Meet the New Face of Student Affairs
An Interview With Christine Gregory

By Tim Harrington

Over the summer, a significant change quietly came to pass on the third floor of Hutchins Hall. Former Dean Charlotte Johnson vacated her position to make way for a new Director of Student Affairs, Christine Gregory. In order to better acquaint the Law School community with our new Director of Student Affairs, the RG decided to sit down with Ms. Gregory for a little chat.

RG: How does your role fit into the law school administrative structure?

Christine Gregory: My role is pretty much exactly what Charlotte Johnson was doing, so my responsibilities include the joint degree programs, disciplinary matters, and the funding of student organizations, among other things. Dean Baum and I divide the work up between us, and we also collaborate a fair bit.

RG: What plans do you have?

Ms. Christine Gregory
The New Director of Student Affairs

I also want to create a broader definition of what it means to succeed in law school. In other words, there's not just one way to do it. Success in law school has traditionally meant being top ten percent of your class, or getting a job at a firm at the top of the Vault list—that's pretty narrow. I am more concerned with making sure students feel balanced and healthy, and apply their values to their work. I want students to look inward and see their values and merge those with the professional choices that they make, because the decisions we make here can shape the rest of our lives.

More generally, I want people to feel better about their law school experience and more connected. To that end, I am researching ways to support the development of young lawyers. When I was in law school here at Michigan, it was very challenging. Now that I'm in the position I'm in, I have the opportunity to make the sorts of changes that would have made my own law school experience that much better.

RG: Tell us about how you ended up back here at Michigan.

 CG: When I was a student here, Virginia Gordon was the Dean of Students and I just really wanted her job, so I went into her office and asked her what I needed to do in order to get there. (Virginia is now the Assistant Dean of International Programs.) Virginia told me to just go out and work for a few years at something I loved and then come back, so I went to Washington, DC, and worked for the Neighborhood Legal Services Program for about three years.

After that, I went to work as the Executive Director of the Urban Alliance Foundation for several years, also in DC. That foundation put high school kids from Anacostia, one of the roughest...
Letter To The Editor:

I'm writing in regards to a small mistake in your article “Here’s the Skinny” in the last issue of the RG.

I’m thrilled to be a member of the statistically impressive class of ’09. I’m flattered to have been picked out of the 369 of us by Dean Zearfoss for my accomplishments before coming to law school. I was not, however, a “forest-fighter” as your article reported. As a member of the Sawtooth Hotshot Crew for four seasons, my job title was “Hotshot Wildland Firefighter.” To those in the know, or trying to impress people like the Dean of Admissions, “Hotshot” would suffice. At the very least it’s “Forest Firefighter.”

If the mistake is yours, no big deal. If the mistake is Dean Zearfoss’s, perhaps you could let me know so I can prevent her touting the fact that the 1L class includes a forest-fighter.

Of course, it’s perfectly possible that I am mistaken here. I may not be the person Dean Zearfoss was referring to. There might be someone -perhaps a former slash-and-burn farmer, a onetime sales rep for Bounty, an elusive Northwest logger, or an already overzealous user of free Lexis printing- who fits the description “forest-fighter.” If this is the case, then I apologize for presumptuously assuming I was the person referred to in the article.

I look forward to many more installments of Res Gestae over the next three years.

Sincerely,
Pete Skrief, 1L

Correction:

In “Here’s the Skinny” (9/19/06), the interesting prior work experience of one of the 1Ls mentioned should have read: “forest firefighter” instead of the less environmentally friendly “forest-fighter.”

Clarification:

Though the statistics regarding 2006 graduates were correct in “A Warm Welcome From Dean Caminker” (9/19/06), it was not clear that the eight clerkships Dean Caminker reported were among graduates outside the top half of the class. A total of 48 graduates from the class of 2006 accepted clerkships following graduation.
U.S. Solicitor General Speaks On SCOTUS

By Bria LaSalle

On Friday, September 22, the Federalist Society hosted United States Solicitor General Paul Clement at a lunchtime event. Before a standing room-only crowd of students and faculty in 150HH, Clement offered his perspective on the recent and upcoming Supreme Court terms.

As Solicitor General, it is Clement's duty to supervise and conduct government litigation before the Supreme Court. His office is involved in nearly two-thirds of the cases that come before the Court each term.

Following an introduction from Dean Caminker, Clement began by describing the two major themes that defined the October 2005 Supreme Court. First, the changes in Court membership made the term highly historic. A long period of continuity had come to an end, and each case's oral argument carried a sense of questioning: Which Court would ultimately decide the case? Would it be nine justices? Eight? Would the parties be forced to return to reargue? Clement observed that every day seemed to present, even in its tone, either a new first or a grand last. "It made for an interesting term to be a spectator at the Court," he mused.

One of the change-inducing aspects of the term was Sandra Day O'Connor's imminent departure. By the start of the term, she had submitted her resignation pending the confirmation of her replacement. On her last day, the Court issued a 5-4 opinion in Central VA Community College v. Katz. Clement commented that the Court's decision to rule with O'Connor's vote was significant; the vote would likely have shifted to a different outcome if it were cast the next time the Court sat.

The second theme that characterized the 2005 term is the way the term fell into two distinct halves. The early portion of the term was characterized by several unanimous decisions, the latter marked by a sharply divided Court.

