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The Loyola

Loyola Law School Student Newspaper

NOVEMBER 1, 2000

LOYOLA LAW STUDENTS SPEAK OUT ON THE PRESIDENTIAL ELECTION

It's All A Matter of Choice

by Greg 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 the final weeks of the first 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

see GORE, page 3

Vote Bush!

by Gregg Kelley, first year evening

George W. Bush and Al Gore are not perfect candidates. They, like us, possess weaknesses as well as strengths. We are not likely to agree with them on every issue. In determining whether Bush or Gore is more worthy of our vote, we should tune out the political spin. In an attempt to gain an advantage over the opponent among potential voters, both political parties and many special interests have tried to marginalize Bush or Gore as holding views out of the "mainstream".

In the interests of civility, intellectual balance and honesty, this journalist (who supports Bush) will not assert that Gore is an extremist out of touch with ordinary voters or smear Gore's character, integrity, or intentions. Gore, like Bush, is a decent family-oriented man committed to improving the country with the visions held by him and his political party. Instead, the focus is on addressing and debunking several untrue myths regarding Bush and making a case why a Bush presidency would be good for America.

Some in the Gore camp say their man is supremely qualified to be President, while Bush lacks experience, is not intelligent, and is unqualified. The claim that Bush does not 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-

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Some Election Predictions

(These are NOT endorsements of any kind)

<u> President – George Bush</u>

A close race, as we all have heard ad nauseum. Gore should take California, but Bush's leads in key swing states will give him an electoral plurality. Key fact: In races this close this late, the party NOT holding the White House has won every election for the past

<u>US Senate, New York – Hillary Clinton</u>

A Clinton will still be prominent on national colitical scene next year.

<u>US Senate, California – Dianne Feinstein</u>

Feinstein should win in a walkover. If Gore loses, look for a Democratic ticket featuring at least one of our Statewide Electeds next time around. Davis-Feinstein in 2004?

<u>US House, Pasadena/Glendale/Burbank – Adam Schiff</u>

The incumbent Congressman from this district, House Impeachment Manager James Rogan, has consistently voted more to the right of Jesse Helms. This means he is slightly more conservative than Attila the Hun, and it will cost him his Congressional seat this election.

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STUDENT EXERCISE ROOM

SBA SURVEY RESULTS

Do you currently belong to a fitness gym? 32% No 68% Yes

Would you use an exercise room on campus? 20% No 80% Yes

Would you be willing to pay a membership/maintenance fee? 54% Yes 46% No

The survey was conducted informally during the week of October 18-22. The results represent the data collected from 387 first and second year Loyola students.

WE WANT YOUR

What Do You Want To Read About? What Do You Have to Say? Tell Us.

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 asserted including one in this newspaper - the person we elect President next week will appoint between one 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 author 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 my vote counts even more. And when you hear the results of the election on television Tuesday, I hope you think about some of 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

Being at Loyola hulls you into a false sense of security of the world. The sanctity of school creates an insular bible. For many, the singular focus in life is our education. The minor arroyances in life like work and paying for things does not register on most students' radar. (That's what those loans are for, right?).

That 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 somehow believe that this is accompanied with all of the fare and forture 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 bitter when first year grades are arrounced. Accept it and move on.

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 Snapiro, for example, got subpar grades here. Grades are subjective and while they do reflect your level of analytical ability, intagible qualities like instincts or oration ability (which carnot be taught) also are major parts of a complete lawer. Most people are not going to remember what their anulative GPA was once they graduate. Nor will most people care.

Every law student needs to keep things in perspective and prioritize their conflicting obligations. I almost decided to postpone embarking 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 now an enhanced familial commitment. Ironically, she is the one that convinced me that there is never an apportune time to do anything time consuming. You may as well make the best of the situation. Whenever I get self-absorbed about how difficult my studies are, I am reminded that many other people have it worse than me. 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 those other things in life like family that we are working for.

As important as we think the tedious studying and analysis of all of these cases are, do not forget there is a world out there. Even though most of OUR time is spent here, time does not stand still. You do not get these days back, ever. I already went through this law school from the other perspective, being the significant other of screene in law school. I will not lie to you, it is hard and is the major test of the relationship. Some relationships will make it. Others will not. But you sure are not helping your cause if you hole up in the library twenty-four seven, 365. There is no satisfaction at the end of your law school career if you do not have someone close to share it with.

