the time the ROTC proposal was brought to the Senate floor, many questions about logistics were still unanswered, Berner said. It was unknown where the program would be located or how it would work. Proponents asked for time to further develop the plan last spring and summer.

This time, the proposal was approved by the EPC. Around the same time, the Student Senate debated the issue and issued its approval.

After approval by the EPC, the ROTC plan was brought to a vote on the Senate floor this winter where it was rejected by the senators 27-15, said Berner. The student senators were more divided on their support while more faculty senators were opposed.

Around the time of the debate, there was a faculty mail ballot circulated that showed there were from 55 percent to 60 percent of faculty members in support of starting an ROTC program here, said Berner.

With the rejection from the University Senate, the earlier rejection from the Educational Policy Committee, it traveled through the campus legislative process to VU President Alan Harre's desk for consideration. The Senate's rejection of the proposal led Harre to decline to implement any ROTC program, said Berner.

Kip Winters, former SBA president, said the budget priorities are an item that should be posted on the SBA bulletin board.

The new spirit of openness has not yet reached this year's SBA election results.

"They feel that some of our priorities are a little backwards," said Stern. "That student organizations. That student organizations should be not on the bottom."

Stern said the budget priority list is something that does not seem to be known to the student body at large. "They wonder why we do some things and why we allocate so much money for some things and on other things we don't," said Stern.

Kip Winters, former SBA president, said the budget priorities are an item that should be posted on the SBA bulletin board.

Daryl Witherspoon, former SBA secretary, asked if the constitution should be modified to require the SBA to post the budget priorities.

Christine Drager, former SBA vice president, said the changes could be made by changing the constitution in a revision process that is going on now. Having a student vote could not change the priorities until the constitution is modified, Drager said.

FORUM, 1994
Student Questions Guaranteed Tuition

O'Connor
Introduction
Inappropriate in Chapel

A couple of weeks ago, I was among the guests at a ceremony honoring U.S. Supreme Court Justice Sandra Day O'Connor. She was presented the Leach Centennial Award in the Chapel of the Resurrection for the distinction of being the nation's first female Supreme Court Justice. Considering that this honor was bestowed in the house of the Lord and at a university dedicated to the sanctity of life, I found it most distasteful that the law professor who introduced Justice O'Connor cited one of her opinions which attempted to justify the slaughter of unborn women (and men). This, in the shadow of the crucified Christ - He who sacrificed Himself and died for us. Such blasphemy would be akin to reading passages from the gospel of the crucified Christ - He who died to justify the slaughter of unborn children. Conventional wisdom would say that these students should be rewarded for taking this risk by being guaranteed that they would not end up paying more in tuition than the standard tuition rates for their three years of school. This is not the case, however.

It is unfortunate that news of the law school's tuition going up only 4.5% for the 1994-1995 school year does not excite everyone. The 52 Class of '95 students on the G.C.P. faced the realization that by "taking advantage" of the G.C.P., they will end up paying a total of $788 more in tuition fees than Class of '95 students who opted to pay the standard tuition during their three years. Also, this figure doesn't include the amount of interest that these students lost on the extra money paid in their first year. By the second year, the difference is even larger. The tuition for the 1995-1996 school year will be 2.5% higher than the G.C.P. rate, and in exchange, they are protected against tuition increases for their three years of study at Valparaiso.

Mary Beth Lavezzorio, Director of Admissions and Student Relations, says that the G.C.P. allows students to financially plan for the debt that they will have when they graduate from law school. In exchange for this ability to forecast their debt, the students risk that tuition will not go up as was expected. Students on the G.C.P. also risk losing the money that they paid in addition to the standard tuition rate should they drop out of school after their first or second year. Conventional wisdom would say that these students should be rewarded for taking this risk by being guaranteed that they would not end up paying more in tuition than the standard tuition rates for their three years of school. This is not the case, however.

I am Fond of Earth Day

by Laurie Green
Contributor

Earth day is coming! It's a new celebration, but an important one. What will YOU be doing? It's YOUR world and there's an awful lot to be done! So reads (recycled) notebook sign outside my daughter's bedroom door. Why, I ask from time to time, does she seem so disinclined to recycle her bedroom floor (as in, we could actually walk across it if she'd pick up some of her stuff)?

Still, I like to see that she has at least some idea of the world around her. At her school, and many around the country, children make posters and have speakers and "field trips" to pick up trash along the local nature trails or in the city parks. When I was in grade school we had field trips too, and although I would have been thrilled to get outside on a sunny day for any reason, that's something I was about too. My field trips were to Williamsburg and the Smithsonian Institute (as a Easterner...), not to pick up trash. Lest you think I'm against such an endeavor, let me say that I and my kids pick up trash along our road a couple of times a year. They complain unless we find a salamander or a stray cat-if one of them finds a dollar they want something, you know, the ones you all worked so hard to get to a shot at),they won't have time to litter. Everybody should be so busy! Not at lawyering of course, they might get some ideas, no authority. Here's an idea! Bring your own tree. Hey-why not? I haven't checked this out with anyone, but on the other hand, nobody has said "no" yet. Works for me-...SERIOUSLY, the "Earth Tones" (trying to get our children, or whomever, to pick up their rooms)! Well, on Wednesday, April 20th, Pete Guria, from EPA, will be making a presentation in the Benson classroom at 4:00 p.m. Here's a warning, the trash that Pete will be talking about is not the beer bottles and Burger King wrappers I find on my road; this could be a presentation for those with strong stomachs, parental discretion is advised! But being an ostrich is not advised... On Friday, April 22nd, there will be a tree planting at the law school in honor of Earth Day. It is being hosted by MELC- your very own environmental group at the law school and Professor Benkington is the chief gardener on this one. For those of you who think a tree planting is just this kids thing-"I've got better things to do, pizza, it could be a good time to work on your tans (there's a whole beach right here) and I have heard it rumored that some of the MELC members party pretty well. The only thing I don't like is that they are going to sell "reliable" mugs that cost $5... Hey! Maybe then kids could go to the MELC officers, Jim Knapp, John Daniel Buksa, '93 and Mike Winter or Christine for risking more money in tuition in the first year. In the second year of law school, the G.C.P. is also failing. Students who are on the G.C.P. are paying the standard tuition rates. When the law school announces that tuition is going to be raised 4.5%, everyone will again wonder if the present G.C.P. is set up, however, those people who are currently on the G.C.P. are left with somewhat of an empty feeling (as are their wallets).

