



# THE COMMENTATOR

Vol. XL, No. 5

The Student Newspaper of the New York University School of Law

November 2, 2005

## Annual JAG Visit Stirs Up Campus Opposition

BY JULIA FUMA '07

On October 21, the Judge Advocates General's Corps (JAG) made its bi-annual visit to New York University School of Law for on-campus interviewing. Controversial as always, security was tight and emotions ran high as a handful of students spoke to the Army, Navy and Air Force JAG.

Among those interviewing were some that interviewed not specifically seeking a job but to question the army's "don't ask, don't tell" policy, cheered on by protesters outside.

### A Day of On-Campus Interviews

The interviews took place in rooms 110, 118 and 120 of Furman Hall. A security guard blocked the entrance into each of the rooms. To the right of the lobby in the building an area was roped off for student protesters holding signs. At the front desks of Furman and Vanderbilt faculty, administrators and fellow students distributed rainbow pins, so that members of the community could show their support for their lesbian, gay, bisexual, and transgendered (LGBT) classmates. There was also a letter signed by faculty members opposing the Solomon Amendment.

The door to each interview room had a separate sign stating the school's anti-discrimination policy. A representative of the Office of Career Services (OCS) escorted the recruiters in and out of the building, and students to and from their interviews.

Two representatives from OUTLaw were also allowed to escort interviewees from the elevator down the hall leading to the interview rooms. In practice, this meant that for those genuinely interviewing on campus with JAG, the two representatives would walk a foot behind the interviewee holding signs and yelling "shame," while the protesters in the front of Furman were also yelling "shame." In the case of students who were interviewing to challenge the policy, the chant switched to "equal rights" or "hire homos."

"For LGBT students, it was

with the way that Career Services turns the JAG interviews into a scene.

Michael Blauvelt ('06), who interviewed with JAG last year, indicated, "I would be remiss if I did not mention my strong displeasure for the way in which the law school administration handles the interviews. Rather than marginalizing [the interviews] and forcing them into the woodwork and actually interviewing in the same places every other Fall and Spring OCI interview takes place, the administration makes them into a spectacle - hosting them in the room

policy of the U.S. Military that forbids service by openly LGBT citizens. This includes the military's lawyers, the JAG corps. Moreover, JAG lawyers are often the ones who prosecute soldiers for being homosexual.

New York University School of Law's policy (adopted in 1978) is to refuse to offer its career services to any employer that discriminates based on sexual orientation. The Law School was one of the first schools to implement a non-discrimination policy that explicitly covered sexual orientation. NYU Law continued to enforce this policy throughout the 1990's, despite the fact that in 1995 Congress passed the Solomon Amendment, which denied Department of Defense funding to schools that do not allow military recruiters, which led to a loss of \$75,000 in Pell Grants for NYU law.

However, in 2000, Congress reinterpreted the Solomon Amendment, making it so that if any part of the University refused to allow military recruiting, all of NYU could be denied funds.

The University could not afford to lose government funding, in large part because of the significant amount of funding received by the medical school. Thus, the Law School was instructed to allow JAG on campus. In response, the school allows military recruiters on campus but provides members of the university with ameliorative activities.

### Ameliorative Activity

The protest is a culmination of a series of activities intended

to mitigate the effects of JAG recruitment on the LGBT community. These activities also included Dean Revesz' annual letter to the Law School Community on September 29, and a military amelioration panel on October 6.

The administration, including OCS, regularly converses with members of the LGBT community at NYU, particularly OUTLaw, on these ameliorative activities a couple of weeks ago.

"We have always had a good relationship with OUTLaw" said Irene Dorzback, Assistant Dean of OCS. "I have always found OUTLaw's requests for amelioration to be creative and thoughtful, not unreasonable at all."

For the day of interviews, OCS provided protesters with supplies to make posters as well as the rainbow ribbons that were given out to all students as they entered the building. Moreover, OCS catered the October 21 protest with bagels, cream cheese and juice.

The university provides security and space for those wishing to express themselves on both sides of the issue. On October 21<sup>st</sup>, a space was set aside for a counter-protest for anyone who wanted to express the opposite view. "The lack of counter-protest shows that the vast majority of NYU students are in support of OUTLAW's position." Said Matt Moses, co-chair of OUTLaw.



Protesters outside Furman Hall

really nice to see that their classmates support them. Emotionally, it counteracted [the military coming to campus] in a significant way," said Rebecca Fisher, Co-chair of OUTLaw.

Other students disagreed

closest to the entryway in Furman with a red velvetish rope and lots of fanfare."

### NYU Law's History Against the Solomon Amendment

"Don't ask, don't tell" is the

## Sunstein Claims Activist Right-Wing Judges Bad For Country

BY NICHOLAS KANT '06

Extreme right-wing courts are bad for America because fundamentalist judges use an often skewed version of the original understanding of the Constitution as support for their conservative views, according to Professor of Law Cass Sunstein (University of Chicago).

Professor Sunstein was the latest speaker in the "Brown Bags and Books" series at NYU Law. He discussed his newest book, "Radicals in Robes: Why Extreme Right-Wing Courts Are Wrong for America" on Wednesday, October 19 in Vanderbilt 204. About 100 people attended the event.

Sunstein said that there are four main approaches to Constitutional law in America. "Bi-partisan restraint" calls for judicial deference to democratic outcomes. "Perfectionism" attempts to make the document the best it can be. "Minimalism" calls for narrow rulings. Finally, "fundamental-

ism" says the Constitution should mean what it meant when it was ratified.

