

October 18, 2005

# BRAVE Unilaterally Resigns Over Directoral Grievances

#### BY ARIANA LENARSKY

On Friday, October 7, the Bard community received an announce e-mail from Dean of Students Erin Cannan. "Dear Community," it read. "I am writing to express dismay and astonishment that, without warning, the members of BRAVE have unilaterally resigned because of a perceived lack of administrative support ... " The e-mail went on to say that BRAVE services would be discontinued on October 12, at 7 PM. Dean Cannan urged the students to re-evaluate their decision:

"When students express dissatisfaction with a program, the college is not unwilling to participate in a conversation. However, everyone can agree that such a quick and brutal reaction to a perceived lack of support, after an agreed upon course of action was negotiated, is unfair. I truly hope that the students will reconsider their position and participate in good faith in the mediation process."

The e-mail, sent just before Fall Break, aroused curiosity and alarm in the Bard community. Why was everything happening so quickly? Were the BRAVE members actually resigning, or was it some sort of political move? Who should be notified if a crisis were to occur? And most importantly: What had happened?

After separate interviews with Dean Cannan and several BRAVE members, the main issue was unequivocal: BRAVE's resignation was not directly in response to a lack of support from the administration, but rather the actions of the new BRAVE administrative director, Jennifer Strano.

Strano, a certified social worker, dedicates roughly "25 hours each week to

BRAVE," said Dean Cannan. "One of the shifts this year was getting someone who's licensed as a social worker, which actually protects the BRAVE counselors. If anything within a case was ever to be subpoenaed, for example, there would be no confidentiality without a social worker. Ultimately, this is a better protection.'

However, since the beginning of the semester, BRAVE members have felt a

"professional, personal, and emotional" disconnection from Ms. Strano.

"BRAVE has always been seriously focused on being a community within itself, being able to rely on each other as members, and having access to a director who knows enough about you as a person to take care of you, support you, work well with you," said 2nd semester Senior Sara Clarke, the education co-chair of BRAVE. "Since Jennifer's been in BRAVE .... there's a sense of distance and coldness and inapproachability. I feel disdain, almost."

Other BRAVE members expressed similar sentiments. Junior JP Lor, the counseling co-chair of the program, said Strano "didn't make an effort to get to know us, or see what makes us tick, or how to keep us safe. She didn't learn about our weak points or strengths as counselors."

Since 1991, BRAVE (Bard's Response to Rape and Associated Violence Education) as a program has grown and thrived within the community. The program has operated under a variety of directors, including Dean Cannan herself, who began as an assistant director in 1995 after the head director became terminally ill. Her direction continued until 1999, and since then she has "always been involved. I've hired every director," says Cannan

Student members currently in BRAVE have had various experiences with past direction, including a semester that was entirely student-run. The recent previous director, Peri Rainbow, was "gregarious", says Clarke, who is currently in her sixth semester as a BRAVE member.

However, every member has been trained under a different direction, and Clarke insisted that the grievances against Jennifer were not out of nostalgia for Rainbow. "We've heard a lot of people who assume the complaints are residual from missing the other director, but not all of us were trained under [Rainbow]."

I don't necessary want to speak for the new

was involved in counseling services. I don't really have an idea of Jennifer reminded the members that there was other business to what an excellent director would be like."

On a purely professional level, members of BRAVE were indignant that Strano had carried out unilateral decisions without the student BRAVE members' processing or approval.

"We've always been focused on making decisions as a group,

all voting together, reaching consensus, never making people feel uncomfortable,' said Lor. "[Strano] has been detrimental to that ideal; she's accepted members without [BRAVE members] having a vote on it. She's changed rules and policies."

"The biggest change [Strano] made was establishing a policy that we could no longer counsel our

friends, which is incredibly hard because of the size of the student body," said Clarke. "She insisted it was unethical. Although she gave us a chance to discuss it, she came to us already having made the decision.'

"[Strano] fundamentally offended one of the main policies; she has taken beeper calls without informing the student on the other end that she was not a student," continued Clarke. "It's a peer counseling organization, and by not telling someone that she wasn't a peer, she undermined one of the most important aspects of our organization. She's affiliated with a form of student counseling that has a whole different standard for confidentiality and reporting than BRAVE does.'

BRAVE members found it increasingly difficult to comply with Strano's direction, and decided it was time to take action

"What kind of set everything into motion occurred after several meetings with Jennifer. We wanted to bring up our concerns with Erin because as a group we felt there was no connection established," said Lor.

On September 16, all but one of the BRAVE's student members sent an initial letter to Dean Cannan expressing grievances with Strano's direction thus far:

#### Dean Cannan:

As an organization, BRAVE is available to serve the needs of the Bard community....asking only the support of the administration and the guidance of a competent and compassionate leader in return for our dedication .... Our hope is that you will hear these concerns and help us to facilitate positive change

"Since Jennifer Strano has joined our organization as program director, she has repeatedly made unilateral decisions without the group's approval ... [undermining] the democratic and egalitarian principles upon which we function.

"On several occasions, Jennifer has also made comments which have been fundamentally offensive, alienating, and generally inappropriate during meetings as well as on an individual level....trust and communication are key aspects of a wellfunctioning BRAVE .... if we feel we cannot have full and safe communication with our director, our own ability to counsel suffers, and thus the community suffers ....

"Jennifer has made an effort to become integrated into this program by changing it, instead of through a process of supportive collaboration and compromise....she has apologized but has made no changes, and her continued refusal to hear our voices has put a strain on our highly committed volunteers. A delegation from BRAVE, consisting of new and old members would like to arrange a meeting with you in order to further discuss these concerns.

#### "Sincerely, BRAVE"

After sending the letter, BRAVE members were informed that Dean Cannan had passed the letter on to Strano. "We expected that to happen," said Clarke. What they did not altogether expect, however, was Dean Cannan's response to their request for a meeting with her.

attend to. One of the BRAVE members responded in agreement, saying "Part of our business is to elect a co-chair, and quite frankly you don't have the power to be a part of that.' We went against Jennifer's wishes and had the election anyway," says Lor, "and we elected two members of BRAVE that she didn't prefer."

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> Following the co-chair elections, members of BRAVE received an e-mail informing them that there would be a meeting at nine pm that evening with Strano and Dean Cannan which five members of BRAVE could attend.

> "During that meeting, we had a very organized agenda going through general concerns," said Lor, "and our only real demand was for Jennifer to reconsider her position.'

> Dean Cannan's response was not what BRAVE had expected. "Erin interpreted the problem as being an issue of communication," said Rhodes. Dean Cannan also informed them that she had known about the unilateral decisions Strano had been making, and had been suggesting them herself.

> "Erin is Jennifer's boss and there's obviously some communication, but Jennifer never expressed this connection to us. She didn't answer any questions about the policy changes; we had no way to know Erin was actually the one making the decisions," says Clarke. "We sat there, in a very uncomfortable situation about really personal things, and hurt feelings, which there were a lot of. We felt afterwards we were really shot down, that Erin had simply heard that we weren't communicating when really we had a director that we were unable to work with, who had broken confidentiality, and lied to students."

> "With Jennifer present [during the meeting], it made it really difficult to say what we needed to say," said Rhodes.

> After leaving the meeting, members said they felt aggravated and dissatisfied with the results. "Erin was going to start attending our business meetings weekly to facilitate meetings, but it didn't address the problem for us," said Clarke. "We didn't think the problem was communication. We had all been so offended by this woman; we had nothing but disdain for her, we didn't think that BRAVE could continue functioning in the role she was in.

> A meeting was called for all the student members to weigh the pros and cons of different ways of handling the issue. Protesting was suggested, as well as other forms of compromise, but to the members, the situation looked bleak, and resignation became the final solution. On October 6, the members drafted a unanimous memo of resignation to the Dean:

> "In response to a perceived lack of concern for our demands, and after much group discussion, we, the members of BRAVE, would like to inform you of our decision to resign. As of Wednesday, October 12th at 7pm, we will shut off the beeper and suspend all educational and outreach projects. Enclosed, you will find a copy of a poster that we have created as a safety measure, which will be disseminated Wednesday evening.

#### Sincerely, BRAVE'

"This wasn't irrational," Lor stated firmly. "This letter was on our minds for the entire week. We went through every hesitation."

As for the community, BRAVE members basically want to ensure that people are aware of the other methods of crises communication and prevention.

"Although this may feel like an abandonment to the community, who thus far had only half of the information, we built in safety precautions for the community," said one member of BRAVE. "We're here to provide some sort of safety Ulster and Dutchess county crimes and victims hotline, they're community orgazinations with which BRAVE has worked really closely.

bers, but they have openly expressed their distaste for Jenniferand they were trained under her .... New members were getting cases and not going to her. They were calling old members for

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what should have been Jennifer's job," said Lor. "We [as students] can't process cases because it's not something we're trained to do.

"Any time we'd express concerns," said junior Nicole Rhodes, a second semester

member who has previously experienced only student direction, "she would essentially shut down. Last semester, there was no director; it was being run by a former student that graduated and

We wanted everyone in BRAVE to be there so it wasn't a selected sample of us, and we didn't want Jennifer to be there," said Clarke. "Erin denied both of those requests."

Strano brought the letter up in the next meeting, when BRAVE members were sched-

uled to vote on an education co-chair for the program.

"Jennifer clearly stated she didn't know where the group had stood-in regards to her, not the content of the letter. She felt like some of the people who had signed the letpreviously ter hadn't approached her on a one-onances," said Lor.

Strano was "confused" by the letter, and wanted to postpone elections until members could have a discussion with Dean Cannan.

"When we asked her what difference it made, since only [student BRAVE members] decide who the cochair is, she responded by saying 'It's about time we start thinking about my comfort levels," said Rhodes. "But the director never facilitates that vote.

After spending half the meeting discussing the letter,

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When asked whether they had any hope for the future of BRAVE, members were somewhat hesitant.

"BRAVE, as it stands, had this really solid foundation that is completely undermined by Jennifer's actions. It won't be BRAVE anymore if it continues on the path that it is going," said Clarke.

"BRAVE was a part of our life we could keep separate," said Lor, "and Erin has made this for the forefront of our lives."

"Some of us are trying to graduate this semester," commented Clarke. "Or sleep!" Rhodes added dryly.

Dean Cannan's response was more optimistic. "Is there hope? Of course. Honestly, when we've had times of conflict in the past with students, once we've been able to get done with talking about things, good things have happened. That's how BRAVE started. A lot can come out of conflict. This is initially stressful, but once we kind of sit back and think about it, it forces you to be creative, and to think about the other person, to consider things. Out of that can come really good stuff. That's how I'm looking at it," she said, and adding, "I wouldn't be doing my job if I didn't have hope."

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### The CIA Leak

#### BY CHRISTINE NIELSEN

Judith Miller, a reporter for the New York *Times* since 1977, was released from an 85 day stay in jail on September 29, 2005 after agreeing to testify in front of a federal grand jury about her conversations with top Washington official I. Lewis "Scooter" Libby, Vice President Dick Cheney's Chief of Staff. Miller testified the day after her release, and then again on October 12. However, it was not until last Sunday, October 16, that Miller wrote her first article since her release: a detailed account of the questions she was asked by special prosecutor Patrick Fitzgerald and the answers she gave. Miller's testimony is the latest piece in an unfolding political drama which could very well lead to the indictment of the President and Vice President's right-hand men, Karl Rove and "Scooter" Libby.

Early in 2002, during the build-up to the United States's invasion of Iraq, Italian journalists started circulating a

report that Niger had sold uranium yellowcake to Iraq in the late 1990s. By February, the CIA had decided to send Joseph C. Wilson IV, a retired but distinguished US career Foreign Service officer and ambassador, to investigate these reports from within Niger. Once back in the States, Wilson reported that there would have been, in his words, "simply too much oversight over too small an industry for a sale to have transpired."

Wilson, who considered the matter closed after his report, was subsequently surprised to hear Bush cite the following evidence in his January 28, 2003 State of the Union address, "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." The White House later rescinded those sixteen words. However, at the time Wilson accepted the premise that "perhaps the president was speaking about one of the other three African countries that produce uranium: Gabon, South Africa or Namibia," as a State Department staffer suggested, and as

Wilson later recounted in his July 6, 2003 editorial in the New York *Times*, entitled, "What I Didn't Find in Africa."

It was that same article that is considered to have spawned the political storm which has gathered many of the top Bush administration officials into its midst and continues to hang over Washington. Though Wilson thoroughly explains the reasoning behind his stance in the article, it is the first lines which have been cited by news source after news source and which have enraged many conservatives.

"Did the Bush administration manipulate intelligence about Saddam Hussein's weapons programs to justify an invasion of Iraq?" Wilson opened. "Based on my experience with the administration in the months leading up to the war, I have little choice but to conclude that some of the intelligence related to Iraq's nuclear weapons program was twisted to exaggerate the Iraqi threat."

Though it was the first time Wilson himself had spoken out about his findings in Niger, it was not the initial way in which Wilson drew administrative attention to himself. Exactly two months earlier Nicholas D. Kristof, an Op-Ed Columnist for the New York *Times*, published a column entitled "Why Truth Matters" which indirectly referenced Wilson.

"Tm told by a person involved in the Niger caper that more than a year ago the Vice President's office asked for an investigation of the uranium deal, so a former U.S. ambassador to Africa was dispatched to Niger," Kristof wrote. "In February 2002, according to someone present at the meetings, that envoy reported to the C.I.A. and State Department that the information was unequivocally wrong and that the documents had been formed " reports suggesting that senior administration officials, including Mr. Cheney, had embraced skimpy intelligence about Iraq's alleged efforts to buy uranium in Africa while ignoring evidence to the contrary. Such reports, he said, according to my notes, were 'highly distorted."