Barbara Winning, Spring '95

Letters

FORUM
April 20, 1994
The Pursuit of Happiness
by Frederick Techin
Editor

"Supreme Court Wrestles with the Reasonable Person"

For many years lawyers have struggled to apply the legal doctrine of the reasonable person. In Boulderville vs Vader (not yet reported) (1994), the U.S. Supreme Court wrestled with an unusual case. The court felt it was necessary to explain the reasonable person doctrine in such a way so that even the smallest child would know its legal requirements in an unusual circumstance.

This is a suit by the town of Boulderville against Earl Vader for reckless abandon and willful wantonness. In Boulderville vs Vader the high court decided it was necessary to explain the reasonable person doctrine in such a way so that even the smallest child would know its legal requirements in an unusual circumstance.

Thanks to the new rules that allow more openness into the way the Supreme Court makes its decisions, that were precipitated partly by the early release of Justice Marshall's papers and President Clinton's plan to reinvent government with an emphasis on openness and efficiency, we can now gain valuable insight into the decision making processes of the federal government's highest court. The opening up of the process where the justices argue with each other has enabled us to gain valuable insight into the workings of perhaps the greatest legal minds of the twentieth century. So for the first time in history we get to read about the fascinating arguments of great minds as they wrestle with complex legal problems. As the court began its open discussion of who the reasonable person was Justice Kennedy began by suggesting that George Bush was the reasonable person. That was quickly dismissed, however, as all the justices agreed that the reasonable person was in fact dead, and thus George Bush could not be the reasonable person.

Rehnquist then nominated Darth Vader, but Souter took issue with the nomination by saying that he thought Darth Vader was not particularly reasonable, especially since he wanted it to break the speed of light barrier, in a land vehicle. Earl's nephew, a middle-eastern arms dealer, furnished Earl with some D-class "scud" rockets. Earl fastened these to a sleek rail car that he used on the abandoned mining tracks just outside of town.

After making all the final checks with his nearsighted Japanese computer expert, Timmy Wang, Earl put on his War One flying cap, veered off the road, jumped a ditch, and wiped out the entire town of Boulderville, except for the small Baptist church which was saved by the grace of God. Fortunately, all the town's residents were at the church for a pot-luck dinner.

This was swiftly passed on March 3, 1994. Thanks to the new rules that allow for the small Baptist church which was saved by the grace of God. Fortunately, all the town's residents were at the church for a pot-luck dinner.

Give Corporal Punishment a Chance
by Patrick G. McCarthy
Contributor

Some of you may have come across a brief story a few weeks ago about eighteen-year-old Michael Fey, an American living in Singapore with his mother and step-father. Troubles began when Fey admitted that he and a few cohorts vandalized over ten automobiles and stole certain items in the area where they lived.

Parallel events occur all over the United States with unsurprising regularity. Earlier this year, a couple of punks broke into a local junior high school and utterly destroyed offices, ruined a gymnasium floor, and defaced several lockers. Last March, a 17 year old plead guilty to spray-painting on a public library in Logan Square, Chicago. He was sentenced to a $500.00 fine and a mere 50 hours of community service. Also last January, three teens were caught marking or "tagging" their names on 89 CTA buses to the tune of $210,000.00. worth of damage. The list goes on and on in every city or small town. We need not discuss violence and drug abuse that also afflicts the children of our nation.

The interesting observation is societal reaction in the two countries. In Chicago, parents and community leaders were initially and properly outraged at the $200,000 worth of damage done to the junior high, but then the media began to augment and twist the reality of what occurred. It interviewed school age classmates of the perpetrators, (as if pre-adult opinions meant anything of substance) and discovered that the children were at a loss to explain the motivation for such a violent act. School administrators brought in a battery of psycho-babbling "counselors" to help the school population deal with the "trauma" of vandalism. In true, modern American spirit, the media picked up on the "sympathy" factor for the juvenile brats that committed the crime: "Why would these boys do this?" "What was their motivation?" "Is there some deeper family problem they are trying to verbalize through the symbolic power manifested in acts of random violence?"

Conclusion: It is probably a sign of sexual abuse, let's get the family into counseling and onto Oprah Winfrey's show. Story at ten.

Other American communities set aside fresh spaces to "encourage" graffiti, labeling it an "art-form", an outlet of youthfulness and rebellion. Deviancy is given respect. Social workers feel they have achieved something but all the while our cities crumble deeper into uncivilized territorialism, staked off with the crude markings of punk warriors.

Meanwhile, back in old Singapore, things take a more simple path. Mr. Fey was found guilty and sentence was swiftly passed on March 3, 1994. In addition to four months in prison, young Mr. Fey will endure a "canning"; 6 lashes with a sturdy rattan cane. This punishment is reserved for those found guilty of property destruction, rape, molestation and other anti-social crimes. There is little vandalism in Singapore.

To be fair, caning will flay the flesh; it will draw blood and permanently scar the criminal's backside. It will no doubt cause this young man to yell and scream in agony for several minutes. It may even cause him to go into shock. But I can also guarantee this young man will never, ever damage another person's property.