In the early portion, several issues that normally yield a 5-4 split garnered unanimous rulings: abortion, campaign finance, Eleventh Amendment immunity, First Amendment protections. The unanimous resolution of so many high-profile cases struck Clement as highly remarkable.

Clement identified five important cases to watch in the coming months. There are two cases from the Eight and Ninth Circuits that question the status of partial birth abortions. Gonzales v. Carhart and Gonzales v. Planned Parenthood Federation of America will be argued Wednesday, November 8. The 2000 decision in Stenberg v. Carhart, which found a Nebraska statute criminalizing partial-birth abortions violated the Constitution, will no doubt, Clement observed, loom "very large" in this pair of cases.

Another pair of cases worth watching will be argued simultaneously and will question the extent to which the rulings in Grutter and Gratz should apply to K-12 education: Meredith v. Jefferson Cty. Bd. Of Ed. and Parents Involved in Comm. Schools v. Seattle Sch. Dist. No. 1. The litigants in these cases are challenging the policies of school districts in Seattle and Louisville, where individual schools are required to have the same demographic make up as the rest of the district as a whole. The Court will consider whether the use of race in establishing school policy is more like our own Law School's use of race in admission decisions or more like that of the University of Michigan's former undergraduate admissions policy.

In Environmental Defense v. Duke Energy Corporation, the Court will consider the standard for when environmental regulations are triggered. Following a Fourth Circuit ruling, the parties seek the Court's decision on whether the circuit court decision violates the Clean Air Act. Clement commented that lobbying groups...
I know how to handle new things. When a really got to know the Ls. The funny approach our relationship. off the top of my head, I just go find it. which I think is the appropriate way to Baum, Susan Guindi, and Sara Zearfoss, returned to the Law School like David good preparation for this position because this place so special. help prepare you for this job?

One day I picked up an issue of Law Quad magazine and saw Charlotte Johnson was the Dean of Student Affairs, so I called her up to have an "information-gathering interview" (which I highly recommend that students do who are still looking for employment), and we talked for about thirty minutes and hit it off. Some time later, right about the time my husband got a new job that brought us back to Michigan, I got a call from Charlotte, who informed me that there were a few positions that were open in the Law School. That's what brought me back.

All of this is to say that I've wanted this job for ten years and feel incredibly lucky to be here—and I'm never leaving! If you look at all the other alums who have returned to the Law School like David Baum, Susan Guindi, and Sara Zearfoss, I think that says a lot about what makes this place so special.

RG: How did your other employment help prepare you for this job?

CG: My work as a legal aid lawyer was good preparation for this position because I know how things work. When a question arises, I don't know the answer off the top of my head, I just go find it. Also, I view the students as my clients, which I think is the appropriate way to approach our relationship.

As a counselor for Career Services, I really got to know the 1Ls. The funny thing is, I am really bad with names, but as soon as I see someone's face, I remember what issues they were dealing with and what their career plans were. I got to hear what it's like to be a 1L and what they're going through. I saw their deep anxieties—people really came in and just bared their souls. For example, one student told me the contracts grade that he wouldn't even tell his girlfriend! I hope that doesn't change. It was really a privilege to counsel students.

I think my role now is similar. I facilitate the relationship between students and faculty, and in a sense I still act as a counselor to students. So far, my primary contact with students has been in group settings. I've been meeting with each first-year section, and while I enjoy getting to know students in a relaxed social environment, it's not quite the same as one-on-one conversations. I want to keep an open-door policy for students that still want to talk about things that are troubling them.

I'm always happy to see upperclass students that I have counseled as 1Ls. I love hearing about the great things they have planned. I remember how stressed out they were during their first year, and just say "I told you so," because in the end, things work out—this is Michigan Law School! The sad thing is that the current class of 3Ls are the students I first counseled, and now they're leaving. While I'm glad that they are moving on, I'm going to miss them.

RG: You and the incoming 1L class have a lot in common, this being your first year in a new role. What advice do you have for new 1Ls?

CG: My advice is to be patient with yourself. You may be accustomed to mastering things right away, but give yourself some time to adjust to the new environment and the unique challenges of the law school experience. In my new role, I am so eager to be an expert on everything, but the reality is that if I try to rush the learning process I'll miss something. Don't beat yourself up for taking so long to complete a reading assignment, or for not understanding civil procedure yet. Eventually, things will get better. If all else fails, come see me. I'll get you a tutor.

RG: What advice can you give to 3Ls contemplating their futures?

CG: I would say follow your gut. Your gut is always right. And I know that sounds trite, but the legal profession is a demanding field, so you need to figure out what's right for you and have the courage to make a change or deviate from the expectations that you see around you. Many of us have to take a job that we don't necessarily want, just to pay the bills. If you're forced to make that choice, have an exit strategy. Everyone always says lawyers are risk averse, and I think it's true. Ironically, despite law students' tendency to be risk averse, we often box ourselves into jobs we don't want without an exit plan. So, make sure you think about what you're doing. I've said this before, but think it's worth repeating. The goal is to find a way to merge your personal values with your professional choices. If you are able to connect these areas in your life, you will enjoy a long and satisfying career, because finding joy in your work and having peace of mind are the best indicators of success.

