

forum

The Vermont Law School Student Newspaper

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South Royalton, VT



Back row: Gretchen Oldham, Jamie Williams, Tracy Bach, Becky Turner,
Front Row: Susan Baker, Dr. Jack Beecham, Nicole Lynch

Roe v. Wade 35th Anniversary Celebration By Eual Kozma and Niki Lynch

Once again the VLS community, with the leadership of Law Students for Reproductive Justice, put on a fantastic event to celebrate the 35th Anniversary of the landmark Roe v. Wade decision. Law Students for Reproductive Justice is a national nonprofit network of law students and lawyers.

Our organization educates, organizes, and supports law students to ensure that a new generation of advocates will be prepared to protect and expand reproductive rights as basic civil and human rights. Some of LSRJ regular events include campus visits from Planned Parenthood Mobile Express which allows students to receive contraceptive products, emergency contraceptives, STI testing and information about their health needs, and our annual Pleasure Party which makes reproductive justice educational and fun. The celebration of the Roe

v. Wade decision is not only one of our most important events as an organization, but over the years it has become one of our favorite events to put on for the Vermont Law School community.

Despite years of decisions and legislation that have begun to chip away at the Roe v. Wade decision, LSRJ carries on in its mission to secure current and to promote the future of reproductive rights. This year was no different and LSRJ put on another fantastic evening with a thought provoking guest speaker and a delicious meal.

On Thursday January 17th 2008, over 80 students, staff, faculty, local medical and legal professionals, and other members of the community gathered together in the Chase Center for the LSRJ Annual Wine Tasting & Dinner.

This year LSRJ had the pleasure of welcoming none other than Dr.

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Have You Registered for NAELS Yet? By Samantha Balmes

As many of you may already know, VLS will be holding the conference for the National Association of Environmental Law Students.

Practices (including Interior Design) and Healthcare. Even if you are not serious about the environment, the NAELS conference still offers activities



This year's chosen focus is "Picking up the Pieces: Reclaiming Global Environmental Leadership" – a topic which should be close to all our hearts since we are the future leaders of this country and attending the best environmental law school in the country.

Besides the sentimental reasons, the NAELS conference is an outstanding opportunity for networking with students, attorneys, and politicians from around the nation and the globe. Each day you will have the opportunity to learn and lunch with fellow peers and potential future employers. Who knows, maybe you can avoid those horrendous interviews by landing a distinguished contact at the NAELS conference.

Panel topics include everything from international agreements to energy law. There will be a mix of general panels, such as the Legislative Panel, and topic specific panels, like the GMO Panel. The NAELS conference will even satisfy the non-legal interests, with panels focusing on Green Building

for you, including a Martial Arts Workshop and a Vegan Cooking Workshop. If you are not really interested in any of these great topics, your registration will still get you delicious food for the whole weekend, so you do not have to cook but only sit back and enjoy!

This is going to be an exceptional conference, featuring many interesting speakers, with feature speaker Bernie Sanders, so you should register today. If you register BEFORE February 15, then the registration fee is \$40.00, but if you wait then it will cost you \$55.00. Additionally, the Workshops have LIMITED ENROLLMENT, so registering early saves you money and gives you the opportunity to ensure a space in coveted workshops.

Registering is easy! Go to <http://naels2008.vermontlaw.edu/registration.htm> and "Click Here to Register Now." Make sure to read all the tips and guidelines. If you have questions, contact your NAELS representatives, Thad Adkins and Laurie Wheelock.

Roe v. Wade from pg 1

Jackson Beecham as our distinguished keynote speaker. Dr. Beecham devoted his life to caring for women's health through diagnosis, care, treatment, research and teaching. He followed in the footsteps of his father and decided to enter the medical field as an obstetrician/gynecologist. After receiving his medical degree from Temple University School of Medicine he went on to practice and study in the fields of Obstetrics & Gynecology at New England Medicine Center Hospitals, Fletcher Allen Health Care, Dartmouth Hitchcock Memorial Hospital and the University of Vermont. Dr. Beecham eventually came to specialize in Gynecological Oncology and he currently practices in various locations throughout Vermont and New Hampshire.

Dr. Beecham, a truly dedicated and passionate life-long advocate for women's reproductive rights, bravely went where few physicians dared to go in the 1970s when he brought suit against the State of Vermont in the hopes of overturning Vermont's anti-abortion statute. This counter-intuitive statute did not outlaw a woman from having an abortion however it made it illegal for any physician to actually perform the procedure.

Reproductive rights eventually prevailed in the case of Beecham v. Leahy in 1973, just one year before the decision of Roe v. Wade. The Vermont Supreme Court in rendering the criminalization law invalid recognized the weight of the provider/patient relationship. They said, "By this decision, we hold that the legislature, having

affirmed the right of a woman to abort, cannot simultaneously, by denying medical aid in all but cases where it is necessary to preserve her life, prohibit its safe exercise."

