NOVEMBER 1, 2000

LOYOLA LAW STUDENTS SPEAK OUT

ON THE PRESIDENTIAL ELECTION

It's All A Matter of Choice

by Gregg Reisher, first year evening

No, I am not suggesting that this election will be won or lost on the issue of choice. But I do believe the issue of choices is the most important one we should be concerned with in this final week of the presidential election of the new century.

First, let's look at the clear choice of the candidates. On the one side, you have a two term Governor of the second largest state in the union. On the other side, you have a two term Vice President and two term Senator and before that a member of the House of Representatives for eight years. Did I mention that that Governor of the second largest state has the least constitutional power of any Governor in the country? And, did I mention that the Vice President has been called the most effective Vice President in our nation's history?

Okay, so now on to the real choices in this campaign.

Choice

While I said that this election wouldn't be won or lost on the issue of choice, it has definitely become a more prominent issue over the last week. The FDA approved the use of the French abortion pill RU-486. This is sure to become a thorn in the side of George W. Bush's. He has tried to skirt the issue throughout the election, making it a mere afterthought at the Republican Convention in Philadelphia. But now, as Bush tries to court the moderate women vote, he has to break his silence on the issue. Don't be fooled - the Bush-Cheney ticket is anti-choice - always has been, always will be.

Since winning the White House, the Clinton/Gore Administration has been the strongest supporter of a woman's right to choose. Bush, the elder, was the one to slow the approval of RU-486, and approving it was one of the Clinton's first moves made after his inauguration in 1993.

School Choice

One of the prominent issues of this campaign is school choice. Heightened by the fact that California has it as one of its infamous ballot initiatives, school choice is a matter of national importance.

Some in the Gore camp say their man is supremely qualified to be President, while Bush lacks experience, doesn't have the requisite experience to be President is unwarranted. Bush has served as Governor of the second largest state in the U.S. for the past six years, has seventeen years of private sector experience (managing general partner of the Texas Rangers; CEO of an oil and gas company which he founded), and has five years of military service. Both the State of Texas and his private sector organizations have prospered under Bush's leadership.

Perhaps those Gore supporters who discount the level of Bush's experience do not consider Bush's private sector employment as legitimate experience. However, this limited definition of relevant experience does not recognize that the government benefits from leaders who have worked outside of Washington, D.C., understand how to build effective organizations, challenge the status quo, innovate, create prosperity, and challenge individuals to reach their full potential.

Both Bush and Gore have the necessary experience to be an effective President. The primary difference between their resumes is that a significant portion of Bush's experience is in the private sector, while Gore's is near
A Message from The Editor

This issue of the Loyola Reporter, the first of the new school year, is dedicated almost entirely to this week's election. This is no accident. Our decisions this week at the polls will impact our lives profoundly - as individuals, and as lawyers. As many pundits have commented, including one in this newspaper - the person we elect President next week will appoint between three to four Supreme Court justices.

I hope you read each article advocating for the election of either George W. Bush or Al Gore. (Incidentally, we asked Ralph Nader's camp for a submission but they did not meet the deadline.) I hope you realize the implications each such story may have declined to overtly state. I hope you get pissed off at some of these implications.

Then I hope you do not vote. That will mean your vote counts even more. And when you hear the results of the election on television Tuesday, I hope you think about the implications that pissed you off about either a George W. Bush or an Al Gore victory. And I hope you realize that guy who wrote the article praising that candidate you dislike so much, he voted for you.

Perspective On Law School

This Issue’s Perspective: Cheryl Chan

Receiving at Loyola kills you into a false sense of security of the world. The stringency of school causes an invisible bubble. We may, the singular focus in life is our education. The minor grievances in life like work and paying for things does not register on most students’ radar. (That’s what those laws are for, right?)

The fantasy would be nice. First year students are consumed and driven with the notion that they are going to be the top student in their class. They struggle to believe that this is accompanied with all of the fees and futures that are thrown at their feet if you are one of the “chosen ones.” If you are one of these, congratulations, a world of opportunity is opened to you. The sad reality is the great majority will be hit harder than first-year grades are awarded.