On July 14, just over a week after "What I Didn't Find in Africa" was published, the controversy introduced by Wilson was given a life of its own by syndicated columnist Robert Novak. Novak's article, "Mission to Niger," which ostensibly gave a summary of the developing Wilson controversy, also gave a single piece of information—something which added little to Novak's narrative, is not necessary for the public discourse, yet has managed to wreak havoc in Washington. Halfway through his column, Novak wrote, "Wilson never worked for the CIA, but his wife, Valerie Plame, is an Agency operative on weapons of mass destruction. Two senior administration officials told me Wilson's wife suggested sending him to Niger to investigate the Italian report. The CIA says its counter-proliferation officials selected Wilson and asked his wife to contact him. 'I will not answer any question about my wife, 'Wilson told me."

Wilson had a good reason for not answering questions about his wife. Valerie Plame, as everyone who read the news in

the days following Novak's article found out, was not a CIA analyst. She was, actually, an undercover CIA operative. Undercover, that is, until her cover was blown by Novak's article. The safety of a covert CIA operative often hinges directly upon secrecy, as evidenced by the very specific laws which govern the preservation of classified information. The US Code which most likely relates to this case is Section 421a, entitled "Protection of identities of certain United States undercover intelligence, officers, agents, informants, and sources," which reads:

"Whoever, having or having had authorized access to classified information that identifies a covert agent, intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking

affirmative measures to conceal such covert agent's intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than ten years, or both."

Later, in the October 1, 2003 edition of his column, entitled "The CIA Leak," Novak attempted to justify his part in the controversy. "To protect my integrity and credibility, I would like to stress three points," Novak wrote. "First, I did not receive a planned leak. Second, the CIA never warned me that the disclosure of Wilson's wife working at the agency would endanger her or anybody else. Third, it was not much of a secret." Those may be reasons why Novak did not feel the need to exclude that piece of information, but why did he decide to include it?

"I used it in the sixth paragraph of my column because it looked like the missing explanation of an otherwise incredible choice by the CIA for its mission."

The split over who believes Novak is telling it like it is and who believes him to be completely disingenuous has run down fairly predictable ideological lines. The real irony of the Plame affair, in fact, is that the journalist who outed Plame in the first place has had relatively little role in the fallout. Novak refuses to disclose whether or not he has testified before the federal grand jury to be questioned by special prosecutor Fitzgerald, who was called in to investigate in late 2003.

Fitzgerald's investigation, which has lasted more than two years, upgraded the political and ideological storm surrounding it to a higher category on July 18, 2005, when federal Judge Thomas Hogan held veteran New York *Times* journalist Judith Miller in contempt of court for refusing to tell the court who had revealed the identity of Valerie Plame to her. Miller, who had never published a story on Wilson or his wife, was nevertheless known to have spoken with Libby on three occasions, and Fitzgerald believed that her notes needed to be submitted for evi-

dence in the investigation.

At the time of Fitzgerald's, request Libby and all White House staffers signed a letter which released several journalists— Miller, for one, and also Matthew Cooper of the New York *Times*—from their professional duty to conceal the identities of their anonymous sources. While Cooper took the deal almost immediately, Miller refused and was sent to jail.

It was a surprise to many, then, when Miller agreed to testify just a few months later after receiving a personal letter and phone call from Libby releasing her from her duty to keep his anonymity. The *Washington Post* quoted former *Times* political editor and chief Washington correspondent, Adam Clymer, on October 13, who expressed his misgivings about Miller's deal.

"It isn't clear to me, and it isn't clear to people at the paper, exactly why the waiver wasn't acceptable in its earlier form when other people found ways to find it acceptable."

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# "America's Nazi Party" Sparks Riot in Toledo, Ohio

#### BY KEITH MCDERMOTT

Sixty-five people were arrested in the northern Toledo neighborhood of LaGrange, Ohio last Saturday after a riot broke out in response to a planned neo-Nazi march. Bricks and rocks were thrown by protesters at police, cars vandalized, stores looted, and a local bar burnt down, while the police fired tear gas and flash-bang explosives into the crowds. Twelve officers were reportedly injured, one receiving a concussion after a brick was thrown through the side window of her cruiser.

The neo-Nazis, none of whom were injured, fled the scene on police orders just before noon as the police began to loose control of the crowd. The National Socialist Movement, a white supremacist group which calls itself "America's Nazi Party," wished to march in protest of gang violence in Northern Toledo that they contend the city government is ignoring.

Racial tensions have been prevalent for the last year in LaGrange when the local Polish Fest reportedly required black children to be accompanied by adults, while Polish children were excused from the rule. This summer a highly publicized dispute between neighbors increased the tensions. Some residents suspect that the white neighbor in the dispute, Thomas Szych, may have been involved in bringing the neo-Nazis to town, though Szych denies having anything to do with them. Regardless, the neo-Nazis, who arrived in full uniform and chanting racial slurs, apparently hoped their presence would push the neighborhood over the edge.

The counter-demonstration was initially made up of a mix of activists, pastors, gangs, anarchists, and locals. By afternoon, however, the group became a mob, controlling an intersection, pelting cars with bricks, and looting a convenience store. About two hours after the neo-Nazis had fled, Mayor Jack Ford, Fire Chief Mike Bell and Rev. Mansour Bey of the First Church of God, attempted to negotiate with the crowd, which had swelled to about six hundred people.

Mayor Ford explained via bullhorn that the neo-Nazi marchers were long gone, but the crowd demanded to know why they were allowed to march at all. While negotiating with the crowd, Mayor Ford was reportedly threatened by a man wearing a ski mask with a gun tucked in the front of his pants. In the mean time, people in the back of the crowd broke into Jim & Lou's Bar, looting it and then setting it and the apartments above on fire.

With the failure of negotiations and firemen unable to get anywhere near the fire the police began a renewed assault to disperse the crowd with tear gas, wooden bullets and mass arrests. By five pm the groups had been largely dispersed, but the Mayor issued an eight pm citywide curfew nonetheless. So far none of the demonstrators or locals were reported as injured.



Miller and her lawyer, leaving the couthouse on October 12

Torgetti

As Miller revealed in her article on Sunday, this report got under Libby's skin. "I recall that Mr. Libby was angry about Fitzgerald believed that her notes needed to be submitted for evi-

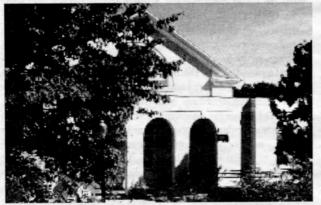
## Botstein Approves Student Social Space Proposal

#### BY SASHA WINTERS

The Student Social Space Proposal, previously supported by 759 students, just got one more vote. On October 7, in a meeting with Matt Wing, Sam Kraft, Adriane Raff-Corwin and Johanna Klotz, President Leon Botstein said he agreed with the proposal and that the administration is also in support of the creation of a new social space. He said it will be made a priority at the October 19 Board of Trustees meeting. He also stated that he will begin the search for donors for the project.

The project is outlined in the official "Request for Administration Support to Build a Student Social Space and to Seek Support of the Board of Trustees." The proposal includes the reasons a social space is needed, naming the need for a "cohesive community" and noting the absence of the Old Gym.

The proposal also includes an EMS report which notes that



If you help build the new student social space, we won't have to keep publishing pictures of the same fucking building photo by Lea Kleinman

since the Old Gym was abandoned, the lack of a social space has not led to a decrease in EMS calls or hospital visitations, essentially invalidating the notion that a new space would not be healthy for the student body.

Next, the proposal looks at the execution of its plan. Robert Nilsson, the school's architect, along with Student Government representatives have based the building on the participation of the student body. This means that student volunteers would actually be building the new space. The main reason for this is to cut the costs, which are at an estimated \$2.6 million.

The Student Government will soon have an Ad-Hoc Committee to choose an architect and a contractor, and also to begin conceptual design. Botstein has promised that this will happen by the end of the term.

There is, as of yet, no estimated beginning or end date, as the school will not be able to begin building until it has secured all the needed funding.

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Miller's peers, most of whom go unnamed, harbor the belief that Miller went to jail at least in part in order to overwrite the criticism she was receiving in 2003 for her reports about weapons of mass destruction in Iraq, many of which turned out to be exaggerated. Miller herself, however, claims that the first letter she received from Libby was too generic. "I believed that nothing short of a personal letter and a telephone call would allow me to assess whether Mr. Libby truly wished to free me from the pledge of confidentiality I had given him," Miller wrote in her piece this Sunday, "My Four Hours Testifying in the Federal Grand Jury Room." Miller also mentioned a second reason for her acceptance of this bargain over the first one offered to her.

"Equally central to my decision was Mr. Fitzgerald, the prosecutor," Miller wrote. "He had declined to confine his questioning to the subject of Mr. Libby. This meant I would have been unable to protect other confidential sources who had provided information—unrelated to Mr. Wilson or his wife—for articles published in The *Times*. Last month, Mr. Fitzgerald agreed to limit his questioning."

Both reasons, Miller maintains, are predicated on a steadfast moral and professional belief. "I served 85 days in jail because of my belief in the importance of upholding the confidential relationship journalists have with their sources," Miller was quoted after giving her first testimony. "Believe me, I did not want to be in jail."

Miller's Sunday article detailing her grand jury testi-

mony revealed several interesting facts—most saliently, that Libby did indeed reveal information about Valerie Plame to Miller. Speaking of her second interview with Libby, Miller wrote:

"At that breakfast meeting, our conversation also turned to Mr. Wilson's wife. My notes contain a phrase inside parentheses: "Wife works at Winpac." Mr. Fitzgerald asked what that meant. Winpac stood for Weapons Intelligence, Non-Proliferation, and Arms Control, the name of a unit within the C.I.A. that, among other things, analyzes the spread of unconventional weapons."

Another relevant piece of information Miller revealed came from the second, personal letter Libby sent to her, allowing her to testify. One of the lines which Fitzgerald requested Miller read allowed was, "The public report of every other reporter's testimony makes clear that they did not discuss Ms. Plame's name or identity with me." Miller told Fitzgerald, "This portion of the letter had surprised me because it might be perceived as an effort by Mr. Libby to suggest that I, too, would say we had not discussed Ms. Plame's identity. Yet my notes suggested that we had discussed her job."

It would seem that Libby is now solidly involved in the case. Karl Rove's part, however, is still obscured from the public eye. After Rove testified for the fourth time on Friday, October 14, Rove's lawyer, Robert Luskin was quoted by the Associated Press as saying, "The special counsel had not advised Mr. Rove that he is a target of the investigation and affirmed that he has made no decision concerning charges. The special counsel has indicated that he does not anticipate the need for Mr. Rove's further cooperation." However, the AP article continues, "Defense lawyers increasingly are concerned Fitzgerald might pursue other charges such as false statements, obstruction of justice or mishandling of classified information."

Another option at Fitzgerald's disposal—one which some analysts think likely—is for him to charge a group of top Bush administrators (undoubtedly including Libby and Rove) with criminal conspiracy. To get a conviction on this account, Fitzgerald would have to prove that at least two people had intentionally set out to discredit Wilson by leaking clandestine government information.

The scope of this case goes beyond the individual fates of a small group of journalists and government officials. Already it has potentially set precedent for the treatment of journalists under the law. In the end, however, Miller's case may work to secure greater legal rights for journalists with confidential sources. Congressmen from both parties are now supporting a federal shield law. As quoted by the Washington Post on October 1 of this year, Sen. Christopher J. Dodd (D-Conn.), one of the bill's sponsors, pointed out that "the primary purpose of the [law], which the administration opposes, is not to protect journalists but 'the public's right to information.""

The federal grand jury is set to expire in one week, on October 28, 2005. By that time the country will know whether Libby and Rove will be indicted separately, together, or not at all.

### Bhopal Activist Labeled Terrorist; Given Four Year Jail Sentence

BY ADRIANE RAFF CORWIN

In 1984, a gas leak from the Union Carbide India Limited (UCIL) factory in Bhopal, India killed 8,000 to 20,000 people immediately and left an estimated 500,000 survivors with permanent health damage. The gas leak could have been prevented if the factory had been maintained properly, but on the night of the disaster all six safety systems were turned off or out of order. The Union Carbide Corporation (UCC), owner of the factory and subsidiary UCIL, and its CEO at the time, Warren Anderson, have never been prosecuted for their criminal misconduct in dealing with the disaster. Someone who has been prosecuted, however, is activist Diane Wilson of Texas, who was recently sentenced to four months in prison for protesting against UCC and its toxic legacy.

Diane's grievances with the company lead back to 1989, when the Indian government accepted a \$470 million settlement from UCC on behalf of the survivors even though it was estimated that UCC should have paid around \$5 billion. This allotted survivors an average of \$500 for a lifetime of medical bills. Along with the monetary sum, the Indian government agreed that it would not press criminal charges. However, as a result of survivor pressure, the criminal charges against UCC and Anderson were reinstated in 1992. Both have since declined to present themselves in court and are now labeled as "absconders of justice" in India.

Because of their unwillingness to take responsibility for the aftermath of the chemical disaster, it has been impossible to get UCC to clean up Bhopal. After the disaster the factory was left to rot with tons of exposed chemical stockpiles slowly seeping into the ground. As a result, the land and ground water of the communities near the factory is totally unusable. It is UCC's responsibility to clean up the mess their factory made in Bhopal, but they have been avoiding the law for more than ten years.

In 2001 Dow Chemical, the world's largest chemical company, absorbed UCC. On buying UCC, Dow told its stockholders that there were no pending liabilities relating to Bhopal. This is untrue. In addition to the criminal liability, there are gov-



The remains of the UCIL factory

ernmental and non-governmental reports dating back to 1990 that cite the fact that the same chemicals present in the factory are now present in the land and water within a kilometer of it. Dow, however, has openly stated it will take no responsibility for Bhopal even though UCC is its subsidiary. Any help Dow said it might provide would merely be from a "good Samaritan" standpoint. Dow is hiding its subsidiary fugitive corporation. Given that Dow receives all the profits from UCC technology, common wisdom dictates that the responsibility UCC once had to the people of Bhopal is now in the hands of Dow.