Dr. Beecham shared with the audience his experiences during and after the lawsuit, what New England was like in the years before and after Roe's passage, the important connection between the medical and legal fields, and both the many challenges and victories the movement for reproductive freedom has encountered during his career.

He recalled that when he found out about the Vermont Supreme Court decision, it was one of the proudest moments of his life. His story was not only inspirational, but reaffirmed the importance of our fight to uphold the inherent dignity of women and families to be trusted with personal decisions. LSRJ and Vermont Law School were honored to have him speak at our annual celebration of Roe v. Wade.

LSRJ would like to thank everyone who made this event possible including, but certainly not limited to, the continuous help and support we receive from Planned Parenthood of Northern New England, Emily Blistein of PPNE, Vermont Access to Reproductive Freedom (VARF), VLS faculty and staff, the attendees, and of course this event could not have been possible without the hard work of Gretchen Oldham, this year's event coordinator. We hope that all who attended found the event worthwhile and we look forward to seeing you again next year.

Starting Out

By Thomas Ashley

It is often that an end is not just an end, but also a beginning. So it is with Ascendant Vermont. Borne of the end of a law school career and observed institutional deficiencies, Ascendant Vermont is a consulting firm offering services ranging from resume and application materials development to strategic planning and policy analysis.

Deciding to go out on one's own is both a very difficult and a very easy decision. Sole proprietorship offers the freedom of setting your own schedule, but the uncertainty of cultivating clients

energy development in this country, from development of countless resumes and the editing of myriad reports and papers – will allow me to deliver a product of high quality, desirability, and utility, while overcoming perceptions of inexperience.

In so doing I expect to help countless people, businesses, non-profits, and local governments achieve what they desire – from employment and admission to top colleges to stronger revenue streams and balanced zoning ordinances. I believe that earning an income by truly helping our friends, neighbors,

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and gaining a strong reputation is significant. Setting up shop in Vermont or any other rural community necessarily requires the identification of a specific niche. For me, that niche is providing critical analysis of resumes and application materials to augment Career Services; it is also providing critical analysis of business plans, legislation, college entrance essays, and business and product branding.

Do I expect clients to come rushing to these services? No. As with any similar endeavor, I know that I must overcome the significant hurdle of a perceived lack of experience. Many policy shops and consultancies are run by former directors of strategic planning, chief operating officers and the like. In my case I believe that my experience – from stakeholder counseling and resurrection of Vermont's Farm Methane Project to development of aspects of the U.S. position in ministerial talks of the Asia-Pacific Partnership on Clean Development and Climate, from branding and developing marketing strategies as a student of business and art to providing legal analysis of one of the most significant issues inhibiting renewable

and strangers is one of the highest callings – that, and being a legislator. That is the hook for me, as I've decided to run for the Vermont House of Representatives. In Vermont we truly have a citizen legislature – one that meets 4 days a week for 4-5 months each year. The Vermont legislature is comprised of farmers, hair stylists, small business owners and the like – citizens. And legislators in Vermont are compensated in such a way (a little over \$600 a week during the legislative session) that we can ensure a certain level of selflessness.

Enter Ascendant Vermont. I believe that my work under the mantle of consulting firm dedicated to helping individuals and organizations achieve their goals is a wonderful way to help those who have decided to spend their lives or law school careers in Vermont. I only hope it will be enough to help myself – to meet the debt burden of law school and the expenses of living associated with campaigning every two years and representing my fellow Vermonters in the citizen legislature of Vermont. Now I just need some clients.



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The 2008 Rubin Fellowship



Zander Rubin, as pictured in the Vermont Law School Forum, Oct. 26, 1979

In Memory of Lillian Gingold

By
Julia Horrocks

The Rubin Fellowship is named in honor of Zander Rubin, a veteran attorney with Vermont Legal Aid and the first director of the South Royalton Legal Clinic. After helping to found the Legal Clinic in 1979-80, Rubin went to work as a Vermont assistant attorney general.

After his untimely death in 1985, the Rubin Fellowship was created by his parents, Lillian and Ben Gingold, and former friends and colleagues. Since then, 46 VLS students have served as Rubin Fellows, providing supervised representation to persons unable to afford to hire a lawyer.

In 2007, Lillian Gingold passed away. Her dedication to the cause of access to justice through subsidized student legal work helped sustain the Fellowship since its inception, and it is to her memory that this year's selection process and Fellowship work are dedicated.

The Fellowship provides approximately \$4,000 each year to law students working on behalf of disadvantaged or underrepresented. To receive the award, students must meet a number of criteria including commitment to future work advocating the rights of disadvantaged or underrepresented persons, academic achievement, high performance in other programs, good character, and financial need.