Christine's office is in 311 Hutchins Hall. She can be reached at 734-615-0019 or at crsgreg@umich.edu.
Catharine MacKinnon: 
Mainstreaming Feminism in Legal Education

By Sumeera Younis

I was quoting Catharine MacKinnon in papers long before I understood the complex roles of gender in society, and eons before I would come to understand the way my sex would effect my legal education. On Wednesday, September 27, Professor MacKinnon spoke about her paper Mainstreaming Feminism in Legal Education. She discussed how women’s scholarship has been marginalized in a manner other forms of scholarship have not. Although women’s scholarship looks at issues through a gendered view, other subjects are also viewed through their particular lens. It is not biased to teach legal education in the context of women’s experience, MacKinnon asserts, it is necessary.

Legal education has long been approached from the male standpoint. Courses such as women’s legal history and feminist jurisprudence recognize the role of women in the law and signify a changing trend in legal education. However, the fact these courses exist suggests that mainstream legal education has neglected the role of women in the law, and these courses are needed as a correction to the system.

MacKinnon further highlighted that there is a structural division in the curriculum -between public and private law. Women have historically been relegated to the private sphere -the home and family- while men have dominated the public sphere -the work force and political positions. Likewise, MacKinnon asserts that an inherent division exists within the legal curriculum. Torts and family law are considered private, whereas criminal and contract law are judged as public. When we divide the curriculum in such a manner, we allow inequality to creep into the legal curriculum, reflective of how gender inequality exists in society at large. The danger of this is that we are teaching destructive attitudes to students that are training to be lawyers. We risk training lawyer that will affirm a system of a gender inequality rather than challenge that system.

“One of the most interesting issues MacKinnon addressed was that a feminist perspective is missing from our doctrinal courses, that these core courses omit a viewpoint that considers more than half of the world’s population,” said Jennifer Carney, lL, who attended the talk. “She certainly gave suggestions on how to change the doctrinal courses, but they are not easy changes. There is a lot of work to be done.”

3Ls Stepping Up to the Nannes Challenge

By Austin Rice-Stitt

The Nannes Challenge is a great way to support your favorite student groups and your favorite law school. Each of the first 200 3Ls who agree to donate to the law school for the next three years can allocate $250 of free money to the student group(s) of their choice, courtesy of the generous contributions of alumnus John Nannes, ’73. Participating 3Ls need not even match the $250 that Nannes will chip in – they can agree to give whatever they can, as long as they give for each of the next three years. Plus, the first payment isn’t due until May ’08!

Last year, the class of 2006 filled all 200 spots and cashed in on the full $50,000. It is up to 49 more 3Ls to pitch in this year and make it two years in a row.

Students who don’t have a favorite student group are still encouraged to participate. You can direct any portion of Nannes’s $250 to the Law School Fund or SFF, both of which greatly benefit student life.

Nannes Challenge forms are available in the Reading Room and online at http://www.law.umich.edu/AlumniAndDevelopment/thirdyearchallenge/pledgeform.htm.

Why Nannes?

• Do it for us! The $50,000 available to student groups through the Nannes Challenge is more than LSSS appropriates to all the student groups combined. Through the Challenge, your favorite student group’s war chest can double. This means more activities, more food, and more fun!

• Do it for the school! Alumni contributions are an important source of revenue for the Law School, and even small donations are an important boost to the participation rate. We’ve all invested significantly in the Michigan name, and it is important, even after graduation, to continue to support the school. Your donation will go to the Law School Fund, which provides support for the alumni debt-management program, visiting

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Environmental Law Symposium Brings Great Lakes Issues To Law School

Approximately 150 professionals, faculty, and students from a variety of law firms, local organizations, and University of Michigan departments and professional schools attended the Environmental Law Society's Great Lakes symposium last Friday, September 29. The Lawyer's Club Lounge was packed with people who came to hear Peter Annin, author of The Great Lakes Water Wars, present a lunchtime keynote speech.

Annin spoke about water diversions from the Great Lakes and predicted that the next water battleground in the United States will not be between Great Lakes states and Western states, as some have envisaged. Instead, he believes the real fight will be between those municipalities inside the Great Lakes basin and those immediately outside the basin, such as the towns of southeastern Wisconsin. Current law gives precedence and decision-making power to entities inside the basin, and allows non-basin entities to be excluded, even if they are in great need of Great Lakes water and are situated within a stone's throw of the basin boundary.

The symposium, titled The Great Lakes: Reflecting the Landscape of Environmental Law, featured fourteen panelists from ten universities, one law firm, one environmental consulting firm, one nonprofit, and the Environmental Protection Agency. They spoke on federalism, the public trust doctrine, international law, and policy issues as applied to the Great Lakes.

After the panel presentations, Dennis Schornack, chair of the United States-Canada International Joint Commission, gave the final keynote speech at a dinner banquet at the Michigan Union. Schornack emphasized that Great Lakes issues are extremely complex and always require multifaceted solutions.

Audio from the symposium, along with PowerPoint presentations, will soon be available on the ELS website, http://students.law.umich.edu/els/. Video of the panel presentations is also available.

The Etiquette of Wrong: Speak Up

Submitted By Jon Siegler

One of my drill sergeants had this saying: "If you're going to be wrong, be loud and wrong." Although he sometimes seemed to imply it had a wide, whole-life application, he most often included it in his instruction about how to approach boards. Boards are competitive interviews where competing interviewees are judged and ordered based on their command of facts and doctrine, and on the articulateness and poise with which they present it.

It's natural that OCI would remind me of his advice, since the processes are so similar. You stand outside the door waiting to knock at the scheduled time. Once inside, the interview usually begins with some recited biography, which is followed by fifteen or twenty minutes of more or less probing questions. The possible questions could, in theory, be totally prepared for, but in practice usually are not. Examiners and examinees wear the same uniform. Success means you get to do more interviews later on, and might in the long run affect your material circumstances positively.