### Harriet Miers: Common Crony, or Convincingly Competent?

#### BY KATHERINE ALJINOVIC

On October third, President Bush nominated White House Counsel Harriet Ellan Miers to fill the Supreme Court vacancy created by Justice Sandra Day O'Conner, who announced her

responsibilities. When she began her responsibilities this organization was covered in scandal, and she served as a powerful force behind its cleanup.

Meirs came to Washington DC in 2001, and was appointed assistant to the president and staff secretary on January 20, 2001. In 2003, Miers was promoted to assistant to the president and deputy chief of staff and she has setting as

In 2002, when the Indian government tried to lessen the charges against "Dow-Carbide," a few gas survivors went on a hunger strike in Bhopal. After nineteen days of not eating, the protesters had to give up their strike. Diane, a shrimp boat skipper from Seadrift, Texas, took up the effort and went on a hunger strike for thirty days. Diane comes from Calhoun County, which is one of the largest toxic disposal locations in America. She realized she had to fight back at the corporations ruining the water she fishes in. The biggest toxic waste producer happened to be Union Carbide. An activist for many years, Diane became involved with the Bhopal campaign after she realized the plight of Bhopal was the same as her own. Both places need to be cleaned up by "Dow-Carbide." So at the end of her hunger strike she went to the Dow factory in Seadrift, chained herself to a high platform, and revealed a large banner which read, "DOW IS RESPONSIBLE FOR BHOPAL.'

Dow immediately pressed charges against Diane and labeled her as a potential terrorist. On October 3rd, 2005 she was sentenced to four months in jail (starting October 20th). During her trial she was not allowed to say why she had chained herself to the factory.

Diane says that what she did is wrong in accordance with the laws of the United States, and she says she is very willing to go to jail for it. But what about Warren Anderson? The absconder, now 82, lives in upstate New York quite pleasantly. In 2003 when the Indian government finally sent a request to the American government to extradite Anderson to India, the American government turned down the request on "technical grounds" although they have a joint extradition treaty with India.

As the days get closer and closer to October 20th, Diane is busy with speaking engagements. Her book, An Unreasonable Woman: A True Story of Shrimpers, Politicos, Polluters, and the Fight for Seadrift Texas, just came out. She is

arguing that, though Miers has never served as a judge, her experience as White House counsel, deputy chief of staff and Bush's staff secretary gives her experience that few lawyers have. Indeed, White House press secretary Scott McClellan purports, "The experience that [Miers] has is equal to or greater than many of those who have already been confirmed to the United States Supreme Court over the course of the last 70 years," and that, furthermore, "one in three justices serving on the Supreme Court

It seems Miers has left few clues as to her position on abortion—or any other issue of major importance—during her legal career.

retirement in July after nearly 25 years on the Court. Miers was born in Dallas in 1945 and received her bachelor's degree in mathematics in 1967 and JD in 1970 from Southern Methodist University, ranked 52nd among law schools nationwide. After her graduation she clerked for U.S. District Judge Joe E. Estes until 1972, before being hired by the law firm of Locke Purnell Boren Laney & Neely. In March of 1996 she became the first female president of this law firm, and when the firm became Locke Liddell & Sapp after merging with another firm, she became a co-managing partner.

Miers has had an active legal career, representing clients that include Microsoft and Disney. In 1985 Meirs became the first female president of the Dallas Bar Association, and in 1992 she became the first woman elected president of the State Bar of Texas, a position that she filled for one year. She has also been an active member of the American Bar Association, serving as chair of their Commission on Multijurisdictional Practice. She was a candidate for the number two position in this organization as well, Chair of the House of Delegates, but withdrew her candidacy to move to Washington and serve in the White House. She has also frequently been named one of the nation's 100 most powerful attorneys and top 50 women lawyers. From 1995 until 2000, Meirs served as Chairwoman of the Texas Lottery Commission, a voluntary public service position she undertook while maintaining her legal practice and other the president and deputy chief of staff, and she has served as counsel to the president since February of 2005.

However, many have expressed their reservations about Bush's nominee, painting her as an unqualified presidential crony. Even Anne Coulter, among the most extreme conservative political commentators in the country, is against a Miers appointment. "Unfortunately for Bush," Coulter said on her blog, "he could nominate his Scottish terrier Barney, and some conservatives would rush to defend him, claiming to be in possession of secret information convincing them that the pooch is a true conservative and listing Barney's many virtues - loyalty, courage, never jumps on the furniture." Miers has at no point served as a judge, and the thought of her advancing to the position of Supreme Court Justice with only her current experience gives many pause. Many of Bush's supporters are divided, as many had hoped for a nominee with a clear record of opposition to abortion. Indeed, it seems Miers has left few clues as to her position on abortion-or any other issue of major importanceduring her legal career. However, Bush himself has suggested that Miers' evangelical Christian beliefs played a role in his decision to nominate her, and the assumption that she is pro-life is clear. However, this does not address the point that Democrats continue to argue: Bush's tendency to nominate those from his inner circle to high positions, irrespective of their qualifications or lack thereof. Miers' supporters counter these concerns by

over that time period did not come from the court."

While the Bush administration continues to cite her wide range of experience, they struggle when asked to specify what exactly her role has been or the contributions that she has made. While admirers say that she has brought diligence and determination to every task, and that her fingerprints are all over President George W. Bush's record in office, it is much harder for them to cite specific examples. The one policy dispute in which she is known to have taken a stand was her failed opposition to the Bush administration's early decision to stop cooperating with the American Bar Association in rating judicial nominees. Her role in everything else has been extremely ambiguous, and while colleagues of Miers, such as Joshua Bolton, Director of the Office of Management and Budget, call her "a very gracious and funny person," they admit to be wracking their brains "trying to think of something specific."

# Darfur Awareness at Bard

news

BY NEESHA FAKIR

In February of 2003, The Sudanese Peoples Liberation Movement/Army—a subsidiary of the Darfur Liberation Army and the Justice and Equality movement, two rebel movements in Sudan's war-torn province of Darfur launched an attack on Sudanese government infrastructure.

As a repercussion of this, the Janjaweed Militiamen, under the backing of the ruling Nationalist Islamic Front and president Omar-el-Bashir, have sporadically launched a campaign of ethnic cleansing of native Darfuris, attempting to squash the rebellion. Since February 2003, the estimated number of Darfuris killed in the conflict due to starvation, disease and murder has reached 400,000. There are more than 2.5 million internally displaced persons and approximately 200 000 Darfuris have fled to neighboring Chad.

In September 2004, the United Nations Security Council endorsed sanctions on the government of Sudan unless Khartoum is able to stabilize the region.

Furthermore, of the 1,300 African Union troops stationed in the region, a growing number are killed each day in sporadic attacks by the militiamen.

Last year the United States Congress passed the Darfur Accountability Act, labeling the situation in the Darfur region as an act of genocide. However, further attempts have been scrutinized at the Security Council by the United States in its attempt to block the reports drafted by envoys of the Secretary general.

The Bard Darfur Action Campaign—a project of the International Solidarity Network—will be conducting a week of education and action on grass roots activism and awareness of the



Janjaweed Militamen

conflict in the Darfur region.

The events planned for the first week of November include a panel discussion and outreach program workshop with Ali Dinar, head of the Sudan Human Rights Project and Africana studies program at the University of Pennsylvania. The Darfur Action Campaign intends to extend the outreach program of Professor Dinar to many students interested in human rights in the Sudan.

Other events to be organized by the Darfur Action Campaign include a photo exhibit, an NGO fair on NGOs that are promoting action on Human Rights in the Darfur region.

Anyone interested in the Darfur action campaign or who would like to know more about solidarity and human rights in Darfur please contact Oliver at ot119@bard.edu.

# Turkish Writer Orhan Pamuk Speaks Out About Armenian Genocide; Faces Trial

#### BY SARAH MARTINO

Last February, in conversation with the Swiss newspaper Tages-Anzeiger, Turkish writer Orhan Pamuk spoke out about the silence that surrounds civil unrest and violence in his country, saying, "Thirty-thousand Kurds and one million Armenians were killed in these lands and nobody but me dares to talk about it." Following this statement, Pamuk—who visited Bard last fall as part of Brad Morrow's Contemporary Innovative Fiction Program—was immediately criticized by Turkish conservatives and ultranationalists, and even received death threats. The controversy culminated in charges being pressed against Pamuk this September for "public denigrating of Turkish identity." He faces up to three years in prison.

Pamuk's comment refers both to what Armenians call the first genocide of the twentieth century, during which Armenians were killed by the Ottoman Turks, as well as to the 1984-1999 war between the Turkish army and Kurdish separatists, over which conflict and fighting have persisted up to the present day. The Turkish government has always denied the occurrence of the Armenian genocide, saying that the death

tolls were inflated and that Armenians were actually killed during a civil war that occurred as the Ottoman Empire fell. As for the Kurds, Turkey considers the Kurdish rebels to be terrorists—a label that both the EU and US have supported.

Under the Turkish penal code, Turkish citizens can be prosecuted for statements that disagree with government views pertaining to "fundamental national interest." Article 301/1 states: "A person who explicitly insults being a Turk, the Republic or Turkish Grand National Assembly, shall be imposed to a penalty of imprisonment for a term of six months to three years." The penal code was reformed this June to better reflect the European Union's human rights standards, but many cite Pamuk's case as clear evidence that it requires further revision. European Union Enlargement Commissioner Olli Rehn said, "If this is indeed the direction by the judiciary in Turkey, then the Turkish penal code will

have to be amended in such a way that freedom of expression is not subject to the very particular beliefs of some autistic judge any more, but simply follows European standards as we know them on the basis of the European Convention of Human Rights."

The Pamuk case has added fuel to the fire in the already contentious argument over whether Turkey should be added to the EU. Writer Salman Rushdie, whose 1988 novel, *The Satanic Verses*, was a source of controversy in the Muslim world, resulting in death threats and book burnings, expressed his concern with Turkey's membership, criticizing their penal code and saying, "How can a country that victimizes its greatest living writer also join the EU?" Rushdie is not alone in his reservations—many in the EU are uncomfortable with the country's flawed human rights record, their refusal to recognize the EU country of Cyprus (the northern third of which Turkey currently occupies) and, as reported by Reuters, the Union's ability (or lack thereof) to "absorb the poor, populous, mainly Muslim country financially and institutionally." Conversely, British Europe Minister Douglas Alexander sees the positive effects, predicting that Turkey's membership will "boost Europe's security, stability and prosperity and show the world there was no contradiction between Islam and democracy."

THE BARD OBSERVER

Ultranationalists, those who condemn Pamuk, are opposed to Turkey's entrance into the EU, and suspicion has been raised over the timing of the charges, which came one day before EU commissioners were to meet to discuss Turkey's membership and one month before negotiations with Turkey were to begin. A Western diplomat who asked to remain anonymous speculated, "This can only be the work of those within the Turkish state who stand to lose influence under the [EU-oriented] reform process. How else can one explain the case being launched so long after Pamuk's statement?"

This is not the first time that Turkey has come under fire for issues of free speech. A group of Turkish academics was prohibited by court order from holding a conference in Istanbul on the Armenian massacres. Journalist Hrant Dink was convicted of the same charges that Pamuk faces on October 7th. Dink wrote an article in which he asked Armenians to look past anger towards Turkey and instead to "turn to the new blood of independent Armenia." Just by mentioning the mas-



Orahn Pamuk, hailed as Turkey's greatest author, now accused of "public denigrating of Turkish identity"

sacres, without saying anything negative about Turkey, he was found guilty. He faces a suspended sentence of six months, but has vowed to appeal the decision,

Pamuk is the author of the novels, Snow and My Name Is Red, as well as the memoir, Istanbul: Memories and the City. During his visit to Bard last fall he lectured on the topic of melancholy in Turkey. He is considered the premiere Turkish novelist, and one of the best contemporary European writers. Under Turkish law he is prohibited from commenting, but his lawyer, Nazan Senol, maintains his innocence, saying, "There is nothing that constitutes a crime in this interview." His editor, Tugrul Pasaoglu, further defends him, saying "[He was] just trying to point out that first you have to face it — a tragedy or a dispute or a problem, at least...If you don't talk about it, then you can't find a solution." Despite his current personal position, however, Pamuk told an Italian newspaper last week that he believes Turkey is headed in a positive direction. Pamuk's trial is set for December 16th.

### If the old team cares so much about Red Hook, why do they keep dragging

Harry Colgan Town Council We've got to stop sprawl and invest in Red Hook's long-term

# their feet on Protecting Red Hook? It's time for some new ideas. Time for a New Team.

Tune in this Sunday for some new voices and new ideas!

PANDA-TV Channel 23: Sunday October 23 4 times: 8:00 & 8:30 am + 8:00 & 8:30 pm

Protect the Red Hook you love: Elect a New Team Nov. 8th! future – the current Town government is not doing that?

### Erin Cannan Town Council

<sup>44</sup>There are many families young and old who care about our town but are left out of the discussions at Town Hall—I'm going to give these families a voice in Red Hook.<sup>33</sup>

### Laurie Nash Town Clerk

With Mrs. Doty retiring, we need a really qualified person to take over—with over 25 years experience managing office teams and helping people get things done, I am the best candidate.

### Jonah Triebwasser Town Justice

<sup>44</sup>As an attorney, prosecutor and a police officer I have spent 35 years in the Criminal Justice system. I will bring the education and experience that Red Hook's court needs.<sup>99</sup>

### Vicky Perry County Legislature

66What I want more than anything else is to open our county government to your participation. Together — and only together can we preserve what is special about Red Hook.<sup>55</sup>

# First Impressions... A Fresh Batch of PIEs

#### BY ELEN FLÜGGE

In Issue 5 of the Observer last semester, PIE student Zsuzsanna Horvath told us about the PIE program here at Bard: "Responding to the end of the Cold War, Bard developed the Program in International Education, whose mission was, and is, to promote friendship and democratic thinking among future leaders from the United States and from regions of the world undergoing a transition to more democratic forms of government. Originally limited to Eastern and Central Europe, Russia, and the former Yugoslavia, PIE has since expanded to include students from southern



DAVID VICHNAR, Czech Republic



MARIA SOTOVA, Russia



My first impression of Bard: We arrived late at night. I saw scattered buildings and remember thinking; this doesn't look like a campus. Even before I got here I thought, wow this is really isolated. What I think of Bard: It's a nice community. People stick together and try

to be the best they can. But very secluded; trips to NYC are refreshing. Culture shock: I haven't gotten used to people asking "How's it going?" without being interested in the answer.