"Bi-partisan restraint and perfectionism have little to no popularity on the current court, so the real battle is between minimalism and fundamentalism," Sunstein said.

Sunstein likes minimalism. It doesn't involve sweeping rulings. He said the danger comes from fundamentalism, represented by Justices Scalia and Thomas.

Fundamentalist justices make sweeping, broad rulings that go beyond the case being heard, Sunstein explained. These justices are activists in that they invalidate acts of Congress that they don't believe to square with the Constitution's original meaning.

There are several serious problems with the fundamentalism being practiced on the current court, according to Sunstein. And those problems cause "original meaning" to overlap with Repub-

lican ideologies, he said. This version of fundamentalism is being practiced in a way that overlaps uncomfortably with the extreme wing of the Republican party.

The first problem is the selective nature of what the justices say the original meaning was. For example, Scalia and Thomas have not devoted even a tiny bit of any of their opinions to discussing the history of the 14<sup>th</sup> Amendment, Sunstein said. Those justices who support fundamentalism have voted against affirmative action policies, but the history of the Amendment suggests that affirmative action was supported by the Amendment's framers.

Second, there is very little work by the fundamentalists showing that their theory of interpretation is what the framers themselves (or the ratifiers) really thought was the correct method.

Third, issues have arisen that the framers/ratifiers never contemplated. Examples include the Internet, wire-tapping and sexual

discrimination.

Finally, the consequences of fundamentalism can be extreme, according to Sunstein.

The requirement of equal protection of the laws is found in the 14<sup>th</sup> Amendment. Since the 14<sup>th</sup> Amendment was only meant to apply to the states, fundamentalism would (or could) hold that the federal government could discriminate, Sunstein said. "The sex discrimination ban would disappear in an instant."

If the fundamentalism of Justices Scalia and Thomas held

sway, other liberal perfectionist interpretations of the Constitution that were made by the Supreme Court decades ago would (or could) be reversed, according to Sunstein. "The right of privacy, of course, would be out the window," he said.

"Fundamentalist principles would make Roe v. Wade look like trivia," Sunstein added.

Sunstein warned that in many institutions of higher learning, fundamentalist beliefs are "in the ascendancy."

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# Annual JAG Visit Stirs Up Campus Opposition

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## On Campus v. Off-Campus Interviewing

The official position of OUTLaw is that students should feel free to interview/work for JAG, but should do so off campus. To that end, OCS works with OUTLaw to send a letter to each student who signs up to interview with the military on campus which asks that the students choose to make arrangements to interview off campus.

The letter reads, in part, “the boycott of on campus interviews is not a criticism of your desire to work for the military but rather an assertion that both our community and the individuals within it have a right to self-determination, the integrity of which should not be violated.” The letter is signed by OUTLaw and over a dozen other students groups at NYU Law.

According to Dorzback, one person likely withdrew from on campus interviews because of the letter, and another person withdrew following the letter, but it is unclear if the withdrawal is because of the letter.

However, the military has not made it easy to interview off campus. According to Dorzback, following a student’s request to interview off campus, she contacted the army JAG recruiter and he indicated that students who wished to interview off campus would need to drive to West Point in order to do so. The Air Force said that their trip on campus was merely informational and so there was nowhere else to go. OCS did not get any inquiries from students about interviewing off-campus with the Navy so it did not ask the recruiter.

Even asking about interviewing off-campus may be difficult for a JAG applicant according to Dorzback. If JAG knows that a student prefers not to interview on campus, regardless of the student’s motivation, it might affect the interviewer’s disposition. OCS cannot find out about possible off-campus interview choices before a specific request is made in order to be consistent with its method on interacting with other non-military employers.

Thus, for students interested in the military, interviewing

with JAG off-campus is logistically difficult. John Gebauer (’07), who interviewed with JAG this year, said that he interviewed on campus for, “convenience. There’s no way I would have gone to McGuire Air Force Base just to have a 20 minute chat with a JAG officer.”

Mr. Blauvelt feels that if NYU were serious about giving students a chance to interview off campus they would take the time to send out e-mails early in the semester with deadlines and contact information, “instead, by the time an interested student hears anything about JAG, the only realistic option left available is on-campus interviewing.”

Even in light of these considerations, OUTLaw remains unsympathetic. “Well, it is pretty inconvenient to be discriminated against.” Said Matthew Moses, co-chair of OUTLaw. “In the balance of harms, interviewing on campus sends a message to your fellow students and friends that it is more important not to take a train to West Point than stand up against discrimination.”

In total, eight different people signed up to interview with JAG on October 21. Three, however, did not show up on the day of interviews, possibly because of a fire in the subway that morning that closed the West 4<sup>th</sup> Street subway station. Three others that signed up did so for the purpose of questioning the military’s policies.

### Community Reaction

For the remaining interviewing students, they had to deal with the hurt of their classmates. “I think it is unconscionable that students would interview with a job with JAG knowing that their friends and fellow students are denied the same opportunity,” said Bert Leatherman (’06), an OUTLaw member that interviewed to question the policy.

Regardless of how a student interviewing with JAG may feel about the protests and the hurt feelings of their classmates, they must face them. According to Dorzback, there have been at least a few students that have expressed that it is uncomfortable for them to interview. However, for the most part, the students who choose to interview with JAG are resolute in their decision.