The drill sergeant's maxim contradicts doctrine, commercial study guides, career counselors, and common sense. They all agree that when you don't know an answer you should admit it, maintaining poise and expressing an intention to find out the answer as soon as possible.

In an education context, however, the saying is true. There, individual mistakes are supposed to benefit the entire group, and they should not be quiet or easily ignored. It is also true generally that an answer correct in terms of its content may nevertheless be made wrong by a bad presentation. It may be too quiet, too tentative, or too garbled, so that it is unheard, disbelieved, or misunderstood.

In this sense the application to law school in particular is clear. The Socratic method not only allows for incorrect answers, to some extent it prefers them. In the classroom the wrong answer is one that not everyone can hear or that is too severely prefaced and qualified to be understood quickly. Willingness to be loud and wrong is a duty to each other and our professors. This isn't news, but it's a reminder and an encouragement.

A principle of loud and wrong is applicable to law practice as well, at least descriptively. Lawyers in their capacity as advisors should of course be as right as possible and as tentative as necessary. But litigation is fairly viewed as remaining loud while waiting to find out whether one is also wrong. Academic and other reform activities present answers that are currently wrong, but hope they will become louder and louder until eventually they are wrong no longer.

Jon Siegler is a 3L. Comments or questions regarding this column can be directed to rg@umich.edu.
Focus on Public Service:
Taking Risks Leads to Fruitful Path

By Jennifer Hill

Fall is the time when law students start to make summer plans. For students considering public interest work, the process starts by defining areas of interest, learning about good public interest law organizations, making contacts, and then preparing applications for funding. To aid those beginning their investigation of public interest options, Res Gestae presents several interviews with Summer 2006 interns.

To tell the truth, it’s hard to imagine how Anne Gordon has gotten through law school. How can someone with such boundless energy sit still to read for hours at a time?

That mystery may never be solved, but Anne is approaching life after her December graduation with characteristically adventurous intentions. If all goes according to plan, she’ll clerk for a year in Louisville, Kentucky, then pursue work in Chicago with a civil rights organization — but not before spending a few months learning Spanish in the Guatemalan highlands. “I want to see a little more of the world before buckling down.”

Anne’s first love is civil liberties and constitutional law. She has been the co-chair of the student chapter of the American Civil Liberties Union (ACLU) and currently is interning one day a week with the Michigan ACLU in Detroit. “Civil liberties law fascinates me because it has a profound practical effect on people’s lives, and it is intellectually challenging also. The Constitution was written to be a progressive document. It’s inspiring.”

Anne attributes her interest in civil liberties — and in law in general — to what she has learned from talking with people at home and abroad whose experiences differ from her own.

“After college, I worked with a community development organization on the west side of Chicago. Growing up in the suburbs of Minnesota, I had never really experienced anything like the poverty on the west side of Chicago. It inspired me to action,” she explained. That first job taught her that public interest work could be fascinating, challenging, and fun. “The people were dedicated, brilliant, and really committed to their community.”

Anne then got a fellowship to work in Ethiopia for a year as part of an International Rescue Committee team. She worked with refugees on the Eritrean and Sudanese borders, finding the work both satisfying and frustrating. “It was an amazing experience, but I decided I should come home and work to make positive change here.” She returned to Chicago and applied to law school.

Anne came as a summer starter in 2004 and loved “‘Camp Law School.’ The weather was gorgeous, there was a small group of people you got to know really well, and it was a great transition for someone who hadn’t been in school for a while.”

Picking classes can be a challenge for someone with diverse interests. Anne’s advice is to look for interesting subjects and recommended professors. “I sort of picked my classes the way I’ve lived my life — do what sounds amazing, and the rest will sort itself out,” she explained. That approach has paid off. “I’ve had great classes. My favorite class probably was Supreme Court Litigation — everyone should take it.”

Anne adopted the same approach when picking summer jobs. Her first summer, she participated in the Cambodia Development Project run by Professor Nick Rine. While in Cambodia, Anne helped defend people against illegal government land seizures. “The courts are not what they should be, so we tried to negotiate resolutions,” she explained. “I learned that law is not the be-all, end-all. A lot of times it takes organizing and embarrassing the perpetrators into doing the right thing. It was a good lesson. Social protest can be just as powerful even in the U.S., where the law does function.”

Last summer, Anne interned with the Lawyers’ Committee for Civil Rights in San Francisco, working on cases in their three major program areas — race, poverty, and immigration.

“I got to work on a couple of Professor Mark Rosenbaum’s cases, including the Ninth Circuit case that made it unconstitutional to criminalize homelessness. We were trying to make that decision apply in San Francisco by collecting declarations from homeless people about why they are homeless, why they were not staying in a shelter. I wandered around parks, hung out in homeless shelters, and heard stories about horrifying conditions people face every day. I met a 94-year-old woman living on the streets with her senior-citizen sons — the shelters don’t offer all the services she needs, and they don’t provide a family space so her sons could stay with her and help her. So the whole family is on the street.”

The Lawyers’ Committee was a good fit. “I got out and talked with people, but also did a lot of solid legal research.” The experience was like a roller coaster ride, lots of ups, lots of downs. Anne took it in stride. “That’s what the world is like,” she said. “You can’t let it make you discouraged, there’s just so much to be done. If your house is really dirty, you don’t just think it’ll clean itself. You do something.”