At Bard I like to: play chess at the café. I like the campus center with the people and all the things going on.

What I miss from home: I miss language and the opportunity to just chat in Czech with someone without being forced to translate myself. People should know: Many famous people from various fields have Czech roots or were born on the Czech republic like Husserl, Freud, Mahler, Dvorzak and Andy Warhol (who was Slavic). It's a nation that was under foreign dictatorship for 50 years, so its still suffering from an inferiority complex and psychological trauma, but I think it has a future.

My first impression of Bard: It was empty. I'd wake up 4am with jet lag; then it was really empty

What I think of Bard: I've started to call it home and I'm not so worried about it. It's not too far from NY. The area, Hudson valley is really beautiful. I'm interested in the local architecture, it's easy for me to apply art history and my interests to my surroundings... it's not like I'm in the middle of nowhere. There's lot's of opportunity here.

Culture shock: I've noticed generally people who have minor roles are so reluctant to make decisions independently. People make a huge deal of really insignificant details like forms of ID, in a way that's very pedantic. At Bard: I find my classes very entertaining I'm taking studio arts, which is not possible to take at home. I enjoy my weeks. Weekends it gets hectic, sometimes I feel like I live in a massive bar. I even like Kline food. I went to another college today, tried the food and was horrified by the experience. I don't understand why Bard kids complain so much.

My first impression of Bard: was one of aesthetic beauty, plurality, diversity, a culmination of the most enlightened warm and genuine individuals. The reception I had here was phenomenal.

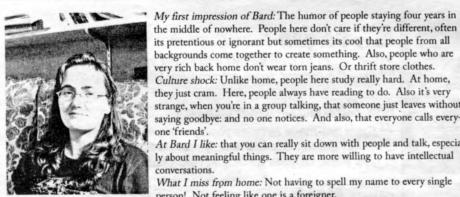
Culture shock: I ve been to America before, so there s little culture shock. It reminds me of SA because it s an immigrant culture but cultural ethnicity is more reinforced here. But SA is not a safe society, so it is strange here that I m very safe.

At Bard I like: attending classes, learning from people, and making use of so many academic and career opportunities. I also just love meeting new random people.

What I miss from home: Being involved in the daily struggles of the people in Africa, and the efforts to better their lives. I dearly miss my travels in Africa; the landscapes and exotic wildlife. Being in the US has made me grateful for the amazing aesthetic beauty of home. I used to love driving through Pretoria (the capitol city), even the houses are so nice to



NOEMI KARSAY, Hungary



not a complete picture. Culture shock: Everyone is nice and smiling, but I find it hard to meet friends. You meet someone, you talk and seem to get along and then next time you meet it's like everything is erased. Another small thing: People don't feel free to blow their noses in public here!

My first impression of Bard: was that it's more beautiful than the pictures

on the website. Our first impressions of Bard are linked to L+T but that's

At Bard: I'm very happy about my courses. I always wanted to do creative writing programs, but the attitude toward writing is very different at home. I love that this is a campus, I love the leaves in the fall.

People should know: Budapest is very different from the rest of the country. I miss it because it's so European; the old houses, the museums and culture. University life is so different; we don't have campuses. I used to spend three hours a day in traffic! Sometimes I miss that a lot, the rumble of the city and the dirt.

Africa as well. Since 1991, PIE has brought more than one hundred students to Bard from fifteen countries. These students study at Bard for one year, then return to their home institutions to complete their studies."

Last spring the Observer interviewed each of the PIE students about their last impressions of Bard and asked them to share some of their favorite parts of their home countries with the rest of the student body. This year we thought we'd ask for first impressions as well.

The PIE students all miss their family and friends, they miss the places they are from, and, of course, eating good food ... but are finding lots to love on the beautiful Bard campus.



JUDIT GERA, Hungary



MARKO KOVACEVIC, Croatia



MATE RIGO, Hungary



POLINA VASLICHENKO, Russia



My first impression of Bard:: The wasps in front of Kline, and the other pie students. And I love Marius: the coolest guy ever. What I think of Bard: Teachers are closer to students than at home.

Culture shock: Going to the store and not being allowed to buy wine! (Because not all of us had the right ID or passports, even though we were all over 21). Also, being carded for buying a lighter.

At Bard I like: Blithewood and the waterfall and that I can take cheesy photographs. the great ISO parties. The rice milk at Kline.

What I miss from home: my friends and little cafes. Having other people around that aren't students. Living in a town.

People should know: I don't know what people know about Hungary...in Hungary from September to December you don't really study a lot and then you work really hard in January (or June for summer semester). University life in Hungary is partying.

Hungarian music to check out: Mitsour (gypsy-ethno-world ... ) and Lajko Felix (a crazy violinist)

What I think of Bard: I like the people, academics, nature, landscapes, campus, buildings... it's like a fairy tale. I'm so glad to be here. Culture shock: I haven't traveled a lot so this was a big challenge for me, to face a lot of different cultures and customs. There are some different mentalities but you can adapt, and we are part of the same civilization so there are no really big differences. In general it's a great experience. On small things: People eating during class. Or going to class in their pajamas. Walking around barefoot. But Bard is a very liberal place, we can expect the unexpected.

At Bard I like: Watching sunsets at Blithewood. There's a great variety of things to do [it's Bardacious!\*]

\*Harlem slang from the 40's (according Marko)

What I miss from home: my backyard (my garden).

People should know: Maybe it is characteristic of Balkan people that we did not have happy childhoods. Serbia is a beautiful country, people are good hosts. People are open hearted, they will always help you.

What I think of Bard: I think of this magical place, all the woods and these nice buildings, that was my first impression. When classes started I discovered the library, lectures and concerts like the Copland festival, which I was very excited about.

Culture shock: In America everybody's smiling. Everyone asks "how are you?"...of course they don't mean it. Generally I felt very accepted on campus. It's interesting learning how to decode smiles and people's behavior. At Bard I like: Every place, like the Fisher center, I like talking to all my friends, both international and American.

What I miss from home: I should say I miss my family and friends, but I also really miss the Budapest urban experience. But I found a lot of things to do here, excursions, cycling and swimming.

A book from home: Hungary has some powerful poetry, but I don't know about translations. I would surely recommend Imre Kertesz: Sorstalanság or Fateless. Recently turned into film at Woodstock Film Fest. I think everyone who reads this will enjoy it.

What I think of Bard: Before I came I had a stereotypic image of American colleges, like what they show in movies. This place is more intellectual, though and has ruined all my stereotypes. This is a good thing. Culture shock: No shocks really, but what I find is people dress the way they want. If they want to hang out naked in front of their dorms, they do. Also, lots of people bite their nails here, and it seems okay, whereas back home people would try to stop.

At Bard I like: to go to yoga, and can hang out for hours in the language lab watching all kinds of movies.

What I miss from home: My best friend and the way we had fun together. I'm having so many new experiences here that I hardly have time to miss things. I miss my sister and mostly other people.

People should know: That Siberia is not in the North, it's in the East. Also, people think Russia is a whole different world, but in fact its pretty much like here.

My first impression of Bard: was that it's in the middle of nowhere. What I think of Bard: It's interesting that they've named everything, all the little roads. I've noticed there's only one American flag here; when I go out I see flags everywhere.

Culture shock: The amount of "freedom" given to the youth of this country, well at least at Bard, as in the "freedom" to do more or less whatever they want.

very rich back home don't wear torn jeans. Or thrift store clothes. Culture shock: Unlike home, people here study really hard. At home, they just cram. Here, people always have reading to do. Also it's very strange, when you're in a group talking, that someone just leaves without saying goodbye: and no one notices. And also, that everyone calls everyone 'friends'.

At Bard I like: that you can really sit down with people and talk, especially about meaningful things. They are more willing to have intellectual conversations.

What I miss from home: Not having to spell my name to every single person! Not feeling like one is a foreigner.

VJERANA SPAJIC, Croatia



LARISSA BOULBA, Russia

My first impression of Bard: At first it was strange. We only got to know each other (PIE students). We got a chance to know the campus. Then, it was an impression of friendliness on campus. This still holds. What I think of Bard: I adore the nature, I never thought I could study in a place where one could get such pleasure just walking to your class. Culture shock: I expected it to be worse here, b/c there are stereotypes about every country in the world... I was impressed that the people are really creative and thoughtful here, they had depth...this was my positive culture shock. Still, I communicate more with the international students. At Bard I like: planning on reading something very serious and then getting interrupted by people and just talking for hours. I like the meditation gardens, and meeting people in Kline.

People should know: There is a myth (stereotype) of the Russian soul, that it is wide, encompassing and romantic. I think this is true [of Russian people].

RIEDWAAN MOOSAGE, South Africa

No photo available for Lynne, but she is beautiful as well.

My favorite thing at Bard: Whilst walking around, realizing, "Wow this place is beautiful." That and having my daily exposure to Kline People should know: There is absolutely nothing in this world that can compare to eating a 'gatsby' from Golden Dish in Rylands Cape Town. So if there is one thing you Bardians do in life, its get to Cape Town and have that lekker 'gatsby

Also, even though we have 11 official languages, there's a dialect specific to the gay community called Gail. It's based on Afrikaans, but is [comprised of] mainly women's names.

What I think of Bard: I want to find a way to stay here

Culture shock: Everyone's openess when it comes to talking about sex. i come from a conservative community back home. We all know that everyone has sex, it's just that we don not talk about it.

At Bard I like to: Going to Blithewood for sunsets, but I have to admit nothing beats sunsets at Cape Town beaches :)

What I miss from home: Daily conversations with my mom. Driving on the left side!! And mom's cooking

People should know: South Africa still has a long way to go before we can actually say that we are a democratic country with pride. At the moment it's only democratic on paper. A lot has changed since '94 but more still needs to be done. But I love my country and its people.

A book from home: Welcome to our Hillbrow by Phaswane Mpe. It deals with the concept of the Insider and the Outsider and how these to concepts are only a matter of perception. The book is graphic in its description of homosexual encounters but I believe it to be realistic.

LYNNE, South Africa

### arts & entertainment

### THE BARD OBSERVER

October 18, 2005

# Hypermagic Mountain

#### BY CHARLEY LANNING

It is no mystery as to why Hypermagic Mountain, Lightning Bolt part four, is such a success. The noise that Lightning Bolt has been making is only getting louder; the tonal and atonal noise bands have established a nurturing scene that kids are willing to go "Mortal Kombat" on to partake in the live offering. What all the loudening and tightening up will amount to, none can guess. Hypermagic Mountain is not merely a linear distillation of modern music, but a piece that loses as much as it gains in its evolution from previous material like Ride The Skies and even the more recent Wonderful Rainbow.

Nothing on the *Mountain* really smashes your brains or kills you or anything, but it doesn't surrender its awesomeness for any dumbing-down agenda either. Maniacs hoping for some sort of blazing-pheonix-with-a-guitar orgasm of *Wonderful* melodies are gonna feel something less satisfying than any sort of electric sex arpeggio freakout. The texture feels similar to that album, but the blessed out progressive melodicism has come under assault. On "Bizarro Zarro Land," the band fakes out all of the *Wonderful Rainbow* bandwagon-jumpers with colorful machine-gun guitar arpeggios, only to pound it to nothingness.

The triumphant "Castlevania" melody shows up sometimes, but rarely and in a mangled and disoriented form. Another track with a wacky acky title and similar glance at the happy tune is "2 Morro Morro Land," which opens the album with a burst of sunshine from the gut in the form of toothy crunch bass, spilling rainbow blood everywhere, with each responding high note shooting out until nobody can breathe. It's a genuine meeting of Lightning Bolt's untempered energy and articulate, super-rock lines--and a brilliant, hopeful start. Then, before anyone can really start creaming their indie-pop-sensibility pants, "Captain Caveman," "Birdy" and "Riffwraith" drop like a faceless bomb and don't store well in the memory. And there go the song-loving and stomach.

Noise is the big addition to the Lightning Bolt style cycle, and, despite the more clearly produced bass and more audible vocals, it harkens back to some of their old first album's tracks. Every song is covered in sound and feedback; vocals periodically float in and get spit back out of the churning machine. If this album was a coloring book, it would be the Disney kingdom scribbled to death and burning down.

Wait, this album sounds amazing! Truth is, any time Lightning Bolt decides to do something, they do it incredibly well. They haven't made great ambitions for themselves, and they're not doing a triple album based on a Tolkien language or Sanskrit or a concept horn album, so nobody's in line to be hugely disappointed here. Everybody's face, however, will melt upon hearing "Dead Cowboy." This song feels like the centerpiece of centerpieces, giving everything else on the record a sudden significance and relevance. For those feeling gypped by the lack of reoccurring melodies, "Cowboy' will come as a revelation convincing enough to redeem the whole album. For face-pounders already poundin' it to the max, it'll be like the

hand of God and the voice of mother universe. For the politically minded twelve-year-old, finding in the insert the song's inaudible lyric "Send George W. Bush to Afghanistan/ Bathe him in a pool of blood" will be totally awesome.

"Bizarro Bike" another pure beauty, unveiling a choral line that returns in a rhythmic ascent to Lightning Bolt noise heaven until degrading into feel-good screeches the kind that make your blood dance. Hypermagic Mountain demands to be listened to, and has a hearty laugh for anyone who dares to describe it. It's one big mass of awesome, but it's also kind of dismissible without "Dead Cowboy" and the Bizzaro and Morro tracks. Although jam-packed with inconsistency, Lightning Bolt is riding the skies right now, hopefully scribbling and screaming till there's nothing left.