All is not lost though. Grades do not make the person and are not an indication of how good an attorney a person is going to be. Robert Shapiro, for example, got average grades. Grades are subjective and while they do reflect your level of analytical ability, intangible qualities like instincts or emotion ability which cannot be taught also are major parts of a complete lawyer. More people are not going to remember what their cumulative GPA was once they graduate. Nor will people care.

Every law student needs to keep things in perspective and prioritize their conflicting obligations.

I almost decided to prepare something on my legal education because my younger sister was diagnosed with cancer two months before school started. I thought I would be distracted and would not be able to keep up with the demands of work, school, and any other familial commitments. Ironically, she is the one that convinced me that there is more going on than just doing my own thing. You may not be able to see the rest of the world. Wherever I got self-shocked about her difficulties, my studies improved. I am reminded that many other people have worse than these. There are students that work and go to school and are married and have kids and those who drive incredible distances to get here. To be here is a privilege. But it is these other things in life like family that we are working for.

As important as we think the rigorous studying and analysis of all of these cases are, do not forget there is a world out there. Even tough part of OFP time is spent here, time does not stand still. You do not get those days back ever. I already went through this law school and the other perspective, being the significant other of masses in law school. I will not lie to you. It is hard and is the major tool of the relationship. I am related to legal minds. I will not. But you sure are not helping your cause if you hike up in the library twenty-four seven. There is no satisfaction at the end of your law school career. If you do not have someone close to share it with.

In short, one more thing to do is to use all the people in your class. You don’t have where they are going to end up in five years. And don’t forget, be nice to those in your life (family, friends) who have stuck with you through this experience we call Law School. Providing for them is the reason we are here.
It's All A Matter of Choice

Gore Continued...

bound to be the next great political battle in the 21st century. California’s Prop 38 would give approximately $4,000 in funds for each child they choose to take out of the public school system and send them to private schools. I don’t know how they raised the funds for this, but it’s extraordinary that this proposal raises. First there is the absurdity of the public school system. If Bush can find $4,000 for every station wagon of every hillbilly in Alabama, the public school system, why not put that $4,000 per student for the children of the innocent lives desiring of legal protection. The choice for schools should be a personal choice, but not the public school system. The only reason our public school system may be failing is because we have failed it. Fix it, reform it, but don’t abandon it. The Supreme Court

The pundit s go back and forth on the issue. First they say it’s not an issue that resonates with the public; that we need to leave the issue to the political process. The importance of the Supreme Court. Second it’s an issue that will never get an audience that argument doesn’t hold. Then they differ on how many appointments the president is likely to make. The deciding factor might make it—a member of the 27 will be it. it will be 47! For the sake of argument, let’s just assume that it is one. The next president will make one appointment to the Supreme Court. How Important is that one choice? In the last month of the Court’s last session, they delivered two 5-4 decisions. Two decisions that cut on each side of the political spectrum. In the first decision, on late term abortions, the Court struck down laws in 31 states banning them. In the second decision, the Court continued to let the Boy Scouts of America ban gay youth leaders. One choice from either candidate could swing the court in any one direction.

Bush is on record saying that his favorite justices are Antonin Scalia and Clarence Thomas. He says he would commit to putting a supreme court justice if you how far right those two justices are viewed on the political spectrum. Gore on the other hand has said that the judicial role model is Thurgood Marshall. Who do you want to make the choice? The next justice could be the one to entrench affirmative action or vote it; uphold school choice for religious schools or rule them unconstitutional; expand abortion rights or restate late term abortions.

The Final Choice

Let’s look at the choices that our two candidates have so far. Gore made history by nominating the first Jew to a major party ticket. He nominated a well-respected Senator, a moderate; a man who could bring experience and a sense of bi-partisanship to the White House with him. Also appointed Donna Brazille to head his campaign efforts. Bazille is an African-American liberal again showing that Gore supports and embraces the diversity of this country, Bush, on the other hand, has not taken the opportunity to put his money where his mouth is. It is all of his talk of compassionate conservatism, Bush chose to go with Chao. Chao is conservative, hands down. It brings no diversity to the Republican ticket except that he makes up for the international experience that Bush doesn’t have. Bush could’ve even broken out of his professional field; both Bush and Cheney have been told it one step further, Bush’s candidat on foreign policy affairs is Condoleezza Rice. Another oil industry coke who even has a taker named after her. And now Bush’s answer to the growing concerns around increased gas prices is to start drilling in the Alaska wilderness. There’s nothing big for you.