I guarantee this man will never, ever damage another person's property.
Organization Funding Process is Wrong

by Troy D. Clayton, Contributor

At the February 24th Student Bar Association administrative meeting the budget dispute between the SBA and Forum was resolved, but the budget controversy is far from over.

Concerns over the fund-allocation process have been raised by various student organizations. Specifically, these organizations are asking why they are not getting the money they need to function when there is a surplus of funds in the SBA coffers. Further, the groups are concerned that these priorities are set by the SBA through the way they distribute money requested. Lastly, the organizations are concerned about cutbacks in funding from the SBA when outside sources of revenue are found or generated.

The process for obtaining money from the SBA is simple. The organization requesting funds submits a budget. The budget is scrutinized by the SBA, then a meeting between the organization and the SBA is held to discuss SBA concerns. After the SBA and the group have met, a final dollar amount is established and the SBA members vote on its approval or denial in a closed forum.

Ed Hearn, the out-going President of Jus Vitae, expressed concerns about three parts of the process. Specifically, Mr. Hearn questioned the manner in which budgets are scrutinized by the SBA, the closed-door voting policy used to approve or deny funds to student organizations, and outside funding being used by the SBA to cut an organization’s budget.

He believes that the meetings between the SBA and the student organization are more like an interrogation by the SBA than a means to compromise on funds requested by the organizations. He specifically wanted to know if the SBA submitted budgets to the treasurer for each of its functions and if they were scrutinized in the same way as each organization’s. Further, he sees the closed-door voting policy as a way for SBA members to avoid accountability to the student population for positions they have taken and votes they have made. Hearn also voiced concerns over money being cut by the SBA from an organization’s budget when outside funding is found by the organization. Lastly, Hearn states that he recently turned in receipts for a function of Jus Vitae and has not yet received the money allocated by SBA.

Hearn would like to see changes in the process in the future. He called for more closed votes by SBA members and more control over how allocated money is spent to be given to the organizations to limit the SBA’s control over the basic functions of the groups.

Members from other groups, including The Federalist Society, voiced the same concerns about the budget process and called for similar changes as Mr. Hearn, but have not...

Give Corporal Punishment a Chance

Sanctions are discussed and Amnesty International is up in arms. Now Mr. Fey’s father is asking all Americans to write to the President of Singapore and beg for mercy. How inhuman; what a barbaric practice; why, we must instruct our sons and daughters that such a youth, a young man; how can he be held to blame, much less to the bite of the “stick”? But for all of our modern, humane approach for the last thirty years, what do we have to show for it all? It is the height of arrogance for the United States, with it’s cities of decay, drug abuse and violence, per se, being by an utter lack of will to stem moral decline, to expect other nations to follow that same path of judicial weakness.

I would ask us to sit back, suffer the modern discomfort of watching a man being severely punished for a severe crime, and then watch what occurs to Mr. Fey later on. With the scars of his transgression permanently upon his buttocks, he may mark the beginning of a generation that finally comes to grips with moral correctness.

(Information for this editorial was found in: The Chicago Tribune, March 22, 1993, Jan. 7, 1993; The Los Angeles Times, March 9, 1994, March 5, 1994; and in the Philadelphia Inquirer, Jan. 9, 1994.)

STORM, FROM PAGE 5

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Faculty Profile: Derrick Carter

by Patrick G. McCarthy
Contributor

On Tuesday, April 12, Patrick G. McCarthy, internationally known Professor Derrick Carter gave a Faculty Profile. Here are excerpts from that discussion:

Professor Derrick A. Carter received his Bachelor of Science degree from Eastern Michigan University in 1972 and his Juris Doctorate from Valparaiso in 1975. For the past seventeen years, Professor Carter has worked in the Michigan Appellate Defender's Office, representing indigent defendants. He currently teaches criminal law, criminal procedure, pretrial skills and appellate advocacy at Valparaiso University. Currently, Professor Carter is the Vice Dean and New Professor of the Criminal Law Section for the National Bar Association and served a similar capacity for the Criminal Law Committee of the American Bar Association. Until 1992, Professor Carter hosted "On the Record," a weekly radio show on WTDR, 90.9 FM, in Detroit. In 1991, he won the "Distinguished Brief Award" by the Cooley School of Law.

WHAT WAS THE BEST THING YOU RECALL ABOUT YOUR UNDERGRADUATE LIFE? You remember the parties, the good discussions late at night. I remember the good debates we had against other colleges: I had received scholarships for debate. But you know, like in life, those moments are not the ones you devoted all your [time] to; they were fun moments. But I recall the good discussions at the local hang out, great political debates, four, five in the morning. I will never forget that. I enjoyed that dialogue, and concentration, and although people were going at it, it was harmonious. That is probably the most memorable, you know. You are maturing then... trying to define the opposite sex, you know, and there is a real, great creature in college, and people are trying to come to grips with that. So you go through...you know, some of those moments, some are glorious, some not so, but it is all part of the higher experience.

YOU MENTION THOSE NOT SO GLOnous MOMENTS, WHAT WAS THE WORST? I had no money for college, my mother had no money, she was going through a hard time, so making some money took away all scholarship and studies, speech. There was a really close moment with the finances which required working at Dominos Pizza which was fun and that was where I almost got killed...

LET ME GUESS, YOU WERE IN AN ACCIDENT ON A THIRTY MINUTE DELIVERY? No, a robbery. So you know, you have to make ends meet, this is what happens to people in society, you have to put yourself into another position, working for Dominos. I mean we save extra good, but we had to go into areas that were poor, so your set up...

WAS IT THE ROBBERY, THE FORENSICS EXPERIENCE THAT BROUGHT YOU TO LAW SCHOOL? No, I knew since I was seven years old that I would either be a priest or a lawyer. I grew up Catholic, but you soon lose the idealism of a priest...so I knew I would be a lawyer.