In addition, the summer position must be unable to pay the student for their work and advocate on behalf of underprivileged clients. Some priority

is given to positions in Vermont, but location is not dispositive.

Applications for the Fellowship are already due for this summer's positions, but those of you who are first years can apply next January to help fund the following summer. Current Fellows enjoyed the interview process. Interviewers include faculty members and successful public interest lawyers.

All of the recipients loved their summer experiences, and felt that they had helped accomplish the goals sought by the founders of the Rubin Fellowship. None of the recipients would have been able to finance their summer jobs without the support of the Fellowship, or to do as much as they did in public service. Their experiences, however, are diverse, and highlight a wide range of public service opportunities that meet the criteria receive financial assistance by the Rubin Fellowship.

Florence Cornish worked at the Juvenile Court Division of the Public Defender's Office in Dekalb, Georgia. The majority of her clients were low-income juveniles. She was able to go before a judge under the supervision of an attorney, and try the cases of another attorney who was on maternity leave. She took about 45 cases last summer, and did everything from negotiating with prosecutors to gathering evidence and taking pictures. Florence said it was an incredible experience being in front of a judge every day. She said that seeing what happens

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Tom Brady is a Loser

By Rick!

Keeping you all abreast of the New York Giants for so long has been a real pleasure (some of you were actually not that supportive, but then again I don't care). If you were one of my detractors it must really irk you that I am now published. Anyway...SUPERBOWL. This momentous occasion comes during a season where the G-Men were not predicted to even be a .500 team, let alone knock off those senior citizens in Tampa, those pretty-boys in Dallas, and those cheese-wearing jerks in Green Bay. In honor of this occasion I will run down three potential scenarios of what could happen at the end of this game.

Win: The people watching the game at my place, after tearing my apartment apart in a Bacchanalian victory celebration, will run into the street and start flipping cars over and lighting them on fire, Detroit Pistons fans style. After inciting a full-scale riot and setting the gazebo on the green on fire we steal a van and head to Canada to avoid arrest and prosecution while living cool, fugitive lifestyles; like Young Guns, without the horses or Emilio Estevez.

Lose: The people watching the game at my place, after tearing my apartment apart in fit of melancholy manifesting itself in the form of destructive rage, pour out into the streets and go door to Patriot loving door looting and pillaging, Detroit Pistons fan style. After being clubbed into submission by local

residents and law enforcement we spend the night in jail, get bailed out by, let's say, Wesley Snipes (Day-Walker!), and we all fly to the tropical, non-extradition country where Snipes hides from the IRS to live out our days napping, drinking fruity tropical drinks, and blogging about what a jerk Tiki Barber is.


Tie (Yes, there can be a tie in professional football.): The people watching the game at my place sit dumbfounded for a long time. A tie is like kissing your sister: nobody wins. Everyone goes home in silence, lacking either the depression or elation required to do serious property and/or emotional damage, Buffalo Bills fan style. We move listlessly through the rest of the semester (even more so than usual), skip graduation, and move to the Midwest, where everything is flat and boring, just a like a tie game. We all take jobs as clerks at various stores and are sarcastic (but not to our full potential) to all of the customers.

Three scenarios. Three possible courses of action. Only three things are certain, however: (1) Rambo is going to be awesome, (2) Eckley's e-mail privileges will be revoked in the near future, and (3) some jerk will still continue to screw with the library thermostat instead of putting on a long sleeve shirt (seriously, don't touch it, what is wrong with you).

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In Memory... from pg 3

behind the scene reinforced her interest in working in public service.

Shiloh Hernandez first found a position at the EJ office in Oakland, California, litigating environmental issues in the international and domestic fora. The focus of his internship was global climate change – he conducted follow-up research to a recent petition to the Inter-American Commission on Human Rights on behalf Inuit of the arctic regions of the United States and Canada. Shiloh said it was moving to see how climate change severely affected these cultures. Shiloh also did translation work for the Interamerican Association for Environmental Defense, which is affiliated with EJ. He also conducted research for a recent case against the US Department of Defense over a proposed base relocation in Okinawa Japan that threatened the Okinawa Dugong. The plaintiffs in the case, environmental organizations and Okinawans, used the National Historic Preservation Act to force the DOD to evaluate the effects of its proposal on the Okinawa Dugong, a

manatee-like sea creature with particular cultural significance in Okinawa. Shiloh said the internship was a brief, but wonderful introduction to a world that he hopes someday to be a part of.