Mr. Blauvelt recognized that his decision to interview on campus was not popular. “I certainly empathize with [the hurt students] – and I think it would be hard for anyone to deny that the current system can be very hurtful,” said Blauvelt. He is also disappointed however that there is no real chance for students who are interviewing on campus to be able to explain their position on why they are interviewing or anyone to explain how the JAG corps as opposed to the military at large might feel about the policy.

Mr. Gebauer responded a little differently. “Should people

have their feelings hurt if I go work for any executive agency, since most people around here didn’t want Bush elected in the first place? Whether or not I interview on campus with the JAG shouldn’t hurt anyone’s feelings. They should go protest Congress since it’s their law and the JAG is just following orders.”

Of the protest, Gebauer said “I had a hard time not laughing, actually, because I saw some people I knew from class. I thought it might have disrupted the flow of the protest a bit if I went up and said, “Hey, how’s it going?” and so I started laughing a bit at that thought. I’m not sure what’s so “shameful” about wanting to serve one’s country anyway, so that made me laugh a bit too.”

Mr. Blauvelt felt that a silent protest would have been more effective. He indicated, “if I were organizing the protest, I would do it silently - no need for words, your case has been made time and again and it is strong enough that it does not need to be supplemented by chanting “shame” or insulting or threatening either the interviewer or students - a long wall of students standing there saying nothing would have bothered me more than the “shame, shame” I heard as I was leaving the interview.”

### Recruiters Reaction to Protest

As for the recruiters, they do not seem rattled by all the protests, said Ms. Dorzback. The on-campus recruiters have indicated that they are not responsible for the decision-making process in connection with the Military’s “don’t ask, don’t tell” policy and many are very willing to engage students on the issue. One year a recruiter even offered to meet with students off-campus and out of uniform to discuss the issue.

Mr. Blauvelt, who spent his 1L summer working for JAG, viewed first-hand the futility of protesting recruiters, “from my experience, JAG officers are generally among the most supportive people in the military when it comes to dropping the ban on gays in the military. Some of the people with whom I worked during my internship were as active as they could be in advocating change, yet when they went to interview at law schools they often encountered similar protests.”

Captain John Bacevicius of the Air Force JAG, an on-campus recruiter, did not seem particularly upset by the protests. He said he viewed the protests as “people exercising their First Amendment rights. Part of the purpose of the military is to protect the First Amendment.”

He also pointed out that he is being demonized without meaningful communication with the other side. “Because of the nature of the dichotomy, neither side gets to know individuals on the other side on a whole level. All I

see when I come here is people disagreeing with the army policy. All they see of me is as a member of the military. We do not have time to meaningfully interact.”

The courteousness of the recruiters was confirmed by those interviewing with the military in order to question the “don’t ask, don’t tell” policy. “The interviewer was generally courteous but not forthcoming,” said Eric Prindle (’06).

### Member of LGBT Community Interviews With JAG

For Mr. Leatherman, a member of NYU’s LGBT community, it was important to interview with JAG so he could stare down discrimination in the face. Coming from a family of men who served in the military, Leatherman was angry that he could not follow in their footsteps.

“I approached the interview as if I was straight. I answered a lot of questions about my past work experience, education, and my interest in working in JAG. Then the military recruiter asked me to tell him about my most formidable character building experience. And I told him that coming out was the biggest character building experience because I had to be a more critical thinker. He showed genuine interest in my story.”

Mr. Leatherman said that another recruiter told him that you can serve in JAG corps as long as you don’t announce that you are gay. Leatherman asked the recruiter what he thought it would be like not to be able to tell anyone you worked with the most important aspect of yourself. The recruiter agreed that it would be a tortured existence.

Another recruiter told Leatherman that he and most younger soldiers think it is a bad policy. The recruiter said that he was powerless to change it and Mr. Leatherman would have to talk to Congress about the policy.

“Overall, all three exchanges were very cordial, positive and healthy” said Leatherman. However, he does not sympathize with the recruiters, but simply with “the idea that human interaction done respectfully can lead to the kind of understanding that will help in overcoming prejudice.

### On-Campus Recruiting Has Little Effect On JAG Numbers

For all the controversy allowing on-campus interviews causes, it actually made very little difference pragmatically in recruiting NYU Law students to work for JAG. According to Dorzback, based on student interviewees’ self-reported information, since 1995 no more than one NYU Law student per year works for JAG post graduation. Since 1995, these statistics have been fairly consistent before and after JAG started coming to interview law students on campus (post 2000).

## THE COMMENTATOR

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US Must Continue to Support Iraqi Progress

TUDOR RUS '06

The week of October 24<sup>th</sup>, 2005 encompassed two major milestones since the involvement of the Coalition of the Willing in Iraq: one joyful, the other somber. Within the same week, Iraq's embattled people ratified a constitution and America saw the death of its 2000<sup>th</sup> soldier since the start of operation Iraqi Freedom.

These events lay bare the reality of the situation: the road ahead is going to be littered with sacrifice for our soldiers and our country, but the struggle to create a free and democratic Iraq is making progress.

A pre-mature withdrawal of coalition forces would endanger this hard-earned progress, and ensure that future goals will go unmet. An American commitment to the success of Iraqi democracy will however cement these gains, and bring further progress in the same way that long-term American commitment to democracy fostered republican governments in Germany, Japan, and Korea during the Cold War.

Democracy has never been easy to achieve. Its flowering is a welcome development, but

it is an aberration from the rest of the human experience. For most of human history, individuals have lived under despotic governments unaccountable to their populace.