YOUR FAMILY WAS SUPPORTIVE OF THAT DECISION? Yes.

WHAT IS YOUR ASSESSMENT OF YOUR OWN LAW SCHOOL EXPERIENCE? Law school is a little different creature. It takes you out and brings you back. It does teach you how to think. Very few people are ever the same after going through law school. You think in detail, hoping that your writing is succinct; it's powerful. It's a type of education that you pour into, that of the money you have spent, you know you have gotten an education. You can't help but gain from it.

IS IT THE "NUTS AND BOLTS", THE LEGAL SIDE, OR IS IT THE THEORY THAT MAKES IT WORTH IT IN LAW SCHOOL? Both. A lot of professors divide theories from the mechanics. But if it's all one, it's harmony. It is not, "This is theory and this is practice"; rather they both come into practice all the time. You gain more power by exercising the harmonious relationship of that. I mean you can always tie theory in, it is there and in that regard, it is not useless. It is risky just to take theory and go further with it, but when you do take it further, you create new theory. You also show something that works or doesn't work. It is a thought, we all have thoughts and depending on how you articulate it, we call it either philosophy, or social work, insurance law, criminal law...you know...[etc].

ASIDE FROM CLASS WORK, DID YOU FIND TIME TO GET INVOLVED IN OTHER ACTIVITIES WHILE IN LAW SCHOOL? If so, WHAT KIND OF ACTIVITIES? We had a great clinic...a terrific one...in the Seventies. A case on race discrimination by the Indiana State Police which we won just as we were graduating and in your third year, you wanted to do something that was important. Most Court competition, that was all fine and dandy you know, to refine your craft. But in that clinic project, someone got hurt really bad and the clinic was dissolved. It is in no way shape or form the way it was when we would argue in Chicago, in the federal and state courts. We would be in cases, in trials. We don't have that now, but there were some attorneys who are now some great attorneys. Those are typical war stories.

WHAT ABOUT AFTER LAW SCHOOL, DID YOU CONTINUE WITH CRIMINAL LAW? The Appellate Defender Office is a real specialty office: Winning that, getting in there right out of law school, that is the greatest office. They always brag about it and very few would brag about an office, period. But I guess they saw the attribut... And getting a job then was just as hard as it is now, there was a huge recession...

THAT WAS IN WHICH YEAR? 92. They had just laid off sixty law students.

WHAT LED YOU TO COME TO TEACH AT V.U.S.I.? That was an accident...they needed a visiting professor to teach criminal law. Professor Stith was on a sabbatical and they had someone coming in who declined at the last minute. Where I was at, in the office of criminal appellate advocacy, we teach appellate advocacy at the University of Michigan, at Wayne State. So they asked if I could substitute as visiting professor, and then an offer was made which, you know, was a big decision. That is how that happened, they needed a criminal law professor and I was here for another event. They were aware of the prior relationships with the other law schools, the nature of the work which heavily influences the study of the cases.

MANY STUDENTS MIGHT WONDER WHY YOU LEFT AT LEAST THE PERCEIVED EXCITEMENT OF DEFENSE Litigation, ESPECIALLY IN A MAJOR CITY LIKE DETROIT, WHY DID YOU DECIDE ON THE MORE ESOTERIC LIFESTYLE, TO BECOME A PROFESSIONAL, WHY SHIFT FROM THE FAST LANE TO V.U.S.I.? I think that's true. In this world, there are a lot of things professors do, in terms of writing, that students don't see: Articles, publications...things I wanted to get into. There are a number of people who may have the talent, the legal talent, but may or may not have the talent to teach depending on their relationship with the students. That takes a while to really develop that. But I mean if you get along with the students, at least the majority in terms of teaching, you will at least know your baseline. I think you're right, there is that dynamic, and while a number of professors like that academic line, and number still keep a practice and influence law to a large extent with their practice, but that is the rare professor. Others influence [the law] by writing books or others influence it by...you know...teaching their students. That's fine and dandy, but that is kind of a shame in a way, it is kind of like the soldier that completes boot-camp and goes out into the world to retrain others but you're doing nothing to keep your own energies going. I think at times you should get into the battle of the fray...I think people are afraid this might interrupt their theoretical purity, at least in theory...it's just like judges, there are all kinds of judges, all kinds of professors, here some people like and dislike them, just like in life. There will be all kinds of judges you will either like or dislike. Some will create cogent, sound opinions, and others won't. That is just the nature of things. All in all, you just hope the students feel they are learning and you hope most of the professors don't feel they are just giving the same thing over and over.

IN AMERICAN LEGAL HISTORY, WE ARE EXPLORING THE CIVIL RIGHTS MOVEMENT, PARTICULARLY IN THE FORMULATION...
CARTER, FROM PAGE 7

OF CASES LIKE BROWN, MANY OF THE MORE SOCALLY PROGRESSIVE LAW SCHOOLS WERE ACTUALLY INVOLVED WITH THE RESEARCH, WITH THE PREPAREDMENT OF EVIDENCES USED BY THE JUSTICES IN THE CASES. DO YOU FEEL LAW SCHOOLS TODAY ARE STILL THERE SAME LABORATORIES FOR CHANGE?

That is interesting, yes, I think to a great extent that may be true. What are some of the hot issues? Look at some environmental issue, there could come a proposal were the students become partly involved in the process of some great environmental issue in terms of a study. You have a professor here who can bring in a group of law students who are involved in the environmental issue, you know, in terms of a laboratory, who can produce the information. So I think it depends on the nature of the controversial issue. Right now the current political situation is a quiet side which can change in a moment. That is why students now, I think, are pretty interesting to me, the CHS. They can go in both either way. I have no doubt that if the situation requires deeper investment and more deep research (I mean I have a little doubt) they will rise to the occasion. But as long as it remains quiet, as long as no one starts something really important, there is something to be said for: Quietness, non-controversialness.