In the end, the choice is yours to make. What choice will that be?

A post script to Green party supporter’s: I recognize and understand your determination and support for Ralph Nader. I don’t think that you should abandon that commitment at all. But the bottom line is that Nader’s chances of winning the presidency are slim and that support will only take away votes for Lieberman. I think the record shows that Gore is more in line with Green party views on several issues. In essence, every vote for Nader is a vote for Bush.

Vote Bush!

Bush continued...

ly exclusively in the public sector. Gore, unlike Bush, has a significant private sector and non-manage- mental private sector experience. He has twenty-five years of public sector experience and twelve years of private sector experience. His private sector experience primarily con- sisted of work as a newspaper reporter. Gore’s limited private sector experience and Bush’s limited public sector experience relative to each other would not impair their ability to effectively perform the job functions of the Presidency. The nature of the experience does, however, reflect the different philosophies, visions, and policies of the candidates (i.e., government versus free market approach to addressing the nation’s prob- lems.

The claim that Bush is less educated than Gore is also without merit. Both men are highly educated. Bush earned his bachelor’s degree from Harvard University while attending the University of Houston and attended graduate school at the University of Texas. Gore earned his bachelor’s degree from Harvard, while Gore holds a B.A. from Harvard and attended (but did not graduate from) Vanderbilt University’s law and divinity school.

Another myth is that Bush is outright hostile toward the less educated, women, African-Americans, non-Cuban Hispanics, Jewish-Americans, and poor peo- ple. This is as ridiculous as saying that Gore is hostile or insensitive to the concerns of men, Caucasian-Americans, Asian- Americans, African-Americans, married per- sons, and religious persons. Neither Bush nor Gore is hostile or insensitive to groups that do not prefer a higher level of performance and accountability. They simply have different visions, ideas, and pri- orities about how best to advance the interests of these groups.

For example, Bush’s view against the legalization of partial birth abortion is not necessarily that bad. Bush, like many women and men, is troubled by the devolution and “abortion” of pre-born human life with distinct human traits. But he believes that the body and brain activity by the judicial and execu- tive branches of government. Bush’s pro-life belief is supported by a growing number of the innocent living desiring of legal protection. Bush’s adoption policy in Texas is pro-women as he doubled the number of adoptions of girls and boys of all races.

In Texas, for example, Bush established group homes for unwed teen mothers run by faith-based and other private groups. Bush’s policy would reduce the tax burden on all women small business owners. Bush’s education policy is pro-women (as well as men) to hold the sub-par public schools of their daughters and sons to higher levels of performance and accountability. Women would enable girls (and boys) to attend better schools if their local public schools fail to provide a quality education. Women would also support Bush’s support of Supreme Court Justice Scalia is Thomas is proof that Bush is pro-woman. Bush and Thomas believe that the most effective and equitable way to improve the economic opportunity of all American women is to continue the promotion of high and uniform work- place, educational, and personal responsibility standards. Bush’s support of English immersion programs for Spanish-speaking immigrant children is a policy intended to ensure that America is equal for every woman

Bush’s education policy include establishing merit pay programs for teachers, requiring states to test student achievement for all pub- lic school students, and if they do not meet state’s expectations, they are penalized. In 1997-98, the Tennessee (46% to 43%) and Arkansas (45% to 45%) according to polls conducted by the Roper Polling & Research Inc, and published during the first week of October by the Chattanooga Times-Free Press and the Arkansas Democrat-Gazette, respectively. While the poll results are within the 4% margin of error of each poll, the fact that so many residents from the home state of the Vice President and President support Bush is astonishingly good news for them.

More and more voters are realizing that Bush’s vision, ideas, and priorities including higher performance and accountability standards for government and schools, lower tax burdens on workers and their families, and a greater emphasis on civility and personal responsibility, would strengthen the nation and its people.