# Serenity For Everybody

#### BY KIRIANNA BUTEAU

Individuals who watched the short-lived TV series *Firefly* while it was on the air have waited two years for *Serenity* to be released. I must confess that in my case it was more like two weeks; friends of mine wanted me to see the movie with them and force-fed me *Firefly* episodes in preparation. What I can therefore

say as someone who is a fan and yet not *really* a fan is this: anyone, fan or not, can thoroughly enjoy this film.

Five hundred years in the future, when humans have branched far out into the universe, Malcolm Reynolds (Fillion) is a veteran of a war in which he fought on the losing side, and now captain of the Fireflyspaceship class Serenity. He and his crew, being good honest smugglers, have lives rather like what one might imagine Han and Chewy's lives were like pre-Mos Eisley, only more cowboy. If Star Wars is a Space Opera, this is a Space Western. The residents/crew of Serenity have pulled through a lot of

tough scrapes, but ever since they've taken on the fugitives Simon (Sean Maher) and his mentally damaged sister River (Summer Glau), the rul-

ing government (known as the Alliance) has caused a lot more problems for them than usual, and things are about to get worse.

The New York Times reviewed this movie and said its scripting and acting was light years ahead of *Revenge of the Sith*, and I have to agree. Indeed, I enjoyed *Revenge of the Sith* far more than the other Star Wars prequels, and as a film standing on its own merits it was pretty good –plus it had the whole epic feel. But we're not talking about Star Wars right now, even though this is the second time I've brought it up, so I'm just going to say that this movie is better than *Revenge of the Sith*, if you care at all about dialogue that doesn't suck and acting that takes the dialogue and makes it better (kudos to Ewan McGregor, though... Okay, okay, I'm *done*). Bonus: the bad guy actually seems to make use of his cerebral cortex.

On the other hand, as fans of *Firefly* or *Buffy the Vampire Slayer* generally know, Joss Whedon has a tendency to do things like create skull-exploding plot twists and have the wrong people die. I refuse to give anything away on that account, but let's just say that some parts will really play with fans' and even "normal" audience members' emotions. But honestly, if you've read this far, it's probably because you are a *Firefly* fan, in which case you absolutely must see this movie. Arguably, it could disappoint, but simultaneously, I don't see how it really



# SERENITY

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could. Most people I've met who are fans of Joss Whedon's work say that, no matter what he does to make them hate him, they love him anyway. If you have never seen *Firefly* but have nonetheless been intrigued by this review or any previews you've seen, what hell are you doing still staring at this newspaper? Go see *Serenity*. It's really worth your time, and the more viewers it gets, the more likely it is that *Firefly* will come back to television— or at least maybe there will be some sequel films.

To give a nod to the fans: on a scale from 1 to 10, 1 being "This Movie Is Like A Trained Ape, Without the Training" and 10 being "Were I Unwed, I Would Take This Movie In A Manly Fashion," this at least scores an 8.

bright resounding rock chords as she sings about the one that got away. Preconceptions about what this album would turn out to be have to be tossed out the window because as you get into it, you realize that this is a new side of Liz Phair. The track that follows, "Wind and the Mountain," embodies this notion more than any other on the album. While the proclamation "Liz Phair has found Jesus!" might be a little too presumptuous, the album does have a tendency to feature a certain 'F' word, which is at the other side of the typical 'F' word spectrum for Phair: faith. "So I went up the mountain/But all I saw was another mountain/So I came down the mountain/And I said leave me here Lord/ Leave me in the valley/Let me rest my weary head/Give peace to your survivor." With lyrics along these lines, "Wind and the Mountain" offers an inspirational message. So while we might be used to Phair extolling the virtues of a certain hot white bodily fluid, it's important that we listen anyway. The message of an artist spans several albums and we shouldn't always expect to hear the same thing over and over again. She's Liz Phair, not Lindsay Lohan. Delving deeper into the album, "Stars and Planets" is an upbeat and experimental track, while the title track, "Somebody's Miracle," falls a little short of living up to the hype around it. The melody meanders and never really lands anywhere substantial; the same can be said for "Everything to Me" (for which a video has been released). The main demarcation between the two songs is that the latter showcases Phair's vocal abilities more than any other song on the album. Along the lines of slow melodies and introspective lyrics, something special has to be said for "Everything (Between Us)." This track is one of the most unique and well-composed songs I've heard from Phair. "We have everything we need here/We have everything between us/You have nothing left to fear dear/Cause it ain't ever gonna

leave us," Phair slowly vocalizes as a somber melody brings the track home.

While the track "Lazy Dreamer" playfully reminds one of Franco-pop with its bubbly April March-esque intro, the main songs to look out for on this album are: "Got My Own Thing," "Can't Get Out of What I'm Into," and "Why I Lie." These three songs showcase Phair's active ability to create intriguing stories with her lyrics, and they make it clear that *Somebody's Miracle* is a welcome addition to the impressive discography of one of America's most impressive and blatantly confrontational rock icons, Liz Phair.



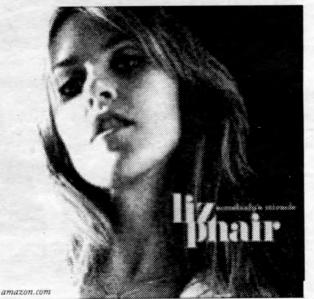
Liz Phair

BY NICHOLAS UGBODE

Twelve years after her debut album, *Exile in Guyville*, and just two years after her self-titled album, the indie-rock goddess Liz Phair is back with a brand new album, *Somebody's Miracle*. In reaction to the critical lashing of her last album, the singer-songwriter recruited John Alagia (John Mayer, Dave Matthews Band) to produce her *Miracle*. The result is something quite miraculous.

Phair's last album, Liz Phair, was glycerin-slick and hyper-commercialized, leading to accusations that Phair had sold out to the mainstream. Though Phair's prize characteristic had always been her knack for marrying unapologetic vulgarity to deep introspection in her lyrics (a la "Chopsticks"), naysayers were deeply disturbed because Liz Phair was seen as a total disconnection from the tough indie-chick that fans had come to love and an introduction to yet another pop-oriented cliché. The barrage of criticism was truly unfounded and had no basis in the reality of the album, which was highly successful and represented certain aspects of Phair she was obviously eager to show. For some bizarre reason, most critics expect artists to stay stunted in creative/inspirational inertia, and when that doesn't happen the artist is crucified. Essentially, Liz Phair and now Somebody's Miracle make evident the non-linear trajectory of this artist's maturation.

The opener "Leap of Innocence" is a slow and contemplative track, which features Phair's signature voice chanting over



October 18 2005

# More Corpse Than Bride

#### BY TOM HOUSEMAN

Tim Burton is truly a master of spectacle. His live-action films, starting with Peewee's Great Adventure and including Sleepy Hollow, Big Fish, and more recently Charlie and the Chocolate Factory, have all featured phenomenal sets, costumes, and makeup to accompany weird and offbeat films. The Nightmare Before Christmas, the Burton-produced animated feature, is one of the most visually astonishing animated films of all time with its claymation style. But while the visual quality of Burton films is never a question, the overall quality varies. When the film's visuals are able to aid a fascinating story, the results are excellent, and include Edward Scissorhands, Ed Wood, and Batman. But when the sets and costumes are meant to serve as a replacement for story, conflict, and character, you end up with films along the lines of Mars Attacks! and Planet of the Apes. Nobody can doubt that Corpse Bride, Burton's newest foray into animated features, boasts absolutely superb animation, mixing claymation with cyber graphics. But what is missing from the film is what is inherent in any story, compelling characters faced with compelling conflicts.

Corpse Bride is a schmorgasboard of Tim Burton regulars, each put in situations where they can't do their best work. Writer John August has penned a few Burton films, and each of them has been unable to live up the enormous potential of their story. His unimpressive scripts include Big Fish and Charlie and the Chocolate Factory, both of which could have been great movies, and now, with Corpse Bride, questions arise as to why Burton continually rehires the man behind both Charlie's Angels films.

If there ever was a waste of a fine actor, it is Johnny Depp as Victor Van Dort. Depp can play outrageous characters better than any actor in Hollywood, and Victor is one of the most boring, sniveling parts ever created. Depp fans all over will be disappointed by how unimportant he is in this film, particularly since they won't even be satiated by his beautiful face. There are some good performances in the film, particularly by Christopher Lee, and Helena Bonham Carter is fantastic as usual.

Danny Elfman has written the score for almost every Tim Burton film ever made, in addition to writing all of the songs for The Nightmare Before Christmas. Unlike August, however, it is clear as to why Burton keeps coming back to Elfman, as the man is a musical genius who has created several brilliant scores. Corpse Bride might be his best though, as the music runs through almost the entire film and, apart from being beautiful, really adds to the tone of the film without distracting from what is going on. However, in order to beef up the film's running time, Burton decided to make Corpse Bride a musical, which it should not have been, as the songs are completely out of place. Elfman's songs, with one exception ("Remains of the Day," which is sung by

Perhaps this



Victor Van Dort (Johnny Depp) is to be married to Victoria Everglot (Emily Watson), but everything seems to be going wrong. Victor doesn't know what real disaster is, though, until he accidentally awakens the Corpse Bride (Helena Bonham Carter) and is dragged to the underworld to become her husband. Back in the world of the living, Victor's parents are panicking, Victoria's parents are furious, and an ominous stranger has started courting Victoria. Can everyone's problems be solved? Apparently, in a mere 76 minutes, they can.

exchanging story substance for extraordinary aesthetics: Spielberg made War of the Worlds, Gilliam came out with The Brothers Grimm, and now Burton has coupled Charlie and the Chocolate Factory with Corpse Bride. Where is Robert Rodriguez when you need him? Sin City was a phenomenal film aided by the visual effects. Although the family-friendly Corpse Bride can in no way be compared to the uberviolent Sin City, perhaps Burton could take a lesson from Rodriguez about how to combine a compelling story with a visual masterpiece.

### Lunar Park

#### BY PETER ROWLAND

Bret Easton Ellis has become an icon as a writer who got rich by writing about himself. He became an instant success while still an undergrad by writing Less than Zero and The Rules of Attraction, two dry and satiric takes on his hedonistic generation. Both of them were self-involved novels that garnered a lot of their success based on a high quotient of drugs and sex, but his talent brought them credibility. In Lunar Park, his most recent novel, he takes this self-referencing style to the extreme by making himself the main character. According to interviews he has given, this isn't a gimmick. The choice was made halfway through the process of writing the book to overcome a block. This is understandable in a story about an author being literally haunted by his characters. Although Lunar Park does include a substantial amount of "true" material, it is far from autobiographical. Ellis' life and career are the premise for a complex horror story combining his usual penchant for social satire with a tribute to the classic horror novel.

At the beginning of the story, the fictional Ellis has spent most of the nineties sliding slowly down from the peak of his fame in a long drug-infused burnout. Royalties from film adaptations and the massive advances that he now commands have only fueled the blaze. He is partially redeemed and some of the damage is repaired when he reconciles with a successful actress he once dated, their adolescent son, and her younger daughter from another relationship. The new family moves into an anonymous affluent suburb where he attempts to get clean and become a part of the family. The calm domestic scene is disrupted by several local murders copying the style of Patrick Bateman, Ellis's infamous killer from American Psycho and the unexplained disappearances of boys around his son's age. Things turn strange when he starts receiving the same repeating email and attachment that appears to come from his dead father. These clues all indicate a haunting of some kind, but their significance remains obscure because the fictional Ellis' refuses to deal with them. Supernatural and familial problems pursue him, but he doesn't really try to figure out why. He is only concerned with their torment and the checks they have put on his formerly free lifestyle. All the signs point clearly back to this personal struggle, but unfortunately Ellis is far too self absorbed to respond to the clues, even if he understands them. His stubborn selfishness, even in the face of catastrophe, has at least the marginal benefit preventing the book from becoming too sentimental - that seems to be a primary concern for Ellis the author. Unfortunately it also blocks the story from moving along. Ellis wrote his other novels successfully with a minimum of plot structure; Lunar Park disappoints because the plot established at the beginning is not carried through to the end. It becomes gradually more similar in theme and style to his previous novels and he seems to lose track of the story he was originally trying to tell.

### arts & entertainment

# Once Extraordinary

#### BY HENRY CASEY

Ordinary machines were passing around Fiona Apple's Extraordinary Machine back when it was actually extraordinary. Before it was sold in stores, it was passed around the Ethernet cables of the world. This was epic, one of the first major instances of how an album can be distributed without advertisements, record labels, stores, tapes, records or CD's. Sharing music via the Internet is not a new story by any measure. The story of Extraordinary Machine, however, much like Ms. Apple herself, proved to be an exception.

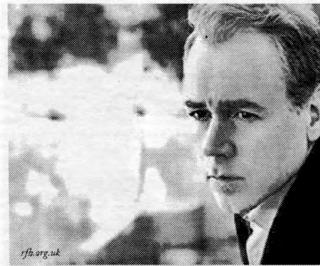
In August of 2004, the title track of an album we were told was to be titled "Extraordinary Machine," leaked throughout the Internet. This mp3 was downloaded via various peer-to-peer programs like Kazaa and Limewire. But for the entire album to be spread as a singular collection, much like how a CD holds together a series of songs, a program was needed that would make downloading an entire album's worth of songs easy and manageable.

Enter Bit Torrent, a peer-to-peer program that allows users to share and distribute very large files. Today, Torrent is mostly used for sharing feature films or television shows, whose sizes range from 350 to 750 MB. But don't try to use Bit Torrent too much - the folks that run Henderson, the center of Internet activity at Bard, hate Bit Torrent like the music industry hated Napster. They'll shut your Internet down if you use Bit Torrent too much - trust me, I've seen it happen to faculty and students alike.



Around the middle of this past March, Torrent files popped up all over the Internet with a completed version of Extraordinary Machine, which we were told Ms. Apple recorded with now-überproducer and Kanye West accomplice, Jon Brion. As reviews of Brion's Extraordinary Machine popped up everywhere from the New York Times to Pitchfork Media, we heard nothing from any of the parties involved. Sony released no statement, and Fiona stayed silent as well, a warning sign if there ever was one.