THAT CAUSING AN ANGER, BUT THE HOPE FOR QUIETNESS, NON-CONTROVERSIALNESS REMAINS QUIET, AS LONG AS NO ONE STARTS SOMETHING REALLY IMPORTANT, IT'S JUST DIFFERENT TIMES, I MEAN THE SEVENTIES.

There are ways of being an activist, multiple ways of getting involved. And there may be that the environmental reform is largely ideological and it may eventually take a hold of the people and actually change things around.

IS THAT WHAT IS NICE ABOUT BEING IN ACADEMY, THE ABILITY TO OBSERVE ALL THESE THINGS? You have more time. All the newspapers you can read daily, all the newspapers daily. I think of the monks, the old monasteries, you know, they slow down and pray for the world. While at home, I use to read every day, think for the world.

YOU ARE NOTED AS BEING A STRONG ADVOCATE OF THE "ARGUMENTATIVE METHOD" IF YOU WILL; DIVIDING YOUR CLASSES INTO DEFENSE AND PROSECUTION/PLAINTIFF AND JUDGE IN ORDER TO FLESH OUT VARIOUS CASES. WHY DOES THIS SEEM IMPORTANT TO SPARK CREATIVE IN THE STUDENT ADVOCATES. WHAT IS YOUR APPROACH TO THE IMPLEMENTATION OF THIS APPROACH?

Many like it, and there are a few who like the lecture method. I have a lot of problems with that, but I am beginning to see what they're getting at, they would just like me to tie things in, with more hypotheticals introduced. I give credence and allowance....the argument and the dynamic to the particular side and make it work. And I think they have a good point and for the 1Ls, I try to resolve it. I experiment with different approaches; just like me going at it. Now we are on a more philosophical bent, learning how to enter the contrast and comparison. Many like it, you know, take the first year, every one gets really tired, I get really tired. That is why I will try to resolve the maze, and make it work. It was a study of the insanity of this man, and how they released this serial killer. It is this type of dynamic approach that I wanted to incorporate. I like the group socrotic method for a number of reasons.

AS TO THE SOCROTIC METHOD, WHAT IS YOUR FEELING ON IT, BRIEFLY?

I don't believe in putting one person on the fire will [necessarily] help. People are very nervous their first five years. You could have done very well with the socrotic method in college but when you get out in the world, you are too nervous and you can utterly fail. I've seen lawyers who were probably great in law school have diff. Even as a prime individualist, from my [own] office, when you take issues as a group, what ever side; when you speak to other attorneys, you work your issues. You are never at the same level as when you are alone. You are always at a higher level. There are always new angles, and there is a level of excitement which can discount the typical nervousness when you get out there by yourself. You want to get up there. You don't want to sit down and think for the world.

OTHER FACULTY MEMBERS REMIND ME YOU ARE ACTIVE IN A NUMBER OF ACTIVITIES AND PROJECTS, PLEASE BRIEFLY LIST THEM AND HIGHLIGHT ONE YOU MIGHT FEEL SIGNIFICANT.

A lot of things are still in the works. Currently I am Vice Chair of the Editorial Board of the Criminal Justice Committee of the National Bar Association. It is part of a serial group that decides which articles are published in the magazine. We get articles from all over the country, some are revised, accepted or rejected. It's a lot of fun, a lot of work.

ARE THESE ARTICLES MAINLY FROM LAWYERS OR?

Lawyers, judges, other professors. We are heavily involved in the ABA and the National Bar reports on vio.ence and the Federal Crime Bill that is now pending. The American Bar is faced with the task, which I've been drawn into, of issuing reports on how to reduce violence. We are drawing from interviews with prosecutors, defense [attorneys], judges, everyone...you know...and we are intent on getting out a report in August which is pretty insurmountable. Of course, it's a lot like the dog chasing its tail, I mean if people knew how to reduce violence, they would adopt the measures...Normally, now, the Federal Crime Bill, that is the "enforcement measure". They're trying to throw everything; 52 death penalty [provisions], "three strikes - you're out", not the kind of programs that prevent people from doing things in the first place. You have these two tens, you know, sometimes I think these two things can be integrat-ed for a...flexible one, depending on the nature of the crime. In other words, we need of the mind to reject enforcement, even the strict enforcement of gun control laws, but there may be a measure that will work with law (or) the other way. It's a lot of fun, a lot of work. Of course, maybe you should go at them with all your arsenal for a particular class, person or history. I really don't think this is anything new, that is to use both approaches and use a flexible standard. I think that is where we're going to come to. We are seeking define proposals under both the pre-ventative and enforcement theories. I think we can get at them later, and the liberals just want social programs, and we are seeking a hybrid.

IS THIS PROPOSAL REALLY THE ABA COMING TO SOME SORT OF ATTITUDE OR COMMITMENT ON THE CRIME BILL, OR ARE THEY JUST ASSESSING?

Right, they are assessing and trying to draw in other professionals. Health care professionals and others who address the problem from different angles and we are trying to coordinate those efforts. I mean, we already have tons of enforcement measures; forfeiture, preventative detention, habitual offender provi-sions, the best weapons, and yet that hasn't had a serious impact on crime. Kind of like Vietnam, a jungle, all these weapons, and yet we can't kill these people.

IF THERE IS ONE GOAL OR ACCOMPLISHMENT YOU WOULD LIKE TO ACHIEVE WHILE AT V.U.S.L., WHAT WOULD IT BE?