Russia, in its entire existence of over 800 years, has only been a democracy (and some would argue a less than stellar one) for the past 13 years. The South American experience also demonstrates the difficulty in achieving stable democratic rule. Since independence from Spain and Portugal was achieved in the early 19<sup>th</sup> Century, most of the nations that make up the continent have shifted back and forth between despotism and democracy.

The American experiment with free and democratic government has itself been a tumultuous one. We fought the Revolutionary War to gain independence and establish a framework of democratic institutions, albeit an imperfect one which excluded large portions of the population from the democratic process.

We fought the Civil War to prevent the demise of those institutions and extend their reach to some of our disenfranchised citizens. And we have struggled

since to make good on those promises of enfranchisement.

Our own road to democracy has been trying, and it would be naïve to expect that Iraq's path would be a cakewalk. Though it won't take the nation hundreds of years to achieve stable democratic

which Sunnis, Shiites, and Kurds participated.

Yet difficult work still lies ahead: elections must be held in December to constitute a permanent parliamentary assembly; security needs to be established in all parts of the country; Iraq's in-

the road ahead is going to be littered with sacrifice...but the struggle to create a free and democratic Iraq is making progress

governance, Iraqi democracy will require a long-term commitment from the United States and its allies for the difficult road ahead.

Iraqis have made significant strides since Saddam Hussein was ousted from power two years ago. Their former dictator is on trial for the atrocities his regime committed. Iraq held preliminary parliamentary elections in January and its elected leaders drafted a constitution in the months that followed. Iraqis have since approved that constitution with a vote in

frastructure, damaged by neglect and war must be rebuilt; corruption within the government must be reduced.

Our efforts can bring freedom and democracy to a part of the world where it is sorely lacking. It will however require our nation to retain its resolve and aid the people of Iraq until they can join the ranks of free and democratic nations.

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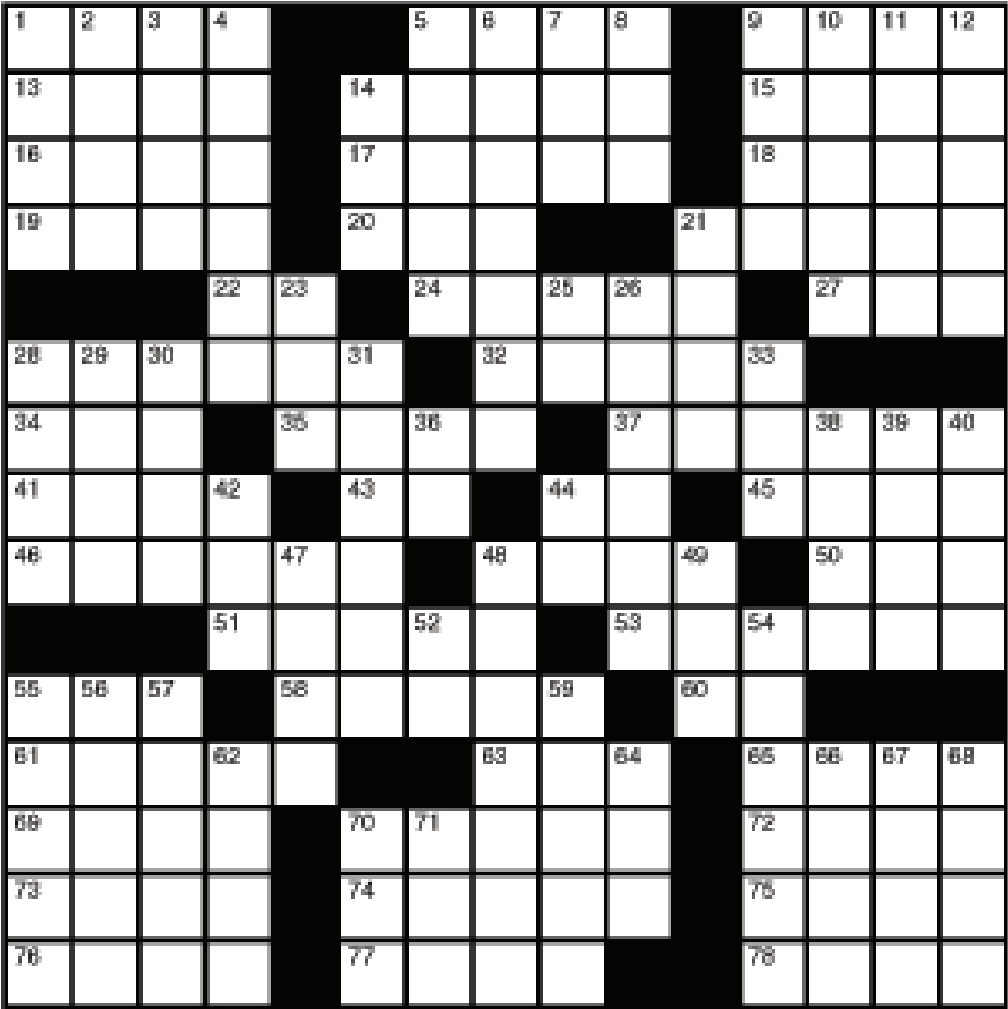
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Commentator Crossword



Across

- 1. Country's Man in Black
- 5. Dog command
- 9. Carve
- 13. Double reed instrument
- 14. Cathode's partner
- 15. Nothing more than
- 16. \_\_\_ Mater
- 17. John Philip \_\_\_
- 18. Mangle
- 19. Rip
- 20. Hoard greedily
- 21. 80s Chameleon
- 22. Criticize, with "rag"
- 24. State in a cycle