Anne’s recommendation to ILs is the same: “do something -something that is going to make you fascinated about your new profession.” Such choices lead to personal fulfillment, but also advance careers, too. “I think clerkships are important, especially for public interest

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Michigan Civil Rights Initiative:

**Michigan Civil Rights Initiative Lecture Series**  
**October 4, 8-11**  
**Hutchins Hall 100**

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| Affirmative Action and Higher Education | Wednesday, October 4<sup>th</sup> | 4:50-6:10PM | Evan Caminker, Dean and Professor of Law, Michigan Law  
Martha Jones, Assistant Professor of History and Afroamerican and African Studies, U-M; Visiting Assistant Professor, Michigan Law  
Richard Primus, Professor of Law, Michigan Law |
| The Dynamics of Racial Preferences and Preference Bans | Monday, October 9<sup>th</sup> | 12:20-1:20 PM | Richard Sander, Professor of Law, UCLA School of Law  
Chetty Zarko, Director, Zarko Research & Consulting, Former Director of Media Relations and Treasurer, MCRI |
| The Challenge to Affirmative Action | Tuesday, October 10 | 4:50-6:30PM | Mary Bejian, Field Organizer, American Civil Liberties Union of Michigan  
Vincent Eng, Deputy Director, Asian American Justice Center  
Richard Lemper, Division Director, National Science Foundation, Social and Economic Sciences Division and the Eric Stein Distinguished University Professor of Law and Sociology, Michigan Law  
Ricardo Villarosa, Director of Student Life and Educational Outreach, Wayne State University Law School |
| Ending Affirmative Action | Wednesday, October 11 | 4:50-6:10PM | Roger Clegg, President and General Counsel, Center for Equal Opportunity  
Carl Cohen, Professor of Philosophy, U-M and Residential College  
Douglas Kahn, Paul G. Kauper Professor of Law, Michigan Law |


APALSA does not have an official stance on Prop 2 and the panels have been organized in an effort to present a balanced view.

Questions? Contact Esther Yeu (eyeu@umich.edu)
Michigan Civil Rights Initiative: 
MCRI and Affirmative Action

Submitted By Roger Clegg

A ruling by the U.S. Court of Appeals for the Sixth Circuit earlier this year makes it official: The Michigan Civil Rights Initiative will be on the ballot this November. The people of Michigan will decide whether the state and state entities (for instance, public universities) should be allowed to use affirmative action, right?

Well, not exactly. The phrase “affirmative action” needs to be defined first. It’s an ambiguous term, and the opponents of MCRI will no doubt--as they have in the past--try to use the term’s ambiguity to hide what is really at issue.

There is much affirmative action that MCRI would not only allow but actually support and even require.

When the term was first used in the civil rights context--in an executive order signed by President Kennedy in 1961--it meant taking positive steps, proactive measures (affirmative action, get it?) to make sure that racial discrimination did not occur. The idea was that the employers covered had to do more than just give lip service to nondiscrimination: They had to make sure that no one in their companies was discriminated against, and they had to communicate that policy, and enforce it, and root out the discrimination and discriminators that were already there.

MCRI does not ban that sort of affirmative action by the state. In fact, it requires it.

Another meaning of the term “affirmative action” is casting a wide net--that is, recruiting far and wide, and making sure that everyone knows that he or she is welcome to apply for a job or a college or a contract, regardless of race, ethnicity, or sex. You don’t just recruit at suburban high schools, but in the inner cities, too. You advertise in a wide variety of media, including minority-oriented media. You don’t just rely on an old-boy network, but reach out to everyone.

MCRI does not ban that sort of affirmative action either.

Then there is affirmative action that gives special consideration to some folks, but not on the basis of race, ethnicity, or sex. For instance, perhaps an employer makes special accommodations for the disabled. Or perhaps a college has a special scholarship for students who are the first in their families to go to college, or who come from impoverished backgrounds. Or perhaps a city decides that it wants to set aside a certain percentage of its contracting for new firms, or small firms, or locally-owned firms.

Those programs are perfectly consistent with MCRI, too, because they have nothing to do with race, ethnicity, or sex. People who are disabled, or who are the first in their families to go to college, or who are poor--all of them come in all colors and both sexes.

The fact of the matter is, then, that there is only one kind of affirmative action that will be outlawed by the Michigan Civil Rights Initiative: treating people differently--some better and some worse--because of their skin color, or what country their ancestors came from, or what kind of reproductive organs they have. This is the kind of affirmative action that Harvard professor Nathan Glazer called “affirmative discrimination.”

This kind of discrimination is not a good way to fight discrimination--it is just more discrimination. The best way to fight discrimination is by enforcing the laws we already have on the books that make discrimination illegal.

Voters should bear in mind that frequently the victims of politically correct discrimination are not just white males--in fact, anyone can be the victim. The Center for Equal Opportunity in recent years has seen so-called affirmative action programs that discriminate against every racial and ethnic group, and both men and women. The latest wrinkle is universities that decide they have “too many” women and start discriminating against them.

As America becomes increasingly multiracial and multiethnic, it becomes increasingly divisive and unworkable to pick winners and losers on the basis of color. Guaranteeing a predetermined amount of diversity doesn’t justify discrimination.

So what’s at issue is not all “affirmative action” but only a particular kind of affirmative action: whether the government ought to be able to “discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin.”