Well, I want to get my article out, there is a demand to publish. Then in the summer, I want to work on a text. I have all these types of criminal appellate advocacy, I have all these names, all this history. I mean teaching and I'm still writing, I still think this is important, but that will rarely knock you out of the box. It is extremely important to publish.

FORUM, 1994
Jackson's Bar
End of the Year Party

Annual Hog Roast

April 30th
Noon - ???

Drink Specials

Free Food
An Editor’s Farewell

By Mike Thompson
Editor Emeritus

Farewell to The Forum

Back in late April, 1989, I was a freshman at Eureka College, sitting in the Browning Room of Melick Library, attending the Student Affairs Committee that I should be the next editor of The Pegasus. I gave the committee several answers about how I thought I could work to improve the paper, encourage student and faculty participation, etc. And then, as I was about to finish, I said, “Besides... I think it would be a lot of fun.”

This answer surprised several committee members, and I left that meeting saying that my off-the-cuff answer had ruined it for me.

One week later, as the newest Editor of The Pegasus, I was approached by one of the committee members, who had happened to serve twenty years earlier. He remembered my response about having fun, and he said, “Well, I can tell you from experience that being editor is a lot of fun, but it’s only fun for the first two weeks.”

Over the past couple of months I have realized that he was right. By the April meeting, nearly five years ago. After three years as Editor of The Pegasus and after one year as Editor of The Forum — a total of 93 issues — the fun has not diminished.

I have devoted the better part of my collegiate and law school career to being editor of a student newspaper. I’ve been at it for so long now that I’ve rather grown attached to it. I like being Editor of a newspaper, even more than I thought I would back in April, 1989. So why am I giving it up? Well, it’s time to move on, and let new blood and fresh ideas take over. When you are dealing with a newspaper, the future of The Forum’s, the paper’s tend to take on the personality of the Editor. That’s fine when the Editor retains his enthusiasm, but when the job becomes more for the Editor, the energy that is reflected from the pages of the paper shows that diminishment.

Had I stayed on for one more year, I would, right now, be in the process of putting together my final editorial board. I have already moved forward to that opportunity, but this time the prospect failed to excite me. I found myself dreading one more year, rather than looking forward to it as yet another chance to reinvigorate the paper. That’s when I knew that it was time to look for someone else.

Am I going to miss this? You betcha. I do already. But I don’t regret my decision. I am proud of what The Forum has become under my direction, and I know that it is in my best interests and more importantly, in the best interests of The Forum to step away.

Time is drawing short and space is running out. By the time you read this, after my policies are modified under me over the past twelve months will be null and void. I leave this position, however, with an easy conscience, knowing that I am leaving it in good hands. I have always believed that of all the decisions an Editor must make, the most important is his choice for a successor. The only thing more disgraceful than to go down in history as the last Editor of The Forum is to go down in history as the second-to-last Editor.

Happily, I know that I will be neither the last, nor the second to last. Shortly after my policies were put into effect, Frederick Techlin, I had him pegged as the next Chief. His dedication, attention to detail and vision for the paper, and his ability to serve him well over the next year. This job, although immensely fun and rewarding, brings with it a lot of hard work that Fred’s leadership will well suit him to face both the positive and negative side effects of being Editor.

Before I sign off, I would like to publicly thank a few people. All of the members of my editorial board and staff deserve public mention, but this issue simply does not have enough pages to permit me to thank everyone who has helped out this year. I do want to single out a few. First of all, I want to give a big thank you to my Managing Editor, Mr. Patrick G. McCarthy. Pat took a year off over the summer, and I have already done my job as an editor and for doing the job he has been trained to do as an attorney. His dedication, loyalty, and tenacity kept us going through some of the toughest times. For his hard work and his friendship, and his willingness to stand up for what is right, I will always be grateful.

Unquestionably, the most capable and dependable member of any editorial board I have worked with over my four years as editor of a student newspaper has been Deven Klein. As I strove to focus more on news this year, Deven, more than anyone else, was responsible for making sure that the budgeting process would remain the most rewarding, brings with it a lot of hard work that Fred’s leadership will well suit him to face both the positive and negative side effects of being Editor.

One of the first people I met was Dan Buksa, then-Editor of The Forum. He encouraged me to work on the project for The Forum and last year I was privileged to work with him on a record-breaking year. As time has progressed, my admiration of his character, foresight, and ability has consistently grown. One of the great ironies of being in a university setting, where free thought and expression are supposed to be encouraged, is that those who engage in thoughtful, open, and honest debate are attacked. The battle that Dan fought last year as he stood up for the independence and integrity of this newspaper prepared me for this year’s battles. Let’s hope the battle is over, but this is, after all, a culture war.

And now, one final word before I bow out. This year has been a mix of a lot of challenges. Challenges are not always a bad thing for a newspaper and its staff. They keep us on our toes, and let us know who our real friends are.

It’s getting real old, though, to have to keep reminding those who consult the grant applications to solve the perceived problems. No one has ever been excluded from participation on this staff during any time in recent memory. Those who serve on staff do so because they have the courage and dedication to do the job. Those who sit back and complain without doing a damn thing to try to make a difference are nothing more than a bunch of cowards. It irritates me no end that every editor for the past five years had to deal with mindless criticism from these people, but that’s the way it is, so, once and for all, my challenge to those of you who can say but do nothing is to those who work for it: either pick up a pen and contribute something worthwhile, or keep your traps shut.