27. Currency in Osaka

- 28. Dickens's dodger
- 32. Drive forward
- 34. With "head," a Marine
- 35. Laundry detergent brand
- 37. Maui greetings
- 41. Diva's offering
- 43. Negative response
- 44. Phrase of surprise, when repeated
- 45. Desire
- 46. Marley's genre
- 48. An acorn, for example
- 50. Genetics letters
- 51. Prepare, like for camping

53. aka Ursa Major, with "big"

- 55. Hot spring
- 58. An underdog's win
- 60. Boyfriend/spouse/partner, abbv.
- 61. Shin bone
- 63. Corolla or Taurus
- 65. Arose from sleep
- 69. Course ender
- 70. Patsy \_\_\_
- 72. Spirit
- 73. Falafel container
- 74. Whitewater conveyances
- 75. Let someone else use
- 76. Appear

- 77. Toy of Tommy Smothers
- 78. Tons

Down

- 1. A car gets a wax one
- 2. Competent
- 3. Brave New World drug
- 4. "I wouldn't \_\_\_ it"
- 5. Pry
- 6. A hard problem, casually
- 7. Pups or Banner
- 8. A yes vote
- 9. Paltrow & Austen movie
- 10. Almost crying
- 11. Perjury or theft, e.g.
- 12. Skeletor's enemy
- 14. Volcanic output
- 21. Ship's foundation
- 23. Kook
- 25. Old fashioned radio type
- 26. Fixed, as in a pet
- 28. Open a bit
- 29. Hard to find
- 30. Tough high school subj.
- 31. Perpetrator ID method
- 33. Depressed
- 36. Alternative to M.D.
- 38. Jack stole a golden one
- 39. \_\_\_ Rice
- 40. Neutron or red dwarf
- 42. Iron or Bronze
- 44. Myself & I
- 47. "Barbie Girl" band
- 48. Choose
- 49. Put down, slangily
- 52. Exists
- 54. W's first Secretary of State
- 55. Spanish ones are in Rome
- 56. Type of short haircut
- 57. Ebb
- 59. Lone Ranger's sidekick
- 62. Religious figure in Islam
- 64. Thing, legally
- 66. Butter substitute
- 67. Enlightenment philosopher
- 68. They justify the means
- 70. Weep
- 71. \_\_\_ Tzu

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STUDENT AD





## Former Student Found Different Path After NYU Law

BRIGHAM BARNES, '06

Like many an NYU Law student, Demetri Martin came to the law school straight from an Ivy League school, having aspired since childhood to be a lawyer and figuring that a law degree would open up a world of options when he graduated. But about a month into his first semester, Demetri realized that he had made a mistake and that law school wasn't for him.

By Demetri's second year he was skipping most of his classes to be an intern at the Daily Show, occasionally wearing a gorilla suit to class, and answering questions in Criminal Procedure with sayings he found in fortune cookies. While many of his fellow classmates were eating up the law and preparing for careers with gigantic firms, Demetri realized that law school was just another step in life that gifted students tend to compose on paper, where our sense of validation is built into markers we find along the way, whether they're gold stars, A's, trophies, or plaques—and that this life built around a series of achievements was no longer for him.

While Demetri envied the small percentage of students that seemed well-matched and passionate about studying, examining, and debating the law, he realized that he'd rather be involved in something that he himself could feel passionate about.

At the end of his second year, this former Root-Tilden scholar dropped out of school, got a job with a temp agency, and began a career in comedy by performing at the Boston Comedy Club. The disapproval he received from friends and family for having dropped out of law school was "immediate and universal" but

very reassuring because, finally, this lifelong overachiever didn't have to worry about pleasing anyone.

If you listen to Demetri describe how he felt upon deciding to leave law school, you'll realize that his decision wasn't rash or motivated out of simple frustrations, but well-thought out and motivated by a strong personal philosophy: "When I was young I thought that being gifted meant being good at something without trying too hard. Around the time I dropped out of law school, I realized that to me, a greater gift is finding what I feel so passionate about that the amount of work isn't part of the calculation. The question is: what would I be doing if money were no concern . . . it's about finding that fit, that thing you can work really hard at, but it doesn't matter, because you enjoy it. You need something you can be involved in earnestly and be really applied to. The little ride I've been on since I started doing comedy has been really fun. My worst day in comedy is better than my best day in law . . . not that I was ever really in law . . ."

Demetri's self-described "little ride" looks to be headed towards big things. After eight years of stand-up work, Demetri has been a writer for Conan O'Brien, won the prestigious Perrier Award at the Edinburgh International Fringe Festival, appeared on nearly every late-night talk show on television, been asked to develop a TV series, auditioned for the lead in a Woody Allen movie, is about to become a special correspondent on Youth Trends for the Daily Show, and is now performing in "These Are Jokes", a one-man show at the Village The-



atre on Bleecker Street (a show that he will be taking to London for two weeks in November.)

Demetri's sort of humor can be described as "dumb jokes for smart people." He shares quick, Steven Wright-style quips, observations, and stories about every day things that are simultaneously a little dim and quite bright. For example, "I like to use 'I Can't Believe it's Not Butter' on my toast in the morning, because sometimes when I eat breakfast, I like to be incredulous. How was breakfast? Unbelievable."

With "These Are Jokes," Demetri shares with his audience an hour's worth of jokes, sometimes supplemented by a Casio keyboard and glockenspiel or illustrations on a large sketch pad.