Fiona's fans on the Internet were vocal however, and blamed the whole mess on Sony/Epic, saying that the label didn't want to release this album they thought wasn't radioready enough. Moreover, some of Fiona's fans saw Brion's Extraordinary Machine as a veritable message in a bottle, a morse code secret, that Fiona was locked up inside an artisticse dungeon at Sony/Epic. The most obvious example of this "message in a bottle" theory is track 9, "Please Please Please." This gem just screams to be over-analyzed with lyrics like "Please Please Please - No more melodies/ They lack impact, they're pretty - They've been made up already.' Usually I would have dismissed the expected rabid e-bickering as the trash talking that fanboys and fangirls live by. But then Mike Elizondo was tapped to produce Extraordinary Machine, and he went into the studio with Fiona. Elizondo, a music producer, was packaged to the public as "Dr. Dre's right hand man." But what Elizondo should be known for is his role in producing three songs on one of the single worst albums released in recent memory: Eminem's excremental Encore. For that album alone, he shouldn't be allowed to go within 50 feet of a musician or recording studio for the rest of his life. Sure he has some credibility, he was probably accepted because he played bass on Fiona's last studio release When The Pawn, but since that time he has sinned on an unforgivable level. The only credible voices in the debate over EM are sadly inconclusive, as both statements were made in the last two months, not during the two years prior. Jon Brion is on record in a Rolling Stone article as saying, "The record company was sort of like, 'What the beck is this? Where are our singles?' I sat with them and said, 'There's a huge group of people who have a



Bret Easton Ellis, Author of Lunar Park, loves to write about himself

Continued on page 9

### <u>THE BARD OBSERVER</u> October 18, 2005 Bard Prof. Killed in Cyberspace

#### SCOTT JON SIEGEL

Professor Peggy Ahwesh is walking, however tentatively, through a mountainous region, under a bleak and dreary sky. She has, as her guide, a seven-foot-tall man named Damian, clad in rustcolored armor, from his boots to his helmet with its reflective golden visor. Ahwesh is heavily suited as well; hers is forestgreen with white asterisks emblazoned on the shoulder pads. She's commenting on their surroundings: "It looks like death valley," she states to her bulky companion.

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In reality, Peggy Ahwesh is sitting in a recording studio in New York City, closed inside a sound booth with a television monitor, microphone, and a Microsoft Xbox system. She's not holding a shotgun; in her hands is an Xbox controller; her eyes are fixed to the screen before her. "I never played *Halo* before," Professor Ahwesh tells me later, "but Chris and his gang were very competent players."

Chris is Chris Burke, head of the Bong + Dern sound design team in Manhattan and creator of the game-based talk



show *This Spartan Life*. When Burke is spinning 8-Bit tunes using Game Boys and his laptop, he calls himself Glomag, but when he's interviewing the likes of our own Professor Ahwesh within the world of *Halo 2*, he goes by Damian Lacedaemion.

Chris Burke bills *This Spartan Life*, or *TSL*, as "a talk show in game space." It is a creative work of machinima, the process of using game engines to make films or videos. "I wanted to get back to working in visual media," says Burke, who studied film at NYU, "and machinima was intriguing to me. *TSL* grew out of some ideas I had while playing *Halo* on Xbox Live. The potential of the whole thing as a social space seemed to me very creatively fruitful."

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guest and Burke reside in the sound booth, recording audio as they play. The two other Xbox's are operated by the "cameramen," whose footage is recorded, synched with the audio, and edited down in Final Cut Pro to create each episode. The result is an increasingly popular online show, oft-compared to *Space Ghost: Coast to Coast* in terms of its mixture of real-world and fictive elements.

For some of Burke's guests - such as machinima pioneers the Ill Clan, and Bungie Studios sound designer Martin O'Donnell – traipsing around *Halo 2* is second-nature. Others, however, find it a bit harder to adjust to the mechanically complex controls of the first-person shooter. "It does take time for our guests to adapt their motor skills entirely to their thumbs," Burke's in-game avatar admits during his interview with Ahwesh.

Comfort with the controls is less of an issue when it's just Burke and his team, but when other players jump into the game via Xbox Live, an inexperienced guest is a dead guest. "At first we allowed anyone in who wanted to come," Burke recalls. "But now that the show is known a little, people are jumping in as soon as they see us online. It gets too crazy because everyone wants to be in the shot. We all die repeatedly and chaos takes over."

It is this element of unpredictability - the unscripted dialogue, the guests, the other players - that separates *This Spartan Life* from other machinima, such as the popular web-series *Red vs. Blue.* "I think *TSL* is a hybrid form of machinima," says Burke. "It is essentially a film made using a game engine, but it also blurs some lines between fiction and reality... Confusing your audience a little can be a good thing."

At the end of the interview, we watch Ahwesh and Damian drive off in a fortified 4x4. Our "camera-man" is wielding a rocket launcher, aimed at the vehicle. "This was a blast," we hear Professor Ahwesh remark. The camera-man fires and the rocket accelerates toward the jeep. "I didn't bring my digital camera... I could've taken some pictures—" BOOM.

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## Metric: More Than Mediocre?

#### BY OMER SHAH

I know what you're thinking. "Isn't Metric, like, really mediocre?" If you are asking this question, allow me to preface this review by saying: you are obviously cooler than me. But I guess I don't think they are mediocre at all. In a lot of ways they are all I want out of a rock group with drum machine-synthesizer tendencies. The music is always on point, Emily Haines' vocals are numbthe-left-side-of-my-face good, and lyrically Metric captures a certain postmodern sense of loss and alienation, but not in that really boring Zack Braff, Garden State kind of way. Sometimes their lyrics fall short, but Metric finds ways to make up for what they lack. Most notable in the Canadian quartet is Emily Haines, who you probably know from the vocals she lent to label mates Broken Social Scene on "Anthems for a Seventeen Year Old Girl." In a lot of ways Metric is a response to the sonic indie jam band quality of Broken Social Scene; Metric's songs are generally short, with punk rock qualities. After seeing the group perform in Brooklyn during fall break, I was sold.

The Ladyfeathers opened the show but they were nothing special. Seeing opening bands in New York is always kind of awkward because no one is there until half way through the second opener's set. The Most Serene Republic were up next,

signed to Arts and Crafts, they are also label mates of Metric and Broken Social Scene. Most Serene Republic had a shitload of people on stage, and for the most part they were really good, albeit a bit awkward at times. After an excruciatingly long set up, Metric took the stage a bit before midnight.

The group opened with the first track off their new record, *Live it Out*, called "Empty." Haines is a real entertainer; she has a Karen O sort of sensibility when it comes to performing, minus spitting beer at the audience. Haines was kind of mean though, or maybe it's just the American audiences she is responding to. From what I've read, the group is a big deal in Canada, so coming here to play a sold-out show, at which people stand with their arms crossed, and then have to listen to some dude shout "you're hot!" might have made her a bit cranky. She



dedicated "The List" to "all you Brooklyn hipsters" and in response to the "you're hot" comment she said, "is your baseball cap on backwards?" which I guess is a snappy comeback.

Metric recently had a problem with a piece of press in the New Yorker. In a blurb about the group's upcoming New York City gigs, Sasha Frere-Jones wrote "Metric was born too late," because there is no room for brainy female singers in music right now, but if Metric had been around during the early 90s they would have been a big hit. Haines responded at the show, saying, "if we're a good band, we're a good band, it doesn't matter I'm a girl." (I'm not sure if Frere-Jones was attempting to point to the systematic devaluation of music created and fronted by women, or more or less if he is embracing these strict notions of musical value and gender. Regardless, it enforces my theory that all hipsters and most people still hate women.) Haines then launched into "Glass Ceiling," which was an appropriate choice: "Every speed on our knees, is crawling." After a long stretch of new tracks, the group played their debut CD's heartbreaker, "Calculation Theme," followed by "Combat Baby," which was probably the only song that got people moving around that evening. A particularly disgruntled fan who wanted to dance shouted, "you fucking hipsters suck," and the group closed out the set with the title track from the new record.

Post-encore the group returned and treated the audience to material off *Old World Underground, Where Are You Now?* playing a fifteen minute version of "Dead Disco." At some point during the long instrumental, Emily began bantering with the guitarist, doing a faux-interview, asking her band mate, "isn't it retarded how long we've been playing this song?" at which point someone yelled, "my brother is retarded." Who still calls things "retarded" when they're not referring to getting drunk anyways?

### arts & entertainment

IF YOU WRITE FICTION, YOU SHOULD REALLY BE READING THIS AD WHY, YOU MAY ASK?

BECAUSE THIS DECEMBER THE *Observer* will be putting out its second annual fiction issue, dedicated entirely to publishing the best student fiction (and only fiction--sorry poets and playwrights, we're being a little exclusive) Please send all submissions as attached documents to **observerfiction@gmail.com** BY NOVEMBER 18 We accept stories of all lengths and genres

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The Ladyfeathers opened the show but they were nothing special. Seeing opening bands in New York is always kind of awkward because no one is there until half way through the second opener's set. The Most Serene Republic were up next,

signed to Arts and Crafts, they are also label mates of Metric and Broken Social Scene. Most Screne Republic had a shitload of people on stage, and for the most part they were really good, albeit a bit awkward at times. After an excruciatingly long set up, Metric took the stage a bit before midnight.

The group opened with the first track off their new record, *Live it Out*, called "Empty." Haines is a real entertainer; she has a Karen O sort of sensibility when it comes to performing, minus spitting beer at the audience. Haines was kind of mean though, or maybe it's just the American audiences she is responding to. From what I've read, the group is a big deal in Canada, so coming here to play a sold-out show, at which people stand with their arms crossed, and then have to listen to some dude shout "you're hot!" might have made her a bit cranky. She



dedicated "The List" to "all you Brooklyn hipsters" and in response to the "you're hot" comment she said, "is your baseball cap on backwards?" which I guess is a snappy comeback.

Metric recently had a problem with a piece of press in the New Yorker. In a blurb about the group's upcoming New York City gigs, Sasha Frere-Jones wrote "Metric was born too late," because there is no room for brainy female singers in music right now, but if Metric had been around during the early 90s they would have been a big hit. Haines responded at the show, saying, if we're a good band, we're a good band, it doesn't matter I'm a girl." (I'm not sure if Frere-Jones was attempting to point to the systematic devaluation of music created and fronted by women, or more or less if he is embracing these strict notions of musical value and gender. Regardless, it enforces my theory that all hipsters and most people still hate women.) Haines then launched into "Glass Ceiling," which was an appropriate choice: "Every speed on our knees, is crawling." After a long stretch of new tracks, the group played their debut CD's heartbreaker, "Calculation Theme," followed by "Combat Baby," which was probably the only song that got people moving around that evening. A particularly disgruntled fan who wanted to dance shouted, "you fucking hipsters suck," and the group closed out the set with the title track from the new record.

Post-encore the group returned and treated the audience to material off *Old World Underground, Where Are You Now?* playing a fifteen minute version of "Dead Disco." At some point during the long instrumental, Emily began bantering with the guitarist, doing a faux-interview, asking her band mate, "isn't it retarded how long we've been playing this song?" at which point someone yelled, "my brother is retarded." Who still calls things "retarded" when they're not referring to getting drunk anyways?

### arts & entertainment

IF YOU WRITE FICTION, YOU SHOULD REALLY BE READING THIS AD WHY, YOU MAY ASK?

BECAUSE THIS DECEMBER THE *Observer* will be putting out its second annual fiction issue, dedicated entirely to publishing the best student fiction (and only fiction--sorry poets and playwrights, we're being a little exclusive) Please send all submissions as attached documents to **observerfiction@gmail.com** BY NOVEMBER 18 We accept stories of all lengths and genres

### Imagine the Hubris

Even for an administration that will likely be remembered first and foremost for its hubris, the nomination of Harriet Miers to the Supreme Court marks dangerous new territory for President Bush and the government and citizens he putatively represents. Miers plainly lacks what many would agree to be the requisite qualifications for the position today: a thorough background in Constitutional law, some judicial experience and a general reputation for legal excellence. It seems fair to say that the administration selected Miers as its nominee because of the sycophantic role she has occupied in relationship to President Bush dating back to his days as the Governor of Texas, and her background in the Evangelical religious movement. As these are the only "qualifications" Miers can be said to reasonably possess, they should be seriously considered. And they should then be taken as the reasons to vigorously and vehemently oppose the nomination.

If the Senate eventually confirms Harriet Miers, it will be akin to giving this and every future President a blank check to appoint his or her unqualified underlings to positions of extraordinary influence and power. In the process, the "separation of powers" that has defined the federal government since its inception would be dealt a body blow. The President would be granted carte blanche to control the government, with the Supreme Court effectively serving as a rubberstamp on the Executive Branch, rather than the powerful check it was intended to be. Why would this be problematic? Consider the following example: While serving in the White House, Harriet Miers was probably involved, in the highest levels, in the drafting of American policy that led to the abuse, torture and internment of suspected terrorists around the world. These policies are now being challenged in a variety of legal venues. While a Justice Miers may very well recuse herself from the earliest cases emanating from these policies, there can be little doubt that, in what would probably be a twenty or thirty year stay on the Court, Miers would rule at some point (if not at many points) on similar cases. A White House that drafts and approves of policy, and then appoints those who will determine the Constitutionality of such policy, cannot be said to be operating in a democracy.

If Miers is confirmed, a terrible new precedent would be set in regards to the mixture of religion and government. The Establishment Clause precludes one's religion from being taken into account when determining one's status in the political community. But as the President made abundantly clear at his most recent press conference about the nomination, Miers' religion was one of the primary reasons he selected her. The Bush administration has also relayed the emphasis it placed on Miers' religion in making the nomination in its conversations with Evangelical leaders. With the debate over Roe v. Wade looming in the background, recent candidates for national office from both parties have declared that they would have no "litmus tests" for nominating justices. Such statements were widely understood to mean that justices would not be nominated based solely on their relationship to Roe v. Wade. Yet President Bush, with this nomination, has demonstrated that he has a litmus test after all, just not the test everyone thought he might have. Simply put, he nominated Miers because of her religion. Her religion allowed her to "pass" this test. Will citizens in the future be denied access to positions because they do not pray to the right deity, or they do not pray at all? Perhaps. Such decisions would only follow the logic of the Miers nomination. In fact, we might even want to rephrase the question: were citizens denied access to this nomination because of Miers' religion? The possibility is more than plausible.