Folks, it’s been an interesting ride over the past year. My best wishes go out to the new Forum staff and all the folks who come to. To all of you who believe as Jimmy Breslin did that “a job on a newspaper is a special thing,” and you are people like Edward R. Murrow did that “most of us probably feel we couldn’t be free without newspapers, and for some reason we want the newspapers to be free,” my hat is off to you. You’ve taken up one of the most rewarding pastimes possible. You are the keepers of the flame of the First Amendment, and I leave you with my old Civil War saying, “Folks, it’s been an interesting ride over the past year. My best wishes go out to the new Forum staff and all the folks who come to. To all of you who believe as Jimmy Breslin did that “a job on a newspaper is a special thing,” and you are people like Edward R. Murrow did that “most of us probably feel we couldn’t be free without newspapers, and for some reason we want the newspapers to be free,” my hat is off to you. You’ve taken up one of the most rewarding pastimes possible. You are the keepers of the flame of the First Amendment, and I leave you with my old Civil War saying, “path rise up to your feet, may the wind be at your back, and may God hold you in the hollow of His hand.” That’s it. That’s all. I’m history.
Obiter

- "Property must not be taken without compensation, but ... some property may be taken or destroyed for public use without paying for it, if you do not take too much."

- Oliver Wendell Holmes, in his dissenting opinion, Springer v Government of the Philippine Islands, 1928.

- The only place in England in which the monarch is not permitted to enter is the House of Commons.

- The only way to tell a male penguin from a female penguin is by autopsy.

- The Chinese character for "thunder" contains fifty-two strokes and is pronounced "ping."

- In the 1904 Olympic Games in St. Louis, the marathon runner finished ahead of everyone else in the pack. He was later disqualified when the judges learned that he had hitched a ride on a truck.

SBA Spends $8,600 in Last Meeting

by Christopher Hedges
Investigative News Editor

The SBA in its last three meetings has allocated $8,588.15 to a variety of student groups and itself. The SBA budget has about $21,561 left counting this and last year's surplus, said SBA Treasurer Daryl Witherspoon.

Meeting for the first time outside under sunny skies on the law school's back parking lot, newly elected 1994-95 SBA officers and representatives opened the SBA checkbook and allocated $5,466.90 to groups, including the SBA and the newest Environmental Law Coalition.

While the meeting was operated under rules developed by past SBA administrations, rules against observing SBA budget discussion were relaxed. Students observing the meeting were asked to look away during the voting. SBA President Christine Drager said the closed voting rule would be changed next year.

The majority of the funding went to the SBA for American Bar Assoc. conferences in New Orleans and Wisconsin with an allocation of $2,890. The SBA also allocated $385 for a retreat for next year's members and $35 for food also received a $360 contribution. Orientation food also received $35.

MELC received seven budget requests to the SBA to fund various projects including fund raising, speakers, and trees. The group asked for $2,211.90 and received $1,396.90. The largest item in the request that was accepted was an allocation for $900 for fund raising. MELC is planning to market mugs at Jackson's and around campus and will repay the SBA from their profits. The rest of the money will be used to pay for speakers that came earlier this year, buy paper, and purchase trees to plant for Earth Day.

The SL Steering Committee's proposal to purchase a memorial for the late Professor Charles Gromley, who died last year, was approved by the SBA. The SBA allocated $600 to assist the group in purchasing a $1,000 memorial.

Earlier SBA meetings produced a smaller number of budget requests from student organizations. The Forum received an allocation of $1349 to purchase a new printer. The Black Law Student Assoc. was granted $322.25 so that a paper could be presented to the National Black Graduate Student Conference. The Equal Justice Assoc. received $1,250 in matching funds to fund its public interest scholarship program.

Gaffney up for Reappointment

by Laurie Green
Contributor

- In about six weeks the law faculty and the President of Valparaiso University will make a decision concerning the reappointment of Edward Gaffney as the Dean of the law school. The appointments are made for five year terms, with the decision concerning reappointment made at the end of the fourth. While the Dean says jokingly that he has "no bumper stickers or billboards", it is clear that he would like to continue the job that he took on in 1990.

The process for reappointment is a lengthy one, as it should be given the serious nature of the decision. The Provost of the University has been managing the process and dealing directly with the law faculty for some time. The first step, according to Provost Austensen, was designing a survey/questionnaire for the faculty to complete. That has been done and is being followed by a series of individual meetings with senior staff and the law faculty. Austensen says that he is winding down those meetings and will be getting shortly to the final evaluation piece, a general meeting of all the law faculty. This will be their final opportunity to discuss the matter and will followed by a secret ballot. Austensen says that he will report the results of the meetings and the ballots to the University President, who will make the final decision public. This process is expected to be completed by the end of May.

If he is reappointed, Gaffney says he will continue to pursue increases in alumni donations and would like to have the law school gain membership in The Order of The Coif, a national honorary society for law schools.

One of the major responsibilities of a dean is, of course, fundraising. Valparaiso is primarily a "tuition driven" school, relying on tuition for about 87% of its revenue. It is for this reason that gaining outside funds is so important. There has been some criticism of the dean for his lack of pursuit of "corporate" donors. When questioned about this, the dean responded that his priority is in the area of alumni giving and that donations in that area continue to rise. He points out that corporations don't give money directly anyway. Rather they channel it through foundations, which then do the giving. The foundations tend to sponsor particular programs or projects, rather than just general giving, Gaffney went on to explain. He mentioned a couple of programs here that have been sponsored in that way, most notably a celebration of the bicentennial of The Bill of Rights. The celebration was held here 2 years ago, was the only one of it's kind in the country and drew national attention to the university.

With regard to the reappointment process, Gaffney had this to say. "It is principles, not personalities, that matter in difficult decisions about whether or not to retain a dean. Lawyers know how to focus sharply on issues, make decisions and move on as friends and colleagues." He had high praise for the faculty, saying that it is crucial that people be able to disagree and still continue to get along. He indicated that the law faculty is quite diverse, a sentiment echoed by many of the faculty themselves; it seems a description of which both he and they are proud.