To see the show is to be exposed to a relentless torrent of sheer cleverness and "Why didn't I think of that?" moments. Demetri himself is entertained by the positive reception his act receives, not because he likes to feel that people think that he's funny, but because he "likes seeing that people find the same things funny that I do. The show's not so much about me, but about my ideas. I try to give the audience a feeling of going along for a ride with me for an hour."

When I first set out to meet with Demetri, "These Are Jokes" was set to close on October 29<sup>th</sup>, and this article would have only served to alert most readers to something great that they had totally missed out on. But after many

sold-out nights, an additional three performances (November 3, 4, and 5) have been added to the run. Simply put, your week will probably be wasted if you don't catch his show, so head over to ticketweb.com or the Village Theatre box-office and get yourself a ticket or two and be prepared to have a great time.

Oh, and after the show, make sure to introduce yourself to your fellow former-brother in the law school experience (he'll be waiting for you out in the hall) and ask him about the time Justice Kennedy came to his Shakespeare and the Law class or how he was able to receive academic credit for his internship at the Daily Show, because those are stories that couldn't quite fit into the article.

## Pop Icon Returns to Glory: New York Doll

### Documentary

BRIGHAM BARNES '06

If I could, my entire review of the new documentary *New York Doll* would be: "Seriously, just go see this movie."

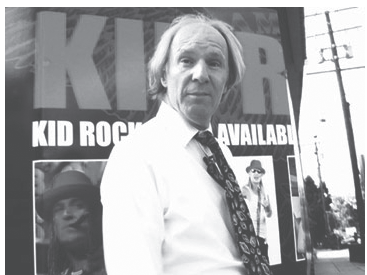
My second choice for a straight-to-the-point review of the movie would be: "If you think there's any part of you that could at all appreciate a story of how the dreams of a down on his luck ex-rockstar came true, see this

movie."

*New York Doll* is the stranger-than-fiction true story of Arthur "Killer" Kane, the original bassist of the seminal punk rock band the New York Dolls. After the Dolls' break up in the mid-seventies Kane fell on hard times and lived the life of a burnt out ex-rockstar until 1989 when he joined the Mormon church. Until 2004, Kane pined away for his long-gone rockstar days while employed at the Mormon Church's Family History Library in Los Angeles, California.

The documentary, begun as an examination of Kane's quotidian existence, captures the incredible twists of fate that brought Kane to be reunited with the rest of the surviving New York Dolls to play two dates at the Meltdown Festival in London at the request of Dolls fan Morrissey.

Kane himself is an endearing and charismatic loser and it's easy for the audience to root for this unfortunate underdog as his wildest dreams become true before our eyes. The film's director, Greg



Whitely, does an excellent job of providing the audience with everything they need to know about the history of the New York Dolls and all the necessary details of Kane's religious conversion to set the stage for the movie, and it just goes from there.

To be honest, I'm a little too in love with this movie to give it a more proper review. It's one of the most likeable films I've seen in far too long, it's neither heavy-handed nor superficial, everything about it just seems perfectly tuned to tell the tale of strange twists of fate and how they affected a seemingly simple man. Seriously, just go see this movie.

*New York Doll* is currently playing right here in the Village at the Angelika on the corner of Mercer and Houston.



## Write for the Commentator

**It Will be Fun**  
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## Western Conference Preview

BY CHRIS MOON '06

Can anyone stop the Spurs? Short answer: no. Long answer? Well that's why we count down the teams from 15 to 1, looking at a major issue for each team. It appears that, in a bizarre way, there has been a power shift. One could argue that, after the Spurs, the next three or four best teams all come from the East. Of course, after those teams the West might have 12 of the next 13, so maybe the shift isn't quite complete yet.

- 15. New Orleans-Oklahoma City Hornets
- 14. Portland Trailblazers
- 13. Minnesota Timberwolves

Issue: Is there any reason to care about these three teams?

Holding: Individual excellence and the hope for a brighter future. Watch Chris Paul, the finest point guard prospect since Jason Kidd, win Rookie of the Year. Watch Sebastian Telfair and Travis Outlaw improve by leaps and bounds. Lastly, watch Kevin Garnett give 110% every night.

- 12. Memphis Grizzlies

Issue: Has Jerry West lost his touch?

Holding: A definite yes. West built two dynasties in Los Angeles, and he did it through shrewd maneuvers that landed the Lakers Shaq and Kobe (and Magic with the first dynasty). Now his team is filled with a bunch of role players, but no superstars to build around. West's inability to land a disgruntled superstar like Vince Carter is his biggest downfall in Memphis. His moves this off-season are similarly suspect, with the

Grizzlies seemingly downgrading in talent.

- 11/10: LA Lakers/Clippers

Issue: Isn't the attention paid to Phil and Kobe this summer the epitome of "much ado about nothing?"

Holding: Of course. I've never seen so much attention paid to a team that might sneak into the playoffs. I mean, ESPN The Magazine had a cover story about Phil and Kobe. I feel like I'm wasting space writing a paragraph. Here's all you need to know: Phil dates the owner's daughter and wanted to coach, Kobe realizes the whole world hates him and wants people to think it wasn't his fault.

The more talented team this season in Los Angeles is the Clippers. If they don't have any injuries they could make the playoffs.

- 9. Golden State Warriors

Issue: Are they this year's Suns?

Holding: They should play a high-paced brand of basketball that should be exciting to watch. The one major difference between the two teams is the Warrior's lack of an inside force.