Evan Meenan worked in the Civil Rights Unit of the Vermont Attorney General's Office. His job was to receive complaints and evaluate whether the complainant presented a prima facie case of employment discrimination. If so, he drafted a charge of discrimination on their behalf, helped conduct factual investigations of the complainant's allegations, and if necessary wrote letters of determination (though most cases don't get to that point). He explained that it's a semi-adjudicative/administrative process, and he was able to pull from his experience to write a paper for Professor Kujovich's Civil Rights Seminar on advocating on behalf of quasi-judicial groups. Evan is glad to have participated in a process designed to end employment discrimination. He plans to stay in Vermont after graduation and hopes to be able to make Civil Rights a part of his career some day. He found it useful to meet all of the people working in the AG office and others in Montpelier.

Tim Connolly had already

seen the prosecutorial side of things, so decided to work in the Public Defender's office last summer. He said there were often underlying issues involving his client's arrest – including illness, drugs, or poverty – and that it was rewarding to really understand how these issues affected his clients and to help them where he could. As a summer law clerk Tim worked primarily with clients charged with misdemeanors. Tim personally met with each client, gathered discovery, learned the clients side of the story, researched possible defenses, found witnesses, wrote motions to the court, and helped staff attorneys negotiate with prosecutors. Additionally he was able to observe and learn about the defenses of some high profile murder and drug dealing cases. Tim says the most rewarding case he worked on was one in which he helped a deaf client get out of jail after a mis-understanding and a lack of an interpreter during his arraignment led to a warrant for arrest. Tim enjoyed working in the Burlington office – he said there's a lot to do, the pace is really fast, and the people are great.

EDITORIAL:

Sandra's Lost Love

By Shelly Gardner

Sandra Day O'Conner's husband has alzheimer's. She left the court (she thinks) because of him. And it's strange that she needed to be seventy-something before she wanted to be loved. I believe she thinks the reason she left the court was to look after him. To be the dutiful wife. That's what the world thought, anyway. She had just finished a despicable act; she traded and sold her soul to the devil. She promised the devil if she voted to sell out the country by forsaking the trust of folks, then the devil would let her husband love her again, at least in make believe.

Ms. O had not been a good wife; she loved him when they met at Stamford law, giddy like a girl. But. That was only for two minutes, she shook it off, because a bigger beast had stirred within.

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The “War on Terror”

The 2008 Presidential Candidates’ Views on the Roberts Court’s Divided Opinions

Dan Schramm

Restoring the Constitutional Balance of Power

Lube. Oh, come on, not that kind of lubrication. We need lubrication to make sure the great machine of government the Founders set in motion 230 years ago still runs smoothly when the next President finishes his or her term, and the next president after that, and the next. The Founders were not theocrats as some say, but Newtonian rationalists and humanists. They believed that a smooth-running and perpetual system of human government on earth was not idle idealism. When writing the Constitution in Philadelphia, they tried their best to make one.

That system has pulled us through two hundred years of massive, global human conflict. But even the best engine needs an occasional oil change. Today the engine of U.S. government is threatened by an internal friction the Founders strived mightily to prevent: unchecked use of military force by the executive. Most Americans are familiar with the list of grievances against the current King George.

Bush has proposed a total and unending “war against terrorism” that undermines our traditions of political liberty; he has authorized illegal wiretaps of American citizens; tortured military detainees; waged unprovoked war overseas; subcontracted that war to mercenaries; declared openly through signing statements that he will not execute laws passed by Congress; instructed officials to ignore subpoenas to testify before Congress; violated court orders to preserve videos of torture carried out by the CIA; compromised national security in exacting personal vendettas; etc.

These misdemeanors, it has often been pointed out, rival the grievances the colonists listed against King George III in the Declaration of Independence.

Those whose understanding of American history starts

on September 11, 2001 might be comfortable with these usurpations. But those who are familiar with a longer history of our government know these are the latest symptoms of two centuries of executive aggrandizement. That history is too long to detail here, but just for fun, did you know President Nixon firebombed Cambodia using the authority invested in him by the Feed and Forage Act of 1861?

There’s also Teddy’s Wall Street-funded conquest of Panama (for which Congress paid Colombia \$25 million so we could be friends again), and Ronald’s dirty war in Nicaragua, just to round out the field, but there are many more examples. Indeed, almost every unlawful act that Bush has committed finds precedent in the sordid history of the imperial presidency, under both Republicans and Democrats. Do we take a perverse solace in that?

Those who shaped our system of government did not intend the executive to have such vast powers over national security. Congress was given the power not only to “declare war” and to “raise and support armies,” but also to “grant letters of marque and reprisal”—an archaic phrase but an important one: these documents were used at the time of the drafting of the Constitution to authorize and set strict and specific conditions on limited hostilities.