One more thing: be nice to all the people in your class. You don't know where they are going to end up in five years. And don't forget: he 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.

Humor Page, Continued

Top Ten Reasons to Live in the Valley

- No building above three stories; great cell phone reception. 10.
- 9. If it's 104 in the city, it's 114 here.
- Cool insider pronunciations that fool visitors: Cahuenga is pro 8. nounced one way, but Tujunga...
- The addresses (e.g. 27,479 Ventura Blvd.) confuse your East Coast friends.
- 6. Learn LA History with streets named after local robber barons -oops, pioneers Van Nuys, Lankershim, Mulholland.
- Dedicated homeowners groups always trying to rename your section 5. of Reseda "Valley Glen."
- 4. The Original Jerry's Deli – four separate locations!
 - Can ask your Los Angeles friends if Hancock Park is "the ghetto."
- 2. Overall flat geography, did we mention the cell phone reception?
- It's like, you know

It's All A Matter of Choice

Gore Continued ...

bound to be the next great political battle in

California's Prop 38 would give approximately \$4,000 to parents for each child they choose to take out of the public school system and arreal them: tem and enroll them in private schools. I don't have to tell you the extreme concerns that this proposal raises. First there is the abandonment of the public school system. If Bush can find \$4,000 for every student coming out of the public school system, why not put that \$4,000 per student back into the public school system and start giving teachers the resources they need in order to succeed increased teacher training, books, better facilities. Bush has vowed to make school choice a priority if elected. He suggested that schools that fail to show an increase in their student's academic performance would lose federal funding. Well, that's the way to deal with the problem! Let's just continue to take money away from the people that need

The second issue with school choice is the constitutional debate. Most private schools are religious schools. To take government money and give it to parents to send their children to private religious schools breaks one of the fundamental principles this county was founded on – separation of church and state. The Anti-Defamation League has reported that in some parts of the country up 80% of vouchers would be used in religious schools.

The choice for schools should be a 100% commitment in the public school system. The only reason our public school system may be failing us is because we have failed it. Fix it, reform it, but don't abandon it! The Supreme Choice

The pundits go back and forth on the issue. First they say it's not an issue that resonates with the public; that we can't grasp the understanding of the importance of the Supreme Court. Well, I think considering this audience, that argument doesn't hold. Then they differ on how many appointments the next president might make – will it be 2? will it be 3? will it be 4? 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 upheld a decision to allow the Boy Scouts of America to ban gay leaders. One choice from either candidate could swing the court in any one direc-

Bush is on record saying that his favorite justices are Antonin Scalia and Clarence Thomas. I don't have to tell you how far right those two justices are viewed on the political spectrum. Gore on the other hand has said that his judicial role model is Thurgood Marshall. Who do you want to make the choice? The next justice could be the fifth vote to entrench affirmative action or wipe it out; uphold school choice for religious schools or rule them unconstitutional; expand abortion rights or reinstate late term abortions.

The Final Choice The Final Choice

Let's look at the choices that our two candidates have made 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 experiment and a sense of hi-partisanchin to erate, a man who could bring experi-ence and a sense of bi-partisanship to the White House with him. He also appointed Donna Brazille to head his campaign efforts. Brazille is an African-American lesbian — again showing that Gore supports and embraces the diversity of this country. Bush, on the other hand, had the perfect opportunity to put his money where his mouth is. With all of his talk of compassionate conservatism, Bush chose Dick Cheney as his running mate. Cheney is conservative, hands down. He brings no diversity to the Republican ticket except that he makes up for the international experience that Bush doesn't have. Bush couldn't even break out of his professional field; both Bush and Cheney are oil men. Take it one step further, Bush's confidant on

foreign policy affairs is Condoleeza Rice. Another oil industry exec who even has a tanker 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 big oil for you!

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

A post script to Green party supporters: 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 from Gore/Lieberman. I think the record shows that Gore is more in line with Green party's views on the 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, lacks any executive or managerial private sector experience. He has twentyfour years of public sector experience and two years of military experience. However, his private sector experience primarily consists 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-

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 Yale and his MBA from Harvard, while Gore holds a B.A. from Harvard and attended (but did not graduate from) Vanderbilt University's law and divinity schools.