Imagine the hubris of these people. They are attempting to integrate all branches of the federal government and they are demanding that religion play a role in determining one's suitability for power in a democracy. Now, more than ever-with half of them under indictment and the other half struggling to impose their will upon the Iraqis-it is time to oppose these people. We can do so by opposing Harriet Miers.

THE EDITORS

# The Fight for B&G Healthcare

#### BY JOSH KLEIN-KUHN

Bard was the only college to which I applied. Out of all the schools I read about, was told about, and visited, it was the only one that I felt would meet my needs. From what I was told, it seemed as if everything about it would line up with my perception of my place in the world. It professed to support free thought, individualism, compassion, and political engagement. Bard's catalogue described the college's "readiness to innovate." For the most part, Bard has lived up to my expectations. It has stimulated my mind by pushing me in challenging academic and theoretical directions. The relationships I've built here have radically impacted my notions of myself as a social being.

health insurance. Their contract with the college said that if by May 30, 2004, that source hadn't come through, the two parties would reopen negotiations about healthcare. A subsection of the same article says that the college would review the cost of health insurance on an ongoing basis through the entirety of the contract period (which is still in effect). The college left the negotiating table in the summer of 2004, and despite repeated requests from the Union, has refused to discuss the issue.

People have been asking me, "Just how much money are we talking about? This college doesn't have a lot, you know." I did the math today, and the total amount this change would cost the college is staggering. Staggeringly low, that is. For the college to pay the difference created by the requested change, it would cost them a whopping \$1,810 per month (\$21,720 per year).

I understand that it's not just that simple. That money has to come from somewhere, I know. I don't know the details of this school's finances as well as I should, so I can't actually say where it should be drawn from. I do know, however, that the Robbins addition is budgeted at \$16.8 million, the CCS addition at \$10 million, and the new science center at \$21 million. (All figures from inside.bard.edu/bang/) Compared with those numbers, \$21,720 is a

# There's Reason to Smile

#### BY NOAH WESTON

Due to his knack for enforcing party discipline and punishing disloyalty, former House Majority Leader Tom Mr. DeLay earned the name, "the hammer." I find that too positive, however, since people generally would like to have a hammer at their disposal, as it proves useful for the occasional pounding. Mr. DeLay has less general utility and only aids a parasitic aristocracy at the expense of fair, transparent governance. As such, he deserves the more fitting epithet of "flesh-eating bacterium," a corrosive force in the body that seizes upon existing weakness to engender nothing but further decay, and eventually death.

In all fairness, Mr. DeLay has not yet killed American democracy, but he certainly does his part to necrotize some of its tender areas. His fundraising efforts, aimed at pumping money into GOP candidates, work to secure power in the hands of those who can afford \$5000 banquets. Once elected, those same candidates become beholden to Mr. DeLay as long as they wanted unfettered access to the money he could tap for them. Until recently, this scheme went undeterred, but an ongoing investigation into the legality of a few of Mr. DeLay's fundraising practices has culminated in criminal charges of money laundering and conspiracy to violate Texas campaign finance law. Whether this spells some epic collapse of the Republican machine is a question for another time, and one that I would answer with a resounding "Eh, not quite." Instead, it seems important to use Mr. DeLay's comeuppance as moral consolation in otherwise disheartening times.

Forget all the political formulations the Democrats need to make, or how this will affect the recipients of Mr. DeLay's ill-gotten funds. Take a healthy pause from the natural disasters and the lamentable judicial nominees as of late and soak in the public downfall of one of the more consistent fuckers in American politics. Even as far as the issue of the legislature goes, we ought to spare ourselves the somewhat remote electoral considerations, if only momentarily, to note that whatever Congress will look like in 2006, it will probably lack the telltale sneer and bullying tenor that Mr. DeLay made a dreadful fixture in the House chambers.

From the outset, DeLay has postured as the victim of political persecution, calling his indictment "one of the weakest and most baseless ... in American history," pushed aggressively by a partisan zealot District Attorney named Ronnie Earle. DeLay would have us see him as a one-man Sacco and Vanzetti rather than just a crook on the bad end of a properly functioning judicial system. Contrary to his talking points, however, his "persecutor" is actually not Ronnie Earle, but rather a Texas grand jury, some of whose members even appear to admire DeLay. To a local news channel, William Gibson, the jury's foreman said that he "like[s DeLay's] aggressiveness and everything," and "had nothing against the House majority man." This is the fearsome face of DeLay's alleged legal lynching.

Like a good power monger with a misplaced sense of entitlement, DeLay continues to bash the case against him rather than handle the matter with the dignity befitting a grown-ass man. He has assailed the District Attorney on the case as tangling his own political beliefs up with his legal work, but as one might expect, it is entirely incongruous with reality. Mr. Earle has prosecuted four times as many Democrats as Republicans on allegations of corruption in his time in the DA office, demonstrating that at the very least, he does not relentlessly dog defendants on political grounds as DeLay's camp professes.

This college has also disappointed me. There is nothing in the world that disappoints and angers me more than a hypocrite, and this college's attitude towards and treatment of its service workers is appallingly hypocritical. This college preaches compassion and social justice. It funds and encourages programs, projects, and curricula that promote a sense of equity, justice and human dignity, yet it does not practice what it preaches.

There is a desperate need for praxis; for theory and action to be joined. For years, Bard's administration has repeatedly marginalized the workers of Buildings and Grounds, the men and women who literally keep this institution running. Breaches of contract, persistent understaffing (and therefore, overworking), and the unreasonably high cost of family healthcare show the college's true side.

In case you've missed the weekly rallies or the flyers posted around campus, the cost of family healthcare is the most pressing issue for B&G right now. Currently, a worker who buys health insurance for his family through the college works about one in ten days just to pay that cost. There are two choices in plans, one that costs them \$300 per month, the other \$250. The Union believes that reducing those costs to \$150 and \$120 respectively would be a much more reasonable amount (about 5% percent instead of 10% of their pay).

In their contract with the Union, the college agreed to a number of things related to healthcare costs. When the most recent contract was signed, the Union was pursuing an outside source of

drop in this college's bucket.

Jim Brudvig, who is largely in control of such decisions, says that he is reluctant to enact these changes because he feels the levels of benefits among campus employees is unequal, with B&G already doing better than most. I encourage Jim not to wait for other employees to agitate, but to preemptively give them more affordable healthcare. If he already acknowledges that the costs are high for other employees, then no one should need to ask in order for him to go ahead and level out the field. In the meantime, just because everyone's living in shit doesn't mean that B&G can't try to pull themselves out.

From our student handbook: "Everyone who lives, works, or studies at Bard is here by choice and, as part of that choice, must be committed to standards of behavior that emphasize caring, civility, and a respect for the personal dignity of others. Each one of us has the authority and the responsibility to create a positive environment, to interrupt dishonest or abusive behavior, and to affect change." I encourage everyone to hold this college to its moral and contractual obligations. Call them up, write a letter. Have your parents call. Demand that the college act in a responsible manner and return to the negotiating table to deal with unfinished business.

I know that the projected annual operating budget of our new soccer complex is \$26,600. Somewhere, there's got to be money for healthcare.

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Although his charges will not land him any-

where where he needs to fear a twilight shanking (not that I condone shanking of any kind), he will at least lose the status that attends his Congressional seat. Despite having generated more campaign funds for each election cycle, Mr. DeLay edges closer to defeat with each race, to the point where his next race looks like a losing one. Granted, DeLay can still funnel money into GOP coffers while out of office, but his beneficiaries will face the prohibitive risk of even the faintest association with DeLay.

That is not to say that the right wing will do anything more than shuffle DeLay into the background. In fact, I cannot imagine another more likely outcome, but again, those concerns can rest with the pundits. In the meantime, again, note an instance where some facet of "the system" is actually doing its job, and feel good about it. If we cannot count on these singular positive developments for comfort, then it becomes especially hard to get through life as a politically concerned person without wanting to ingest a bottle of Clorox. Sure, folks like DeLay have made this country plenty ugly, but that should not prevent us from ever savoring the occasional glints of beautiful Texas justice whenever they might flash.

## "Winning the Peace" Without the War

#### BY JESSE MYERSON

The debate currently raging among the ranks of the anti-war movement goes something like this: should the primary demand made of the Government be to withdraw from Iraq immediately or to establish a plan for winning the peace? "Winning the peace" sounds like a slogan to me, and my tendency is to be extraordinarily skeptical of slogans, but to the extent that any such thing is possible, it is clear that the latter plan is contingent upon the former. Full withdrawal is essential to establishing peace-this is the only line of reasoning that still makes any sense.

It is not that I don't respect and appreciate the concern of those who are moved toward graduated withdrawal, or whatever it is they call it. Indeed, I feel a strong alliance with these people in a very basic and crucial way: their concern arises from their foremost wish to stop the bombing and the torture and to bring peace to Iraq. But the way to stop bombing and torture is to simply stop bombing and torturing.

Thousands of years of popular nationalist struggles against foreign imperial occupations have taught the oppressed of the world that a peace without freedom is no peace at all. There can never be a meaningful, sustainable peace in any land except a peace totally free of foreign domination, including troops. That is what the Iraqis are teaching us today. They are teaching us by defending their land through armed struggle, which has resulted in, among other things, the deaths of almost 2000 American GIs; more soldiers than there are students at Bard College.

That peace is winnable through war is a view reserved for blind ideologues, military profiteers and the insane. Reasonable people who oppose this war must now realize that the United States is the primary problem in the region and so can never be the solution, logically; the source of instability can never be the stabilizing force. The insurgency in Iraq will never succumb to the military presence of the United States, since it is the military presence of the United States that is, in fact, the very cause the insurgency, and its rallying point.

All talk of an "exit strategy" is moot at this juncture. We can get out the same way as we went in: by plane and by boat. Mostly, this debate is silly because the administration never intends to exit. The Pentagon has established as many as fourteen permanent military bases in that country. With exit strategies like this, who needs an occupation?

The most valid and considerable claim gradualists make is that, should the United States withdraw fully and immediately, a bloodbath would ensue in the region, ushering in an era of civil war. Again, this is a view I respect, because I am allied with the underlying sentiment-respect and concern for the people of Iraq. This sentiment was one of the main reasons behind my opposition to the war in the first place. To this concern, though, I must respond that there already is a blood bath. There already is a civil war. Claiming that chaos will take hold once the Americans leave requires a belief that chaos is not currently champion, even with the Americans there. Even a brief glance at news reports from Iraq will render this view as useless as the Kevlar vests with which Donald Rumsfeld has supplied the American troops.

Yes, we may witness a civil war in that country. My view, heartless though it may seem, is that a war of Iraqis against Iraqis is preferable to an American occupation of Iraq. Because if we "lose" Iraq, to whom are we losing it? To the Iraqis-much as we lost Vietnam to the Vietnamese. On the topic of Vietnam, it was supposed at the time of that war that an American withdrawal would facilitate the rise of civil war. Today, though, Vietnam is a peaceful, functioning democracy-with the tremendous problems that invariably accompany war-torn and poor countries, to be fair.

A final answer to civil war theorists is that the only military group who might possibly be capable of keeping peace in Iraq is that of the Arab states, and the insurgency might not even stop shooting then. The only way, though, that the Arab states would send in peacekeeping troops, and this by their stated policy, would be after the United States were to fully withdraw. At the risk of repeating myself, though, I must insist that you remember, of course, that the American military is responsible for and not preventative of this civil war, and would have to feel compelled, post-withdrawal, to fund the reconstruction of Iraq's infrastructure, etc., through open-bid contracts not awarded exclusively to Halliburton, Bechtel and the other usual suspects.

Quagmires not of the "giggidy-giggidy" sort beg defeatism, though for it eternally optimistic neo-conservatives will slander us realists through their corporate media mouthpieces. Images of the American withdrawal from that other quagmire, Vietnam, still hold heavy resonance: seeing Americans on their embassy's roof, grasping to hold on to the departing helicopters embarrasses those who take pride in America's military structure. The sooner we withdraw troops from Iraq, the less embarrassing it will be. That, of course, is the nature of a quagmire: things will only get worse and worse for everyone involved, until the situation (in this case, American occupation of Iraq) is terminated, at which point things will get better and better for everyone involved.

# The Case Against Legal Gay Marriage

#### BY ROB ROSS

The problem with the gay marriage debate in this country is that it has been dominated by two opposing factions who can't boast an ounce of sound logic or legal reasoning between the two of them. Unfortunately, I can't identify these factions to you. That's because the terms used in this country to describe political positions have been misused so often that they have lost nearly all meaning. I can't say liberals and neo-conservatives, because these terms are applied independently of an individual's stance on this particular issue. And I can't say Democrats and Republicans for the same reason. I can't even use the term pro-gay marriage and its opposite, because I'm trying to find a term that describes a certain kind of reasoning behind a position, not necessarily the position itself. Whether you are pro-gay marriage or against isn't as important to me as why you believe what you do. For example, I myself am progay marriage, but I don't think it should be legalized (I'll explain later). Really what I'm looking for are two terms that isolate the aforementioned primary factions from the rest of us rational people. I think that the terms Skeptics and True Believers pretty well describe the two types of Americans (hats off to Chet Raymo, who used these phrases in his book Skeptics and True Believers). Skeptics are just that: skeptical. They doubt everything, they investigate everything. They are reluctant to accept what people tell them, they want proof. Skeptics, like me, have found themselves elbowed out of the gay marriage debate and are looking on with a certain sense of fascination and horror.

their mind that they are right. They don't need evidence, or reasoning because, by gosh, God or Locke, they're right. Do we need evidence that the sky is blue? It's obvious isn't it?