A recent ABC-Washington Post poll, voters said they favored a smaller government with fewer services over a larger government. In addition, Bush’s support has even surpassed that of the Clinton and Gore Administration in its home state. Bush is ahead of Gore in Tennessee (46% to 43%) and Arkansas (45% to 45%) according to polls conducted by the Roper Polling & Research Inc, and published during the first week of October by the Chattanooga Times-Free Press and the Arkansas Democrat-Gazette, respectively. The post script to Green party support- ers: I recognize and understand your determination and support for Ralph Nader. I don’t think that you should abandon that commitment at all. But the bottom line is that Nader’s chances of winning the presidency are slim and that support will only take away votes for Lieberman. I think the record shows that Gore is more in line with Green party views on several issues. In essence, every vote for Nader is a vote for Bush.

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Rantings From A First Year Law Student

Being in law school, I am sure almost everyone has been posed the question at least once at law school: ‘‘Why?’’ ‘‘Why do you want to go to law school?’’ I am sure we are all quite tired of this by now, so I thought I would give a little insight as to why I am absolutely certain we are all here. Besides the obvious, for myself, that I have been lying and arguing with everyone in my life for 24 years, and I might as well finally get paid for it, there are many underlying reasons why we are all here. 

First, I am sure we all need to get beyond those do-gooders in class that say they really want to help people and they don’t care where they are ranked. Everyone, and I mean everyone is here to be ranked as high as possible, so the next time that some one tells you they really don’t care, just understand that you are being lied to and that this person is most likely practicing now for the straight-face test they will have to pass with a judge during litigation. There might be one exception to this rule, and that is those just here for their Mrs. degree, but we’ll save that discussion for another day, because I would never want to offend anyone.

Now that we have established that we are all little ambitious future esquires, lets figure out just what we mean by our J.D. ‘‘Why do you want to go to law school?’’ I ask. Before I get into the reasons why I am here, I would like to give a couple of statistics by1. small law school, and 2. a large law school. It just all depends on how many people you know.

For example, just within the county of L.A., I think someone really needs to examine the 110 Freeway on my way to school, I am surrounded by the worst drivers in the world. First of all, there are many laws that I would like to change, for instance, just within the county of L.A., I think someone really needs to examine the IQ test should be a mandatory part of the driver’s license privilege. How many stupid people do we need on the road? Now, let’s talk national politics. Well, the first thing that we could do quite easily is reduce the national debt. How, you might ask? Very simple, enforce the death penalty and have public executions. Now I know I just heard a few gasps out in the audience because they are shocked and appalled, but think about it. How many times have you driven by an accident where someone has just been maimed in a car, and instead of turning your head to look the other way, you stare to see what is going on. Everyone has this morbid, sick sense. So, here’s the deal. First, we sell tickets to the Coliseum (at $15 a piece, ticket revenue alone would be 1.5 million) and we set up different methods of execution. For example, have the gas chamber, electric chair, hanging, guillotine, and my personal favorite...... in the pit with the hungry lions.

Now some of you might be asking, ‘‘What about lethal injection?’’ and I will ask you, ‘‘this guy just killed your little sister by ripping her eyes out with a spoon….and you want to see humane?’’ What fun would that be?? Anyway, you choose the method of death by either crowd response or a web-pool (gotta keep up with the times). Oh, did I forget to mention have this on pay-per-view as well? (If this fake wrestling junk can sell to these inbred idiots who think it real, just imagine what the real thing and a little blood could do). Think about all the money this would generate for the state. You would be a local hero (but hated by the humane society……but…..we’re going be lawyers, we could live with some obvious public interest group hating us)

Now that you have moved your way up the ladder, maybe even have written a book (everyone’s doing it). You might be able to take your LLS degree and give this country some pride. As is sit back and watch the best of what America supposedly has to offer us for this years election of our next commander-in-chief, I just want to cry-puke (or vote for Ralph Nader). It makes me wish that I was already out of law school already, so as to give this country a good, decent, honest, law abiding (She told me she was 18 your honor, I swear) candidate. We could bring morals back into politics, and inspire the young. We could actually do some good for this country, instead of passing bills and statutes which never make a difference. We could become as great debaters as Jessie Jackson (by making up words and confusing our opponents), and rule this country, making it what it should be, a place for all to prosper, enjoy life, eat, drink, and be merry. So for all those do-gooders out there, if you can tell me that you are in law school because you want to stop law, I really don’t care how your doing and you don’t care about money, then look me straight in the face while doing so. If you can successfully, then you are well on your way to becoming a perfectly good liar, (cough, cough), I mean lawyer.

Brad Halvorsen is a first year law student.