Another myth is that Bush is outright hostile or insensitive to the concerns of women, African-Americans, non-Cuban Hispanics, Jewish-Americans, and poor people. This is as ridiculous as saying that Gore is hostile or insensitive to the concerns of men, Caucasian-Americans, Asian-Americans, Cuban-Americans, married persons, and religious persons. Neither Bush nor Gore is hostile or insensitive to groups that do not enjoy majority support. They simply have different visions, ideas, and priorities about how best to advance the interests of the nation and its residents.

For example, Bush's view against the legalization of partial birth abortion is not proof that he is anti-women. Bush, like many women and men, is troubled by the devaluation and "aborting" of pre-born human life with distinct human DNA, a beating heart, and brain activity by the judicial and executive branches of government. Bush's pro-life belief is inherently pro-women as fully half of the innocent life deserving of legal protection is female. Bush's adoption policy in Texas is pro-women in that he doubled the

number of adoptions of girls and boys of abused and neglected children. He also established group homes for unwed teen mothers run by faith-based and other private groups. Bush's tax policy is pro-women as it would reduce the tax burden on all women small business owners. Bush's education policy is pro-women in that it would empower mothers (as well as fathers) to hold the sub-par public schools of their daughters and sons to higher levels of performance and accountability. Vouchers would enable girls (and boys) to attend better schools if their local public schools fail to provide a quality education in a safe environment.

Bush's support of Supreme Court Justices Scalia and Thomas is proof that Bush is not anti-minority. Bush and Thomas believe that the most effective and equitable way to improve the economic prosperity of all Americans in the 21st century is through the promotion of high and uniform workplace, educational, and personal responsibility standards. Bush's support of English immersion programs for Spanish-speaking immigrant children is a policy intended to enable such children to be qualified for desirable professional and higher educational opportunities in an increasingly competitive economy. Under Bush's leadership, student test score improvements in Texas were the highest in the nation, especially for African-American and Hispanic students.

Aside from English immersion and vouchers programs, other components of Bush's education policy include establishing merit pay programs for teachers, requiring states to test student achievement for all public school students in grades three through eight in reading and math, requiring report cards on the schools themselves to be given to parents, expanding teacher loan-forgiveness plans to encourage qualified candidates to teach in high-need schools, increasing Pell Grants by more than 50% for college freshman, expanding education savings accounts tenfold from \$500 to \$5,000 with a provision allowing for tax free withdrawals to pay for expenses from kindergarten through college and graduate school, supporting character education, and prosecuting juveniles who

bring guns to school and adults who provide the guns to minors.

No doubt many Americans, including George W. Bush, agree with Congressman George Miller's, (D-CA) assertion that the Clinton Administration and Al Gore have failed to do enough to address the nation's education needs (1/10/00). The Clinton and Gore Administration have had eight years to reform the educational system in the U.S. but have not done so. Their campaigns have heavily relied on support from teachers' unions, which adamantly oppose changes such as the introduction of competition from the private sector. Ironically, many teachers and politicians who oppose private sector competition with public schools send their children to private schools. Of course, hypocrisy has been a long-time companion of politics. According to the U.S. Department of Education, the U.S. ranked 19th out of the 21 industrialized countries surveyed in Math. In addition, the Clinton and Gore Justice Department only prosecuted 13 out of 3,930 students who were expelled under the Gun Free School Zone Act in 1997-98.

Many, if not most Americans, agree with the Republican Party's assertion in its platform that "the federal tax code is dysfunctional. It penalizes hard work, marriage, thrift, and success - the very factors that are the foundations for lasting prosperity. Federal taxes are the highest they have ever been in peacetime. Taxes at all levels of government absorb 36 percent of the net national product. When the average American family has to work more than four months out of every year to fund all levels of government, it's time to change the tax system, to make it simpler, flatter, and fairer for everyone. It's time for an economics of inclusion that will let people keep more of what they earn and accelerate movement up the opportunity ladder." Despite class warfare rhetoric from Democrats that Bush's tax plan would primarily benefit the rich, the Bush plan in fact ensures substantial tax relief to all taxpayers and specifically targets low-income workers.