- 8. Seattle Sonics

Issue: Pound wise and penny foolish?

Holding: Basketball is a funny sport. In baseball you can negotiate hard-line and sign a guy to a one-year contract and it works out great. The guy tries his hardest to put up awesome statistics for the next year. In basketball, you sign three or four guys to one year contracts and they all take shots

they shouldn't, they look out for themselves instead of the team, and the overall team suffers. Don't believe me? Take a look at this year's Sonics team, stocked with guys who will play out of their established roles while looking for a big money contract.

- 7. Utah Jazz

Issue: What do my beloved Jazz have to do with my not-so-beloved fantasy football team?



Holding: Sometimes there is nothing you can do about injuries. Last year the Jazz limped to their worst record in two decades, due in part to the major injuries of their three leading scorers. Expect better things from the Jazz this season, assuming they can avoid the injury bug.

- 6. Dallas Mavericks

Issue: Isn't it based on who you stick around the man?

Holding: Dirk is the man in Dallas. That's clear. This team has slowly gotten worse though, as

they keep tinkering with the surrounding cast, slightly downgrading with almost every trade. Antawn Jamison is better than Jerry Stackhouse, Steve Nash, although not traded, is a much better point guard than Jason Terry. Michael Finley walks, although Josh Howard is comparable. With the current lineup expect Dallas to be strictly middle of the pack.

- 5. Phoenix Suns

Issue: Why why why why?

Holding: Phoenix thrived last year on an almost perfectly run offensive system. And don't believe the naysayers, their defense was at least average. I understand the move for Kurt Thomas to bulk up the front line. However, this team, assuming Nash eventually slows down, has a window of 4-5 years to win a title. Why give up Joe Johnson for picks? Why sign Brian Grant? Why sign the vastly overrated Raja Bell? Their offense will slow down, hurt even more by the loss of Stoudemire for at least half the season. As you can see, sometimes, just like in law school, the holding has more questions than answers.

- 4. Houston Rockets

Issue: Will Yao Ming ever be more than a Rik Smits clone?

Holding: I saw that question on a website the other day, and it cracked me up. When you look at Yao's game, it sure seems like he could be more. For instance, how does Yao average less than one assist a game last year? I mean, Nenad Krstic, Dale Davis, and Rasho Nesterovic averaged more assists a game than Yao.

- 3. Sacramento Kings

Issue: How will Abdur-Rahim and Wells fit in with the team?

Holding: It says here they'll fit in great, giving the Kings another balanced attack with the chance of winning the Pacific Division. The only worry is that neither player is known for being a good passer, which could affect the Kings' renowned ball movement.

- 2. Denver Nuggets

Issue: How can this team actually contend for the West?

Holding: As I explain below, nobody has much of a chance, but Denver's window could be opening. Denver lacks quality play at the shooting guard spot. Voshon Leonard may help, but expect Denver to dangle one of their point guards (Miller, Boykins, and Watson) along with Nene to try to grab a shooting guard from a rebuilding team. Paul Pierce and Jalen Rose are the most likely suspects.

- 1. San Antonio Spurs

Issue: Does anyone else even have a chance?

Holding: No. The Suns spent the entire off-season ruining their team's uniqueness. Everyone else isn't good enough. And now, instead of standing pat the Spurs improve their team, adding Nick Van Exel, Michael Finley, and Argentine big man Fabricio Oberto.

Look for the Spurs to win the West and then hold off the Miami Heat in the NBA Finals. As always, the Spurs will be led by my pick for MVP, Tim Duncan.

## Go to Ali Baba Middle Eastern Cuisine

BY NICHOLAS KANT '06

I highly recommend Ali Baba Middle Eastern Cuisine. The food is tasty, the prices are low and the service is good.

This is one of the best deals in New York City. Probably the world. It's just two dollars for a falafel sandwich. A decent sandwich that tastes good, with a decent atmosphere and service.

Ali Baba is located at 126 MacDougal Street. Other places, including several on the same block, might have something for two dollars, but they are missing one or more of the following: quality food, decent atmosphere or decent service. Ali Baba has it all.

You just can't beat a decent falafel sandwich for two dollars. Add a water and it's three dollars total. If you're really hungry, get two sandwiches and a water, that's five dollars, that's plenty of food, and it's still going to be less than a lunch at most places.

It's certainly what you would call a "hole-in-the-wall." You go down a few steps, and the counter is right there.

That's where the food is sold, and then if you want to stay, it's a bit of a squeeze between the counter and the wall, but in the back are several tables. I even saw

someone studying there once.

The room is very rectangular, until the very back of the place, where it opens up a little bit, and there is what you might call a "quasi-private" table. It would be a good place for a date...the Middle Eastern decorations, the music playing...

Really, the falafels are pretty good. Of course, a falafel sandwich involves several ingredients inside a pita. Most places use pre-made pitas that come inside of bags, and so does Ali Baba. (What would really be cool is a place that made its own pitas.)

So there's the pita. The

pre-made ones seem pretty similar everywhere. There is also the lettuce and tomatoes, which obviously varies little from place to place. That leaves the tahini and the falafel balls.

Tahini is a paste made from sesame seeds. It basically adds flavor and texture. This is one ingredient that definitely varies in taste and quality from place to place. I enjoyed the flavor of the Tahini at Ali Baba's.