That quote, by the way, is what MCRI actually says. Those are the words that voters will be voting on, not the distortions of those words by MCRI’s critics.

Roger Clegg is president of the Center for Equal Opportunity, www.ceousa.org. An earlier version of this piece appeared in the Detroit Free Press. Comments may be sent to rg@umich.edu.

The RG is committed to presenting a balanced portrait of hotly contested issues.

While we solicited submissions from both sides of the MCRI debate, only one response was submitted in time to be printed in this issue.
Banned Book Day

In an event sponsored by the ACLU, professors and students celebrated the American Library Association's Banned Book Week by sharing their favorite banned books Wednesday, September 27. Clockwise from lower left: Christine Whitman reads The Night Kitchen by Maurice Sendak, J. J. White reads Lolita by Vladimir Nabokov, Nick Rine reads Of Mice and Men by John Steinbeck, Sam Gross reads Catcher in the Rye by J. D. Salinger, Phil Soper reads A Light in the Attic by Shel Silverstein, and Ed Cooper reads A Wrinkle in Time by Madeleine L'Engle.

Photos by Austin Rice-Stitt
Grabbing a Bite:
Examining Law School Essentials

By Nate Kurtis

There are a few things which no law student can live without. High on that list would go caffeine, casebooks, one's laptop computer, and an excuse for class explaining why you weren't able to do the reading the night before (my current favorite is: I'm sorry, but my dog converted my casebook). However, as important as all those are—and I'll give you, air is rather important—there is really only one truly indispensable thing for a law student: pizza.

I can hear your objections already: I'd die without my laptop; my casebooks help me learn the material; without caffeine I'd never make it to class; breathing is way more important than pizza; blah blah blah. But, have you really thought those positions through? Without your laptop, you'd actually have to pay attention in class instead of playing Spider Solitaire. A good outline trumps a casebook any day. And who are you kidding, you haven't been to class since you were a 1L. Breathing is a little harder to refute; but, I'd offer that since you are what you eat, and all I eat is free food at student org events, then not only is pizza very important to me, but I actually am one! Specifically, I am a large, slightly cold, cheese pizza from Cottage Inn.

Given the importance of pizza to the law school ecosystem, the fact that almost all the pizza we consume comes from Cottage Inn is a bit surprising. It is tasty, but is Cottage Inn the best we can do? Maybe, but we should be more certain. Thus, to help figure out if Cottage Inn pizza is as good as it gets, I enlisted the help of some friends and we set out to taste four alternative pizza options: Pizza House, A-Faz's Hello Pizza, NYPD, and Anthony's Pizza.

We gathered at my apartment and ordered the signature pizza from each establishment. While we ate, and watched "House M.D.," we graded each pizza over ten indices of goodness: dough, sauce, and cheese quality; quantity and quality of toppings; evenness of slices; truth to style; amount of grease; overall effect of the pizza; and, since we are law students and must distance ourselves from the undergrad pizza-eating crowd, how well the pizza paired with a class of wine (Syrah from Chateauneuf-du-Pape) —which went surprisingly well with tomato sauce and cheese.

One hour and four pizzas later, we had managed to rediscover the age-old adage that no two people can agree on what should go on a pizza. Nevertheless, averaging all the scores together, all from one to ten, did reveal a thing or two:

Pizza House
($16.78 + tax): (734) 995 - 5095
A perennial Ann Arbor favorite for its formal presentation of pizza and other fare, Pizza House is best known for its Chicago Deep-Dish pizza. Though the dough was a bit crispy on the outside and a little undercooked in the center, it all balanced out with some truly fine pizza sauce and cheese. The toppings, while passable, were not up to the same caliber as the rest of the pizza; and it was ultimately welcome that they were so stingy with them. As deep-dish pizzas go, this one wasn't bad, and was even delivered in a friendly manner. In a pinch, Pizza House could make a large order in about an hour, but would appreciate as much notice as possible; and would, of course, deliver anywhere on campus.

Rating: a solid 7, truly enjoyable

A-Faz's Hello Pizza
($8.99 + tax): (734) 741 - 7777
A relatively unknown pizza to our tasting group, it was certainly the least expensive pizza of the evening. The crust was crispy, more like eating a baked pita than a pizza. That said, both the sauce and cheese were better than average, and the toppings were decent in both number and quality. A-Faz's pizza was certainly greasy, but couldn't hold a candle to NYPD in terms of grease -a good thing. A half-hour's notice is all it would take for most orders, though they would appreciate three hours' notice for larger orders. Adding to the appeal of this relatively average pizza is the fact that the management is determined to not be undersold, and was willing to beat any other price for a large order.

Rating: a disappointing 4, and even without the grease it was wanting

Anthony's Gourmet Pizza
($17.90 + tax): (734) 971 - 3555
Self proclaimed as the "best pizza in Ann Arbor," expectations were running high for Anthony's Traditional Deep
Pining for Piven
Reluctant Relinquishment of an Old Crush

By Bria LaSalle

It was a sobering moment to realize that my college celebrity crush has moved aside for the next generation of crush-worthy candidates. It made me feel a little... old.

In the weeks since I returned to cable, I’ve been attempting to catch up on several shows that slipped through my television-less fingers over the past two years. Most recently, I’ve been watching and rewatching episodes of “Entourage,” while both melting and dying a little inside with every glimpse of Jeremy Piven.