Bush supporters ought to be encouraged by recent polls. By a two to one margin in 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 on its home turf. Bush is ahead of Gore in Tennessee (46% to 43%) and Arkansas (45% to 43%) according to polls conducted by the Mason-Dixon 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

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.

RANTINGS FROM A FIRST YEAR LAW STUDENT

Being in law school, I am sure almost everyone has been posed the question at least once of "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 someone 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 might be able to do with our J.D. I personally think that there are many laws that I would like to change and establish. For example, just within the county of L.A., I think someone really needs to examine the rules of the road. Why is it that every time I am on the 110 Freeway on my way to school, I am surrounded by the worst drivers in the world? First of all, there is the old lady in her caddy applying another 10 lbs. of makeup which isn't going to make a damn bit of difference anyways, or the man shaving on his way to work, but lets not forget the all encompassing person on their cell phone who has their head in the clouds and almost slams you into the center divider because they are in their own little world when they change lanes. Hey, don't hit m...yet, I'm still in law school, (but when I am out.. Game ON!!) Last but not least, let us not forget my favorite, those people who roll by

you in their rusted out, muffler dragging 1972 Nissan Sentras. All you hear is their car vibrating and yours, and their hands are waving in the air, like they just don't care. First off....how is it that if they have a car worth \$100, they can afford a sound system that is worth \$2,000?? I would hate to speculate where that money is coming from. So, I think the immediate question is, what can we do about these people that cut us off and run us off the road and generally just frustrate us. These numbers are almost as high as the UCLA population at Loyola Law School.

If you want to dance, drink, or apply makeup while you drive, that's fine, I have no problem with it, as long as you can do both at the same time competently. I think the happy ol' people at the DMV need to incorporate all these skills into the driver's license test. If you want to be able to apply makeup while driving, then prove to society that you are competent in doing so, but if you can't walk and chew gum at the same time, you have no business out on the road except with your hands at 10 and 2, and your eyes glued to the road, and no, you don't need to always have an arm free for the babes. And another thing, I think an 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 an 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 mil) 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 its 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 obnoxious 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 I sit back and watch the best of what America supposedly has to offer to 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) con-idate. 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 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, (oopssss), I mean lawyer.

Brad Hakala is a first year evening student.

Each issue, we compare the Law Student with other varieties of our lovely human species.

This issue, we have provided a handy chart detailing the differences between the Law Student and "Randy."

Day Job

Tatoos

Question(s) asked When asked "Do you Want a beer?"

Music Tastes

Sexual Proclivities

Quote:

Biggest Worry:

Body Type:

Biggest Regrets Last Year:

Motto:

Criminal Law Knowledge:

Favorite Latin Phrase:

Father's Profession:

What he does for an occasional extra Buck:

Favorite Food Specials:

Religious Preference:

Mode of Recording Notes:

What a British
Person says when
He introduces himself

Law Student Hal

All sorts of useless info

"How much homework do J have this weekend? Does this question have consideration mentioned for this to be a unilateral contract offer?

Just who is hip right now?

Two Words: Study Groups

Omnium consensu capax advocati nisei studiasset

Will J pass ConLaw? Will J pass Crim? Will J pass anything?

Still feeling the effects of the "Freshman 15."

The three low grades.

"Top ten ranking or bust!"

Questionable.

Juris omnia vincit.

9 to 5, O'Melveny & Meyers

www.sportsbets.com

McCormick's & Schmick's, Downtown

None. Hasn't had time for services in 2 years.

Laptop

"J'm sorry to hear that."

Randy Auto Mechanic — Well, sometimes a meth deal er.

"Motley Crue" tatooed on his meaty forearms

"Js it cold?"

"There hasn't been any coolmusic made Since Credence Clearwater broke up."

One Word: Alive

"Gas, grass or ass, no one rides for free!"

Will my '69 Chevelle start?

"This is HARD fat, baby."

The three DUIs

"If it has tits or a carburetor, sooner or later It's gonna be trouble!"

Firsthand.

Salma Hayek.

8 to 10, San Quentin

Gaffer on a porn set

Wienerschnitzel, Chatsworth

Smith & Wesson

Bar napkin.

"J'm sorry to hear that."