Early court cases held that a person who followed presidential orders that violated Congress’ terms of engagement could be held personally liable. In comparison, the executive was given relatively little power: he can “repel attacks” in the event of an invasion, and as Commander-in-Chief, he is the titular head of the military. While that role has been used to justify a vast range of martial activity, it was intended by the Founders to ensure the military was under tight civilian control—not to give

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Brian Thompson

The ‘Right’ Side

At times, American’s attention wrongly fixates on superfluous news and events. Some people discuss Britney Spears losing her children to “K Fed,” while others focus on who drafted T. J. Houshmandzadeh in the third round of their fantasy football draft. While all of these issues are a necessary relief from everyday stresses, it is important to listen to Professor David Firestone and “Just read a paper every now and again.”

As Decision 2008 charges forward, America slowly turns its eyes on potential presidential candidates and their issues. One issue that Democrats united behind early on in the election race was stopping the war in Iraq and an immediate withdrawal of American combat troops. Although the Democrat candidates in Congress and the United States Senate practically demanded troop withdrawals during the elections, troops are still in Iraq and instead of immediately bringing them home the majority decided that a surge of more troops was needed in Iraq. That surge, among other things, has aided in delivering some relief to the Middle East. The leading Democrats, who ran in 2006 on a platform of ending the war are now supporting a more extended presence.

In addition to continually funding troop increases in Iraq, the leading Democratic White House hopefuls have started to concede that they will not and America should not pull U.S. troops from Iraq, not even by 2013. Addressing whether troops should be immediately withdrawn from Iraq, Illinois Senator Barack Obama said, “I think it’s hard to project four years from now.” Senator Obama’s opening comments of the campaign debate in New Hampshire was followed by Senator Hillary Clinton saying she would not promise to end the War in Iraq because despite all her security briefings and congressional knowledge, “it is very difficult to know what we’re going to be inheriting.” Even Senator John Edwards of North Carolina said “I cannot make that commitment” – referring of course to ending the war and withdrawing U.S.

Troops.

Although political progress is moving slower than military progress, it is almost universally agreed that some improvement is being made in reducing violence and increasing personal freedom for the citizens of Iraq. It appears that the Democrats have backtracked on troop withdrawals as a political maneuver as to not be caught on the “wrong” side of the Iraq issue. What then is the “right” side of the Iraq issue? Well, for that we should look at four of the Republican White House hopefuls and see where they stand.

One of the most recognizable voices regarding the war on terror has been Arizona Senator John McCain. Senator McCain has made it clear that he is not backing away from his support of the war in Iraq. In a series of public speeches, McCain has aggressively identified his candidacy with the war.

Unlike many of the presidential candidates, both conservative and liberal alike, who believed that the American presence in Iraq should be limited, Senator McCain supported the increase in troops that has led to the violence reduction. McCain believes that troop increase is necessary to provide additional security for rebuilding local infrastructure, boosting commerce, and facilitating free and democratic elections. Although McCain’s views have been questioned by several leading democrats, McCain’s own military record and history as a prisoner of war has caused critics to value and trust his opinion.

McCain’s overall objectives are to halt sectarian violence in Baghdad, disarm local militias, and train the Iraqi Army to secure violent areas currently held by insurgent forces. McCain has continually disagreed with the Pentagon’s current policy of rotating commanding U.S. Generals in and out of Iraq. John McCain believes that senior officers with experience should remain on the job as long as possible. Once the Iraqi government wields greater authority, McCain believes it will be incumbent

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Dan Schramm from pg. 5

the president unilateral authority to use military force.

Listen to Justice Jackson in *The Steel Seizure Case*, “No penance would ever expiate the sin against free government of holding that a President can escape control of executive powers by law through assuming his military role.” (emphasis added)

Under Bush, the excesses of presidential power have become a stain on our national honor. Where once Congress and the courts could look the other way when a Lincoln or a Roosevelt stretched his authority for the greater good, now the need for a shorter leash (and possibly a bark collar) has become apparent. This presidential election is critical for many reasons. But the threshold question is, how will the next president understand his or her constitutional role?

The field of Republican candidates can only be described as frightening, the tenor of their debates a chest-thumping match about which one can do the most damage to the “enemy,” which now includes Mexicans.

The Democratic field holds more potential, but not much more. Obama has infamously said he would order attacks on sovereign Pakistani

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upon the Iraqi leaders to maintain democracy. However, McCain contends that a premature withdrawal of U.S. military forces would condemn Iraq to civil war, and gravely jeopardize American security.

Mayor Rudy Giuliani would agree with the overall objectives that Senator McCain holds, including troop increases, infrastructure and economic support, and swift and comprehensive training of the Iraqi Army. Mayor Giuliani believes he has the best methodology towards fighting Islamic Extremism, starting with an adjustment of title. Rather than the “War on Terror,” Mayor Giuliani re-labels the crisis that America faces by calling it a “Terrorist War on Us”. This title emphasizes that the war was forced on the United States by radical Islamic terrorism. Their defeat is what Mayor Giuliani refers to as “our greatest challenge”.