My, um, interest in Jeremy Piven began during my sophomore year of college. He starred as Trevor Hale, the bartender/fallen Greek god with flick-knife wit and biceps to match in the short-lived ABC series “Cupid.” It was quite possibly the most brilliant comedic writing of the last decade. My neighbor and I spent every week eagerly anticipating the next episode. We downloaded promo shots of Piven and made them our desktop wallpaper. “Piven” became our code word to describe all things funny and sexy and desirable. Piven.

I was crushed when the show was cancelled. I wrote many scathing letters to ABC, accusing them of committing television heresy with their doltish jettisoning of the show that perfectly showcased Piven’s comedic stylings. He was witty, dry, and condescending in all the right ways. And he was apparently so unaware of his rising fame that he still had a listed phone number.

It’s not that I’m proud of the following events; I realize now that it was a freakish intrusion on his privacy, but what can you do? One random Google search for Piven revealed that he maintained (at the time) a home in Evanston, Illinois, with a local phone. I couldn’t resist. After several days in possession of the most glorious phone number I could ever conceive of possessing, I dialed. He answered, and somehow I summoned all the poise and idiocy-fueled courage I could muster such that my pulse slowed from its giddy frenzy enough to allow me to ask, in my most professional AT&T voice, if Nancy was there. He politely apologized that, no, Nancy wasn’t there, and I apologized in turn for the obvious trouble I had caused him. All the while my neighbor stood mouth agape in my dorm room, unsure whether to scream or pass out. Yes, I spoke with Jeremy Piven. It was pretty much everything I could (realistically) hope for out of a conversation that arose from the then-present circumstances.

It will come as no surprise that I didn’t get a response when I sent him a handmade card asking him to call me if he was ever in Philly. But hey, it was worth a shot.

It didn’t matter. Piven lived on in my mind as the quintessential crush. The essence of youthful wit and verbose desire. So it was understandably disappointing when I realized he has moved on to play a different character genre. He has moved on, and I have not.

Every time I watch “Entourage,” I am reminded that Piven has changed positions. Though still witty and bitingly sarcastic, the erstwhile Trevor Hale has become the reluctant daddy of the Vincent Chase menagerie. While the other characters live their fantastical lives in the booths of Mastro’s and the dressing rooms of the Beverly Hills Barney’s, Piven is drowning in a mid-life, mid-career, mid-marriage chaos and there’s a part of me that can barely watch. They’ve even given him a bad haircut, and I just have to believe that the Piven I knew and loved made at least a moderate brouhaha over it. It’s too close to his slick little do in Old School for my comfort; I could take it from Dean Pritchard, but on Ari Gold it makes me squirm, and not in the good way.

This is not to say that I find his performance less than brilliant—quite the opposite. But it feels a little empty to laugh at his frustrations over substandard office space. His short temper is now directed at battles he seems to lose rather than those he seems to snarkily dominate.

It’s not that I have overly internalized this change; I’m not going to turn this into a referendum on the ways I seem to slide the slippery slope of the wrong side of 25. It’s just one of those things I didn’t see coming, sort of like the day when I realized I was too old to be Miss America. Not that I would have ever gone for it, but now there’s a limitation outside of my control preventing me from doing so. What’s next, a real job?

Bria LaSalle is the Executive Editor of Res Gestae and is not, to her knowledge, the subject of any restraining orders held by Jeremy Piven. Comments on this column can be directed to blasalle@umich.edu.
ACROSS

1. Tool handles
6. Baseball____
9. Wannabe
14. Insert
15. Tell an untruth
16. Described by Rousseau
17. Historian Shelby
18. First number
19. Supply with new personnel
20. Artless
22. Lacks sense
23. Distinctive doctrine
24. Really big
26. Fertilized cell
30. Spin out
34. Jeweler's tool
35. Concise
36. "To me" (Spanish)
37. Indebted to
38. Military government
39. Sign
40. “Angela’s Ashes” sequel
41. Soapy minerals
42. No sight
43. Jewish school
45. Excessively desirous
46. A long distance
47. Anna____
48. Brusque
51. Branch of social science
57. Heart part
58. Monday (Abbrv.)
59. Programming language
60. Weighed down
61. Charged atom
62. West Indian island
63. Gymnast McIntosh
64. All without specification
65. Opposite of started

DOWN

1. High fidelity (Abbrv.)
2. Later
3. Beat
4. Little Man
5. Igneous rock
6. Flower action
7. Indigenous people of Japan
8. Undershirts
9. Point of orbit
10. Portended
11. Lower layer of Earth’s crust
12. Distinctive style
13. Actress Russo
21. Put to good____
25. Constellation Major
26. Polish currency
27. Australian bay
28.____who
29. Wife of Saturn
30. Peasant girl
31. Asian herb
32. Improve
33. Chicago weather
35. Rabbit fever
38. Coffee
39. Mexican exclamation
41. Famous jeweler
42. Type of light roll
44. Equipped with handle
45. Son of a____
47.____and Cher
48. CA Zip 95632
49. Lion’s cry
50. Pakistani language
52.____skin cap
53. Mournful cry
54. Footnote abbreviation
55. Bird shelter
56. Coasted

Answers may be found on page 13.

Congratulations Professor Seinfeld!

At 11:04 a.m. on Saturday, September 30, the Seinfeld family welcomed its newest member (male, but yet to be named).