If reappointed, Gaffney will serve until the year 2000. If not, his term will end in 1995. In either event, he says he will continue to move forward and work on to assist the law school in preparing students to be, not only competent in the practice of law, but compassionate as well.
America Has Representative Constitutional, Federal Government? Says Who?

If I have learned anything from my two years in law school, it is that everything I have learned about our form of government is wrong.

You see, I earned a degree in political science and history, and I still believed that ours was a government of law, not of men; that ours was a federal, not a centralized government; that the people ultimately decide policy for our country through our representatives.

Whoops! Boy, is my face red! I have finally realized that none of that is true. Oh, sure, it once was. As recently as the 1950s, we could still make that claim. Then all hell broke lose, and I confess that my party was to blame for the start of it.

President Dwight D. Eisenhower was a good and decent man. As a general and as a President he served our country tirelessly and brilliantly. He made two gonzoo-whopper-sized blunders, though. One is named William Brennan, and the other was named Earl Warren.

Now I don't have anything personal against either Brennan or Warren. I never knew either of them. My problem with them is that they were both decent human beings, and I probably would have enjoyed talking with them. My problem with them is that their grasp of political philosophy, history, and constitutional law sucked raw eggs.

These two men, more than any others, are responsible for the start of a revolution that is still in full effect today. They made it fashionable to ignore the plain meaning of the Constitution and substitute their own notions of justice. They aren't solely responsible, of course. Occasionally in the past the Court had taken great liberty with the Constitution, but those cases are generally criticized even today, when anything goes in Constitutional theory.

Certainly the New Deal had its effect, as well. Franklin D. Roosevelt earned himself a special place in hell for setting us up for a grand perversion of the commerce clause that changed us from a federal government to a centralized government.

The Court is supposed to be our last, best defense against this sort of abomination. With Brennan and Warren leading the way, however, the Court took a sharp turn to the far left, so that now there is little more remaining to our original Constitution than bleached bones.

The Father of the Constitution, James Madison, said, "If the sense in which the Constitution was written is not the sense in which the nation... be not the guide in expounding it, there can be no security for a consistent and regular [government], more than for a faithful exercise of its powers."

How true. By releasing justices from the restriction of following the original intent of the framers, we have opened the door to a mess of dreadful decisions.

How is it that we have blindly accepted this revolution? It seems that it is no longer necessary to worry about amending the Constitution, since five people on the Court can do it on their own. It is no longer necessary to pressure Congress to enact necessary law or to write responsible law, since the Court will make it all up as it goes along.

In the span of a lifetime, the grand dreams our founding fathers fought and died for have been replaced by the very things they opposed.

The saddest part of all is that we all went along with it.

But Christ has indeed been raised from the dead, the firstfruits of those who have fallen asleep. For since death came through a man, the resurrection of the dead comes also through a man. For as in Man all die, so in Christ all will be made alive.

1 Corinthians 15:20-22.

Pilgrim In An Unholy Land

By Mike Thompson
Editor Emeritus

America Has Representative Constitutional, Federal Government? Says Who?

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1 Corinthians 15:20-22.

Quotable

"Why is religion so rarely seen in the media? Only 50 newspapers in America ever have a full-time religion reporter. The major TV networks have none. The ongoing influence of religion in daily life goes all but ignored. This, in a country where on any given weekend there are more people in houses of worship than attend major league baseball games all year long."

-JEFF GREENFIELD, ABC'S WORLD NEWS TONIGHT.

Put Your Money Where Your Mouth Is

by Michelle Murrin
Contributor

A Reply to Abortion is an Issue of Religious Faith

Abortion is an issue of autonomy. As a member of the sex that must ultimately make the enormous decision of abortion, I have to take offense if a woman is accused of "self-worshipping idolatry" when ultimately abortion is her choice. Abortion is an issue of religious faith, but it also encompasses many other issues.

Abortion is a matter of responsibility. All too often in my experience, pre-life individuals profess that abortion is morally wrong and that the mother who would even conceive of such an option is wicked. I believe that this thinking is part of the problem. Let's face it, the "evil" of abortion (whether it is truly the mother's choice or not) passes the stigma to the mother who now becomes the evil woman. Is this really the most constructive way to address the problem?

I think that many people would agree, no matter what position they hold, that it is evil when a woman is forced to decide to have a child simply because having a child under the present circumstances is not economically or emotionally feasible. Today's reality is that many of the mothers and child are on their own if she chooses to bring the child to term. Considering the burden of supporting that child, financially is not self-worshipping idolatry. It is responsibility. Considering how well she is emotion­ ally (and in some cases, physically) prepared to support that child is not self-worshipping idolatry. It is responsibility. The evil is not consid­ ering what is best for both the mother and the child, but the fact that the cir­ cumstances answer the question before it is even asked.

I suggest that the problem is in the judgment and condemnation which accompanies the choice to abort. If we are going to talk radically about radi­ cal solutions, I have a proposition. Do something about the choices. With such a difficult choice in an often difficult world, wouldn't it be fair to ask each person who wants to prevent an abortion to commit to financially and emotionally help sup­ port a child? Is it what many pro life supporters demand of expecting mothers. Isn't it fair to ask: "Put your money where your mouth is?"

Now, I admit that on an individ­ ual basis such a scenario will proba­ bly never happen in reality—but as a society it is possible. Instead of judg­ ing single mothers, shouldn't we praise them? Instead of putting ener­ gy into protesting, blocking abortion clinics, and even harassing women who are trying to make tough choices, couldn't we put our resources to bet­ ter use in changing attitudes and cre­ ating an environment that fosters not only children but the often over­ looked relationship between mother and child? Otherwise, we risk more than the unfortunate loss of children, our most precious resource. We risk alienating the mothers of those chil­ dren by expanding the gap between the solutions and those "self-worship­ ping idols."

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