To the former mayor of New York, this issue is not political, but

territory if he knew he could take out Bin Laden there—not a good sign for curtailed executive military action. Clinton has spent much of her career in the Senate becoming chummy with the generals whose favor she needs to convince the boys she can play with guns too.

All three major Democratic contenders, however, stated at the New Hampshire debate that they desired an accelerated withdrawal from Iraq. But that only demonstrates how far we have already strayed from the constitutional path: the end of hostilities is as much the duty of Congress to decide as their beginning.

Which brings us back to lubrication. If the government is something like an engine, the executive’s role is not to seek to expand itself limitlessly through the exercise of powers that were not granted to it. The piston would jam in the cylinder and the engine would need to be rebuilt (viva la revolution). But it may be too much to ask of any person handed the reins to the U.S. presidency to be so demure. As Justice Jackson said to the sleeping First Branch fifty years ago, “only Congress itself can prevent power from slipping through its fingers.”

practical. The “Terrorist War on Us” transcends politics. In order to confront the difficult task of defeating terrorism, America must accept a practical approach. To accomplish victory, he plans to increase the size of the Army by ten combat brigades and the Navy by 300 ships. Mayor Giuliani also calls for a troop “surge and redeployment” into Afghanistan to help defeat the resurging Al Qaeda and Taliban forces.

Mayor Giuliani’s long term approaches to fighting terrorism emphasizes stability and communication with other countries. He has four large proposals. First, expanding NATO into a global security organization with a focus on confronting significant threats to the international system. Second, creating a Stability and Reconstruction Expeditionary Corps to assist in stabilizing failing governments and prevent the emergence of new terrorist safe-havens. Third, Mayor Giuliani calls for the formation of

an International Center for Freedom from Terrorism to increase cooperation by enabling terrorist experts from each government to maintain constant contact with each other. Forth, use foreign policy to create incentives and partnerships with Arab and Muslim counties focused on assisting the U.S. in winning the “Terrorists’ War on Us”.

Another candidate who has remained steadfast in support of democracy in the Middle East is former Mass. Governor Mitt Romney. Recently he was quoted supporting President Bush’s proposed troop increase, citing the now ubiquitous proposition that you must win the hearts and minds of the people before ever defeating a terrorist insurgency. He acknowledges that this is a difficult task, but says it must be done in order to protect our nation from further terrorist activities. When asked about other topics surrounding the war, Governor Romney has stood behind bolstering the image of American resolve in the war on terror. He has openly criticized democratic presidential candidate Barack Obama for his willingness to negotiate with governments hostile to the U.S. if elected president. (AP July 26, 2007).

On Iran, the Governor did not outwardly oppose the use of tactical nuclear weapons in prohibiting an Iranian nuclear bomb, saying; “[W]e have to make sure they understand that we’re not arrogant; we have resolve. And we have the strength to protect our interests and to protect people who love liberty.” (NH Republican Debate, June 5, 2007). Governor Romney has made is stance known to the American People – that he will continue to do what is necessary to insure a victory in the “War on Terror”.

Last but not least is former Arkansas Governor Mike Huckabee. Governor Huckabee has consistently opposed setting timetables for withdrawal Iraq.. He see’s Iraq as being a key battle in what he calls our “generational, ideological war on terror.” Recognizing Iraq as the crossroads for many different secular Islamic groups, he feels that a stable Iraq is key in making the country the center of Democracy in the region. He also recognizes that helping Iraq secure itself is important on the War on Terror

as it will prevent Iraq from becoming an al Qaeda training ground, especially in Anbar Province. By leaving before Iraq’s government can secure the country on its own, Governor Huckabee feels that it would be both a strategic loss to the United States’ goal of spreading democracy, as well as a humanitarian loss for Iraqis, as it would leave the country open for terrorists to shape its future.

Governor Huckabee supports the Surge, and feels that it is working to achieve its goals. He points out that America has never fought a war until “a week from Wednesday,” but has always declared war until victory could be achieved. He feels the Surge, as well as all of our other efforts in the country is providing a great window of opportunity for the Iraqi government to take over and succeed. Until that goal can be reached, Governor Huckabee feels we need to allow our military and its leaders to continue the mission and achieve the goals set out for them. By setting a timetable, he says, we are not insuring victory, but telling terrorists they do not have to win, that they just need to wait - a message he does not think America should send to its enemies. With this in mind, Governor Huckabee is ready to stay the course and achieve those goals which are vital not only for a stable Iraq, but for a victory in the War on Terror.