The falafel balls make or break the sandwich. Falafel sandwiches are vegetarian, of course, with the falafel balls taking the

place of meat. They are made from mashed chick peas (also known as garbanzo beans), which are then made into balls and deep fried. This is the main ingredient, and also what varies the most from place to place.

Some places serve poor tasting falafel balls, some serve them with poor texture. Some have both problems. Ali Baba's taste good and have good texture. They are not too dense inside, and the outside is nice and crispy. (Although it seems like most places around here squish the falafel ball on purpose as they put it into the pita, instead of serving it intact.)

Also, some places along the same stretch of serve dense, bad tasting falafel balls with bad tasting tahini, which together gives me a stomachache. Ali Baba's falafel balls are nice and light, and good tasting, and don't give me a stomachache. Their falafel sandwiches really fit the bill. And they're a great deal.

They also have stuffed grape leaves. If you've never had one, you should because they are great. Ali Baba charges 50 cents for one, which I'd say is a fair price. I'll usually get two, to go with a falafel sandwich and a water, but I could seriously eat about 50 of them in one sitting.

I had some stuffed grape leaves from a different place, and

they had some spice in them that made them taste "tangy," which I didn't like. The first one I had at Ali Baba probably had too much of that spice, but all the others since then tasted pretty good.

I also tried one of their spinach pies. I like spinach, but I don't really like onions that much. I don't hate them, but I don't love them. Unfortunately, the spinach pie had too much onions for my taste. It was okay, though.

Now on to the service. It's good. A friend told me she thinks that the workers at Ali Baba are nicer because they have to be, because they are not as busy as other places. But I disagree. I think they are nice because they actually care about their customers. Better food, better service...it goes together because an establishment cares. If a place doesn't care, it has poor service and poor food...it goes together.

And what of the name? Of course it's from the classic story "Ali Baba and the Forty Thieves," originally published in Arabic. It makes me think of the classic Beastie Boys song, "Rhymin' And Stealin'," in which they repeat, "Ali Baba and the Forty Thieves," over and over. You know what would be cool? If Ali Baba played that song all of the time. Even without the song though, Ali Baba serves up quality fare at a low price.





Flag Football Heats Up in the Cold

CONOR FRENCH '06

Weeks Six and Seven did not let us down. Top teams won and lost and in some cases lost again. A courageous player tried to inch closer to the end zone even



after breaking his leg. A kite fluttered, suspended twenty feet above play, before crashing to the ground near midfield, causing several spooked officials to scamper inside a nearby soccer net. Colder weather meant colder hands which meant more drops and more stinging fingers.

In Week Seven, the carryover effect of Fall Ball jacked the blood-alcohol content of the competitors to an unusual high hampering agility league-wide and

reminding everyone that drinking might actually have some identifiable downside.

Week Six in the Full Contact League featured the much-awaited October Showdown between the league's two remaining undefeated teams. Rallying around

two early goal line stands and a nifty running attack, Malicious Prostitution ran to a 19-0 lead en route to a 19-16 triumph over Minimum Contacts.

Week Seven separated the teams even further. Despite having to turn the rock over to converted wide receiver Douglas Heitner ('06) in the absence of usual quarterback Charlie Vandenberg ('06), Malicious Prostitution dealt People's Army their

second loss in shutout fashion. Although he obediently followed the team's blueprint calling for only runs and short passes, Heitner continued to opine his team for the long ball, stating "but I want to announce my presence with authority."

Minimum Contacts, on the other hand, fell flat against a hard-charging Gans & Co. Indeed, the play that proved decisive was an intercepted conversion returned for two points as Gans & Co would prevail by that slim margin. Missing sophomore speedster Steven Cephas ('07) and with quarterback Ryan Eney ('07) shelved on most plays due to a banged-up throwing arm, Minimum Contacts looked a shadow of their usually formidable self. Those injuries, however, did not stop blithe 1L, Alex Moulter ('08), from declaring himself "beyond happy. It was like that time when we beat Belmont Hill for the first time in like seven years except even better. I really liked it."

The Less Contact League also saw its top-two ranked teams face-off in an autumn classic. This battle began as five-on-five, moved to six-on-five, moved again to six-on-six and ended as an unsuspenseful blowout. Lead by chain-smoking wide receiver, Gene Kang ('06), Jang (formerly "Bukola's Team") overpowered Title IX suggesting to some that the Barrister's Division might outclass the Solicitor's Division. Kang attributed his on-field success to

a "leveling of the playing field." Apparently, Kang felt that Fall Ball compelled many opposing players to mirror his notorious Thursday night partying habits.

The other top teams kept chugging along as Gans & Co. won to stay unbeaten and Just the Tip brushed off the rust of two weeks of forfeits in legging out a convincing victory over Battery Charger. One other notable game ended amidst acrimony as an apparent game-winning touchdown on the last play of regulation was negated. Trailing 25-24, highly-touted Pass/Fail heaved a Hail Mary which a

ruled that the receiver made the catch out-of-bounds and ended the contest.

As the fall semester marches on, numerous forfeits have begun to plague the flag football Fridays. Since all the forfeiting teams are 1Ls, one senses that the anxiety and pressure of 1L exam anticipation has already begun to ramp up for those poor frightened souls. In the coming two weeks, we must all remember to hug and cuddle them. Don't tell stories about trick questions, panic attacks or study regimens you retrospectively wish you had. Just look them in the eye and tell them,



receiver caught while flat on his back in the end zone with zero time left on the clock. After a quick conference, the officials

"Honor, Determination, Intensity... These are words that we live by." Let's end this season with fire and fervor.



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