Please join Res Gestae in congratulating Professor Seinfeld and his family.
CLEMEN'T, from Page 3

on both sides of the environmental debate will watch this issue closely. The oral arguments will be heard on November 1. Another environmental case warrants attention, Clement advises. A case from the D.C. Circuit court, Massachusetts v. EPA, is based on a challenge to the government's refusal to regulate greenhouse gases. The case raises a standing issue as well as administrative law concerns.

Lastly, a case from the Oregon Supreme Court will ask the Court to consider whether an appellate court's determination that a defendant's conduct was egregious enough to be considered analogous to a crime can allow the court to override the constitutional requirement that punitive damages be reasonably related to the plaintiff's harm. Philip Morris USA v. Williams will be argued on October 31.

During a brief question-and-answer session, a student asked if it felt different to argue cases before the Court with Roberts presiding as Chief Justice. Clement described Roberts as a “more active questioner...he gets straight to the doctrinal points.” He was careful to note, however, that Rehnquist had a presence of command in the courtroom that allowed him to say little but with great effect. Another audience member asked for Clement's opinion on whether Justice Kennedy will play a similar role to Justice O'Connor, as a pivotal swing vote. While acknowledging that Kennedy is capable of playing such a role – after all, he has been the fifth vote for several years on many issues – Clement reminded the questioner that Kennedy's jurisprudence tends to seek a decisive rule where O'Connor, as a pivotal swing vote. While Kennedy will play a similar role to Justice O'Connor, as a pivotal swing vote. While

NANNES, from Page 5

lecturers, and the legal practice program, among other things.

- Do it because sharing is good! Even if you’re poor now, most of you won’t be for long. The suggested donation is $50 in May 2008, $75 the year after that, and a final payment of $100 in three years, for a total of $225. A year from now, around 75% of the 3Ls will be making $225 everyday before lunch. You don’t have to pay anything until May ’08, when you’ve already been out of school for a full year. For most of you, not having a lot of money now is no excuse for not participating in the Challenge.

So 3Ls, let’s step up to the Nannes Challenge and fill up the remaining 49 spots. Your pledge will provide immediate funding to law school groups with money not yours! Your first payment isn’t due until May ’08, and you can pledge whatever amount you feel comfortable with. Get your hands on a pledge form in the Reading Room or online, and help make this year’s Nannes Challenge another success.

FRUITFUL, from Page 7

students. It gives you credibility and makes you stand out in a competitive field,” she said. “But judges have to be able to distinguish you from all the other smart people applying. Take a few risks! It could pay off.”

Following her curiosity and engaging with the world around her has paid off for Anne. If it is true, as Benjamin Franklin said, that “energy and persistence conquer all things,” even greater success is yet to come.

Jen Hill is a 3L. Questions about this article can be sent to rg@umich.edu.

PIZZA, from Page 12

Dish. Things certainly started well, even the delivery guy was a cut above the others, and seemed genuinely excited to be bringing us “the best pizza around.” Opening the box revealed a thick, traditional deep-dish pizza that had to be eaten with a fork. The crust, while a bit thin, was delicious, and was covered in a zesty but not overpowering sauce and two layers of cheese. A generous helping of tasty toppings and a minimum amount of grease rounded out what was, without a doubt, the best pizza of the evening. And, as if the pizza alone wasn’t enough, it even paired well with the wine! Since we haven’t tasted every pizza in Ann Arbor, we can’t speak to their claim. What we do know is that Anthony’s is the best pizza in Ann Arbor that we’ve tried.

Rating: an Unexpected 9!

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So, does this mean that the Law School should switch to Anthony’s pizza? While I would certainly enjoy that, it might not be the best choice from a fiscal point of view. At almost twice the price per pizza as Cottage Inn, Anthony’s pizza may have to remain a rare treat for this law student. No, it seems that the invisible hand of pizza economics has settled on Cottage Inn as best balancing price and taste for the pizza-consuming student law groups. That said, after eating all this pizza lately, I wouldn’t mind some Big 10 Burritos, or some Jimmy John’s Sandwiches. Anyone interested in such lunch options is invited to take this reporter with them when they go.

I’d offer to pay, but my dog also converted my wallet.

Nate Kurtis is a 2L and the Editor-in-Chief of Res Gestae. Questions, Comments, and better excuses may be sent to nkurtis@umich.edu. No other warranties expressed or implied.
Michigan Law Announcements

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ENTERTAINMENT, MEDIA AND ARTS
LAW STUDENTS ASSOCIATION

MySpace and Your Facebook:
Is Poking a Tort and Other Social Networking Dilemmas

with
Dean Zearfoss (Moderator)
Prof. Herzog
Prof. John Rothchild (Wayne State U.)
Donica Thomas Varner (Office of VP & General Counsel)

Wednesday, October 11th
150 Hutchins Hall

Lunch will be served beginning at 12:15pm
Questions? Contact Brad Yi @ emalsacomm@umich.edu

BLSA
will host the
Date Auction on
November 2, 2006.

Please save the date.
For questions or concerns contact Aaran or Tanya at anbaskin@umich.edu or tforde@umich.edu.

MSU ticket needed

BAR NIGHT

Thursday
October 19, 2006
Conor O'Neills
7-9pm

Semester Study Abroad
Information Meeting

with Virginia Gordan
Assistant Dean
for International Affairs

Thursday, October 5, 2006
12:15 - 1:10 p.m.
Room 120 Hutchins Hall

***Beef & chicken tacos***
Spanish rice & beans...
And of course, tons of delicious desserts!