Republican White House hopefuls have all stood strongly behind the position that victory in the War on Terror can only be accomplished by a continued presence in the Middle East. This has not always been a politically favorable stance; Democrats over the past two years have continually attacked the Republicans for their resolve to remain in Iraq. It was that attack along with promises to end the War and remove American combat troops from Iraq that landed many of them in Congress and the Senate. Today, however, the leading Democratic presidential candidates have once again changed their stance. Now it would appear that the Democratic two-step (not to be confused with the Chevron two-step) has allowed them to backtrack to where the Republican candidates have always stood – on the “right” side.

Sandra's from pg. 4

When they married she tried once again to quell the twitch in her. She bore children. She was Junior League. She cooked dinner and raised babies, after graduating first in her class at Stamford. After graduation no one would give her a job as an attorney. Maybe a job as a secretary, but not as their brethren. So she suffered and plotted in a way that only an elite white women of her day could do. And the love that had been for her husband turned away. Not to anyone else, it turned toward the twitch and this time not to turn it down.

She turned from her household to take a job in a small law firm. She worked long and hard, she worked it until she inoculated the right ones. The "Stepford Wives" chapter of Sandra was finished and the novella of a power monger was born.

Sandra day O'Conner gave her husband to other women. Oh, he never truly let her know he was cheating on her, but she knew. She knew she should care but she couldn't care. But it would ruin her plans, oh the hell to be ambitious. You can't save yourself from yourself.

She knew she wanted the comforts of love but couldn't trust the protection of it. So, guided by her primal instinct for survival she went into politics. She met the right folks and she got high. The climb was high. Because the higher you go the safer you are.

But even icy cold Sandra wanted to have love too, in the end. She actually felt a little guilty when

she realized her husbands Alzheimer's cause her to stir. Stir in a place that she had thought was long atrophied.

One day while sitting with her husband her looked at her for a scant second in away that made her recall a joy. A sumptuous warm lustful joy. The effect was disarming and when she recovered and realized she didn't want to leave this place, it was gone from his eye. She strained to get it back, but he was gone. Was she crazy? She made more time for him. She started coming home from the court earlier. She started breaking into the subject of altzerhimers. She spoke of her husband and alluded to his medical condition. Every once in awhile her husband closed the gap, closed all those loveless years tat they had burned when he fell into his space of disrememberance. Where he forgot that she stopped loving him and put on her public face. The face that the world knew was a fake family face but clamored to see. To se if you've truly paid your entertainment dues. Their payment was the level of pain your soul was in.

Sandra's husband for hours and days was in love with her again. He kissed her spontaneously. He shook her core. She sold her vote because she thought it could hasten her to her love. She needed to be with him. He was coming alive, while loosing his mind. And she was becoming a woman.

She told the world she was stepping down to tend to her husband and she did. She went to a

limited staff. She lay with him and felt his breath on her face. Sandra was just about to have womanhood. She had sex with him in the beginning because she was young. She had sex with him to make the children. She stopped having sex with him to gain power. And now he had not remembered all that and adored her again. She had to be home.

As soon as she stepped down from the bench her husband began to go outside and wander away. He began going out and getting lost. The authorities would sometimes have to be called when he was gone for too long or they would bring him home saying, that he had gotten into traffic some miles away. She sought aid and had special constraints placed on the doors. He went out the windows. When pressured to stop he would become violently angry. She was cross until he came out and addressed the women in her.

The staff, her children, the authorities were becoming vocal about his condition and maybe there were more appropriate steps she should be taking in his care. Like institutionalize him. No. she couldn't. And she couldn't tell them why. Poor Sandra was finally in love, with a ghost.

And when she finally had to hospitalize him he was angry with her. He told her he knew why she put him that place, because she couldn't get ahead with a sick husband, "what would they think!" He was now in a public area, in the public sphere, and everyone gave her their condolences, their praise. For


Sandra was such a good woman to step down from the highest loftiest position in the world to take care of her husband. She not only was feeling like a women but she was for the first time looking like one too.

But it was not forty-eight hours after her husband's being institutionalized. Not forty-eight hours after railing about being put away that he fell in love with another woman.

On his first night there a woman, another patient, had sneaked into his room and lay with him and he stopped regressing and began progressing. He was stuck in love with her. They held hands and fondled in public. They giggled and snuggled and they refused to be parted.

At first Sandra thought it a lark. She looked for him to address their common life of over fifty years. She was willing to trade back to the period of business love, but he didn't return. After he had lost his mind just enough to melt away recriminations on both their sides. The disease rang the alarm clock and awakened her at primal love and just when she could set things straight, just when she had enough power, she didn't have any.

So Sandra Day O'Conner was fatefully humiliated to the whole world. Her dutiful lifelong partner is innocently, happily in love with another woman. And Sandra, she gets to see her husband not cheat on her.



2008 Wynterfoest Schedule

Monday, February 4th
Vermonster Ice Cream Eating Contest @ 8:00-8:30 Crossroads
Trivia @ 8:30-10:30 Crossroads

Thursday, February 7th
Tug-O-War @ 12:45-2:00 Library Quad
Scavenger Hunt @ 3:30 - 5:00 Chase

Tuesday, February 5th
Blood Drive @ 10:30-3:30 Chase
Showball Toss @ 12:45-2:00 Library Quad
Spelling Bee @ 7:00 Chase
Law Student Feud @ 7:30 Chase

Friday, February 8th
Broomball Tournament Starts @ 2:10-5:00 Town Green
Crossroads Happy Hour @ 5:30 Crossroads

Wednesday, Febryary 6th
International Food Fest @ 12:45-2:00 Chase
Snow Sculptures Judged @ 4:00 Library Quad
(Winners announced at Dating Game)
Dating Game @ 7:00 Chase

Saturday, February 9th
Barrister's Ball @ 8:00pm-12am Stoweflake
(Transportation will be provided)

VLS EVENTS

Are you thinking about climate change? Our children won't have a choice.
**CONFRONTING GLOBAL CLIMATE CHANGE:
USING THE LAW TO PROTECT FUTURE GENERATIONS**

Symposium Presented by:
The Vermont Journal of Environmental Law
The Vermont Law Review
The Climate Legacy Initiative

Jonathan B. Chase Community Center
Vermont Law School, S. Royalton, VT
Free & Open to the Public

Friday, February 22, 4pm
Opening Address by Former Interior Secretary Bruce Babbitt, Reception to Follow

February 23, 9am - 4pm
Panel Discussions, Breakfast and Lunch Provided, CLE Credit Opportunity

9:00 a.m.: *Rights Not Yet Realized: Climate Change & the Rights of Future Generations*

10:35 a.m.: *American Jurisprudence & Climate Change: Pathways to Future Action*

1:00 p.m.: *International Frameworks to Combat Climate Change*

2:35 p.m.: *Finding Ways Forward: Global Responses to Climate Change*

For more information visit: <http://ccfg.vermontlaw.edu>



VLS Mountaineers, Professor Jack Tuholske, Peter Gill, and Jared Carter celebrate on the summit of Mount Washington after completing an early December ascent. The conditions were uncharacteristically calm for the peak, which is well-known for its record setting winds and torrential weather.

Book Club

Book Club will be holding its semi-annual used book sale the week before spring break. You will find tables of used books in the Chase Breezeway for your reading pleasure. That's right, not a legal book in sight! Stock up on Science Fiction novels or pick up a kids book for your favorite little mischief maker. All hardback books are \$2.00 and all softbound books are \$1.00. If you have used, non-legal books you would like to donate for the sale please contact Samantha Balmes.



ILS

ILS Sponsored and Student Created International Art Show. ILS will be asking students to contribute their best (or worst!) art with an international theme. Photos from a trip you took years ago or paintings inspired by a beautiful scene in the Amazon, whatever your specialty we want to put it on display. The date is yet to be determined, but keep watching the Breezeway for an ILS table where you will be able to sign up and buy tickets.

International Cooking Series will begin in February. Each month ILS will be sponsoring an International Themed Cooking Class. Learn to make Curry, Irish Stew, or Tapas. Dates will be announced monthly and tickets will be sold in advance. Space will be limited so be sure to watch for the ILS Cooking Series table.

ELS

Mark your calendar, Earth Week activities will be held Monday, April 7 through Friday, April 11. There will be many great events, including the play *The Lorax*, an Alternative Fuel Car Show, a Fly Fishing Clinic, the Trashion Show, and the featured panel on Wildlife and Endangered Species in the Midwest. Splendid fun will be had by all, so we hope to see you there!

Keep your eyes and ears open for the ELS Recycling Debate to be held in late February or early March. ELS has invited recycling advocates and opponents to come to VLS and perform verbal acrobatics in an attempt to win you over. Pizza will be free and a special professor (I won't tell you who just yet) will be acting mediator.

Be sure to purchase an ELS mug. Hand-crafted especially for ELS by Chris Vernon of South Royalton. Only \$15.00 and \$1.00 more gets you yummy Lake Champlain Hot Chocolate. Contact Megan Campbell or Amanda Holder to purchase your mug today.



**PICKING UP
THE PIECES**
NAELS 2008
Hosted by Vermont Law School
March 20-23, 2008

Featured speakers include:

- US Senator Bernie Sanders
- Founders of the National Resources Defense Council (NRDC)
- Bie Tao, Assistant Council of Environmental Law at the State Environmental Protection Administration of China (SEPA)

For info and registration visit:

NAELS2008.vermontlaw.edu

VLS Students: Register before February 15th and get the special rate of only \$40.