There are True Believers amongst the liberals as well as the neo-conservatives. And from now on, I'll isolate my comments to True Believers, so when I use the term liberals, I mean True Believer liberals. Same for neo-conservatives. Also, when I use the term liberals, I'll be referring to people who believe state governments should issue marriage licenses to homosexual couples, and when I use the term neo-conservatives, I'll be referring to people who believe the opposite (see what we have to do now to make ourselves understood).

I see the debate over whether or not states should issue marriage licenses as a debate over the nature of the licenses in questions first, and a debate over the ality and homosexual couples second. This seems reasonable; dred plus years of case law, then it is not our right. It is a privilege. Government funded roads are a privilege. Public schools are a privilege. Equal access to public education is a right, because the state cannot arbitrarily discriminate against different groups (marriage is not a case of arbitrary discrimination as I will show later). Of course, many privileges are ones we have given ourselves for various reasons, but they are privileges none the less. We are not entitled to them.

Many liberals will cite our "right to the pursuit of happiness" as indication that marriage is a right. This is penultimatly fallacious. Firstly, this phrase is not present in the constitution or in case law, and therefore bears no legal standing, how-

ever noble. Secondly, Not only is marriage a privithe right to the pursuit lege by virtue of its absence in of happiness does not entitle us to governthe Constitution, it is a priviment privileges, it entilege by virtue of the fact that it tles us a life free from does not act like a right and is arbitrary obstacles, a life in which our talents nature of homosexu- not treated as a right. Consider determine our success. The the obvious fact that we need

knowledgeable liberals our partner's consent to marry will cite the ninth

more

### Real American Heroes Tom Vu BY TOM SCHULTZ

If you have ever watched television, you have no doubt seen the crazed man wearing a question-mark embroidered tuxedo prancing around Capitol Hill screaming at you to buy his book so you can make thousands of dollars without moving from your sofa. He appears frequently on late-night TV, and I await his commercials with almost as much anticipation as I await those for Girls Gone Wild: Doggy Style.

Some may call this man a genius for his wacky and flamboyant selling method; after all, his is probably one of the most memorable commercials on TV. However, what most people do not know is that the question-mark crusader (known also as Matthew Lesko) is merely following in the footsteps of another, much greater, late-night marketeer: A small Vietnamese man named Tom Vu.

Tom Vu immigrated to the U.S. in the 1980s with no education and almost no fluency in English. He started working as a busboy, but had dreams of becoming rich. Then, somehow, he became a millionaire within a few short years. How this happened is a mystery to most, but not to the lucky few who attend his 90-minute seminars on money-making, where he explains his foolproof scheme (It has something to do with real estate).

But Tom Vu doesn't waste time talking about his actual method. Indeed, most of the commercial involves him being surrounded by bikini models on a yacht, bragging about his lavish wealth. He talks about his "toys," which include several Lamborghinis and a giant fountain, and tells stories about how he succeeded despite everyone telling him he was too dumb, too uneducated, and too Asian.

But perhaps the most distinguishing characteristic about Tom Vu's commercials is the way he goes about persuading the viewer to attend his seminars. He doesn't mess around with pleading and explaining how the viewer could be making millions within months; he challenges and threatens the viewer: are you man enough to get off your lazy American ass and go to Vu's seminars?

Tom Vu also includes testimonials from people who have graduated from his course. These testimonials are obviously scripted and very sloppily done, a fact that probably goes unnoticed by the ad's 4 a.m. target audience. One of the testimonials even features a man with what looks like a brain tumor on the side of his head reading from a cue card. Really, the whole commercial looks like it was organized and filmed in 10 minutes on a cheap home camera, but this does not subtract from the overall message.

Tom Vu's sweeping success with this infomercial set off an entire wave of similar, really crappy infomercials. One of these features the aforementioned Matthew Lesko. Another one is the infamous Tony Little's Gazelle commercial. But none have been as bold and daring as Tom Vu.

Unfortunately, Tom Vu ran into legal trouble in the 90s and was briefly jailed. One can only hope that it was not due to the same money-making practices that he taught at the seminar. Despite this brief setback, Tom Vu managed to retire from giving seminars and now lives in California. But he will forever be known as the father of the late-night infomercial that seems just logical enough if you're

### opinions

Those doing the elbowing are True Believers. And, you guessed it, they truly believe in their cause. There is no doubt in when asking whether someone qualifies for contract, does it not? a licenses, we should first ask what qualifi-

cations do they need, and then ask whether they have those qualifications.

And here is where my liberal readers will raise an issue. There are no qualifications for marriage, they will say. Marriage is a right, they will say, and rights don't have qualifications. This brings me to my first point of argument: we do not have the right to a state issued marriage license and all the benefits that entails. Marriage is a right only in the religious sense; the government can make no laws abridging the religious practice of marriage. But that's not the subject of this paper. State marriage licenses are the subject, and we do not have a right to those.

To support my assertion, I'll look at two things: the source of our rights, and the nature of rights. Where do rights come from? God? Rhetorically, yes, but legally, they come from the constitution. If something is not stated in the constitution, or in the two hun-

them. That sounds more like a amendment, where it in the Constitution, of certain rights, shall not

be construed to deny or disparage others retained by the people." However, if you read the tenth amendment, you find that "the people" are, in fact, state and local governments. My argument about the absence of the "right to marry" in the Federal Constitution holds true for state and local constitutions as well.

Not only is marriage a privilege by virtue of its absence in the Constitution, it is a privilege by virtue of the fact that it does not act like a right and is not treated as a right. Consider the obvious fact that we need our partner's consent to marry them. That sounds more like a contract, does it not? Are rights contracts? Do we need anyone's consent to exercise our right to free speech? To a fair and speedy trial? To practice our religion freely, or to throw a soldier illegally quartered in our homes out on the street? The answer is a resounding no. In fact, marriage is viewed as a contract between two people. But there are Continued on page 13

licensed marriages, which are recognized and encouraged by the state, and unlicensed marriages, to which the state is indifferent. The only way marriage could become a right would be for state governments to adopt amendments making it such. But since that's exactly what liberals are shooting for, they can't use it as a justification for legalizing gay marriage. Otherwise, they'd be arguing that it is a right because it should be a right.

I believe that I have shown that homosexuals are not entitled to state issued marriage licenses because they are not rights, but privileges. I will demonstrate in a moment that the government does not arbitrarily discriminate against homosexuals because I will demonstrate that marriage licenses are, in fact, economic incentive packages, and that these packages only go to groups who are likely to perform a desired act.

But first, I need to dispel some notions about marriage commonly held by neo-cons. Frequently, neo-cons will argue that homosexuality is

#### opinions

### The New Emporia The 44<sup>th</sup> President of the United States

#### BY MATTHEW ROZSA

By the time this article has been completed, I hope to have shot an arrow through time. The destination of that arrow is 2008, and hopefully, when it lands, I will be able to look back to the predictions made here and do what any mature human being does when vindicated by current events - gloat.

Of course, if my speculations do not come to pass, I will make good kindling of this article, because I am, here and now, going to indulge in one of the most fool-hearty pleasures of the selfindulgent pundit - I am going to oraculate as to the 2008 presidential election, and hope that my prognostications are accurate.

Right now, according to a poll taken less than a week ago by FOXNews, Democratic primary voters are split as follows:

Hillary Clinton	42	
John Edwards	14	
John Kerry	14	
Al Gore	11	
Joseph Biden	05	

What makes the information provided by this poll reliable is that it more or less coincides with the data received from numerous other polls, taken by a variety of separate and unaffiliated agencies, over the past few months. From this information, it is safe to deduce that Hillary Clinton has an enormous lead over all of her Democratic opponents; that John Kerry, John Edwards, and Al Gore each remain the beneficiaries of name recognition, although that recognition is hardly powerful enough to catapult them into the lead; and that Joseph Biden is surprisingly popular for a Senator who has stayed out of the headlines for some time now. All of the other candidates received negligible percentages.

The FOXNews poll on the Republican candidates likewise coincided with the information culled in previous unrelated polls, making it likewise reliable (or as reliable as these things can be). The information from this poll ranked the potential candidates as follows:

Rudy Giuliani	26
John McCain	23
Condoleezza Rice	18
Newt Gingrich	07
Mitt Romney	03
Bill Frist	02
George Allen	02
****	

What this shows is that, given the fivepoint margin of error, one can conclude that Giuliani, McCain, and Rice are currently in the midst a three-way tie; Newt Gingrich is a surprisingly potent holdover from the Clinton-bashing 90s; and Mitt Romney, despite his relatively obscure position as a conservative governor in the most liberal state in the union (Massachusetts), is doing surprisingly well, just as Frist - given his stature and the clout that ought to come with it is going surprisingly poorly. So what do I predict from this informa-

tion?

#### First, the Democrats.

I believe that this grand old party (for it is indeed older than the Republicans by a good three decades) will be split in 2008 between two factions - those who support the Hillary Clinton juggernaut, and those who unite behind a single "Stop Hillary" candidate. The "Stop Hillary" candidate will need to have the following qualities: 1) Electability

2) Charisma

3) Liberalism

Basically, these are the same qualities John Kerry allegedly had in 2004. Any candidate could serve this function, provided that he or she is able to gain the full support of all those who do not want Hillary Clinton to be nominated. I personally suspect that the candidate the Democrats will flock to, however, is one whose name does not currently appear in these polls. That candidate is Illinois Senator Barack Obama. Although he is relatively inexperienced in the Senate, I nonetheless believe that - like Robert Kennedy before him - Obama will recognize the advantages that youth and eloquence bring to presidential timber, and will wish to especially capitalize on the former fleeting quality. If Obama seeks the nomination, I believe that the momentum he will carry with him will help him trounce the coldness of the former First Lady, and that the desire for fresh blood will carry him to the nomination. If he does not seek the nomination, then I do not believe there is anyone else who can deny Hillary Clinton that honor. Personally, I believe Obama will run for president.

Among the Republicans, I think some-



Obama for President in 08'

thing quite fascinating will occur. Dick Cheney is not going to seek the nomination, which means that, for the first time in fifty-six years, a presidential election will occur where no major candidate is an elected official from the incumbent administration. That will leave the field wide open by the time the New Hampshire primaries occur. John McCain will do incredibly well in this state, as he has a sizable base there, and Rudolph Giuliani will probably come in a close second. Condoleezza Rice will quite likely be eliminated from the competition in these primaries, which will be viewed as a sounding mandate against the policies of the Bush Administration, which she will essentially represent. This will be due in part to the widespread antipathy with which Bush will be held by 2008 (as

### THE BARD OBSERVER

is the case with almost all controversial two-term presidents), and in part due to the fact that Rice has the charisma of a dead fish.

This victory of the moderates will usher in a fall of the neoconservative movement in 2008 that will be reminiscent of the equally-unanticipated fall of the Great Society Democrats in 1968. However, there is a strong faction of the GOP that will NEVER support McCain, primarily because of his advocacy of campaign finance reform. These fat cats will see Giuliani as their best, and indeed their only, viable alternative, and will throw the entirety of their resources behind him, establishing him as a sort of "Stop McCain" candidate. Their efforts will almost certainly succeed, as Giuliani is indeed the one Republican who has clout enough to stop John McCain; what's more, despite his reputation for personal bravery, Giuliani has amply demonstrated a willingness to adjust his ideological principles when political necessity required. He will be conservative enough for the party regulars, and moderate enough for the average American.

There is an excellent chance that this will prompt McCain to run as a

third-party candidate, and a great deal of my prognostication regarding the actual election depends on whether McCain decides to do this. Obama will probably pick as a running mate someone who is seasoned, white, Christian, male, moderate, and from a swing state - I anticipate Harry Reid of Nevada. Giuliani would pick someone who is quite conservative, to consolidate what will be a somewhat tenuous support among the right. I'd anticipate someone like Samuel Brownback, the Senator from Kansas who manages to bash Bush as being not stalwart enough in his conservatism. Neither of these picks will substantially help or hurt the candidates. As I mentioned earlier, what will decide this election will be whether McCain decides to run as a third-party candidate. My prediction is that if he does, causing Giuliani to go down to a huge defeat, and likewise giving Barack Obama the largest mandate of any presidential candidate since George H. W. Bush in 1988. Even if McCain opts not to run as a third-party candidate, however, I still believe that Obama will win - the nation tends to like a contrast in its presidential leadership, and will be inclined to favor an intelligent, eloquent, charismatic man as a foil to his simple, inarticulate, boorish predecessor. What's more, Giuliani and McCain, however popular they might be in small doses, do not have the composure necessary to sit well on the national stage. Obama does

Essentially, you can quote this:

I, Matthew Rozsa, as of October 6, 2005, hereby predict that Barack Obama will be the 44th President of the United States.

May God put sugar on my words, in the event that I am required to eat them.

Submit to the Observer! We accept all submissions and Letters to the Editor. Our next meeting will be on Thursday, October 20th at 8 at our office located in the basement of Tewksbury. We're also always looking for more editors. Stop by!

Ideas for cover art? Incriminating photos involving marine life and aborigines, found objects that are actually abducted children, or drawings of both handcuffed to a bedpost, email observer@bard.edu

# A selection from Screen

October 18 2005

BY CLAIRE SANDBERG-BERNARD

Progression warns against experience against enthusiasm, animal

or demonic nervous procedure fallen to wilds through floor-to-ceiling

windows, strewn blossoms, flutes and drums, gold shadows arabesque

upon the mountain he wanted a staircase built directly

skyward, royal road across the ocean fixed to make stones in the earth raise buoyant

make lions among the monkeys, tenuous archipelago grafting island to distant surface, aetheist

to fame crowned with suspended in the land, resplendent

hills, pilgrims, falling from their fountain demonic

peacocks in the glen abiding tungsten rapture.

It does not adapt it simply acts within a structured grief, lyric

desperation indiscriminate the tides quartered

the immediate landscape, clever array, academic we never were

talking about the same thing numinal portrait curled into dizzy pieces uncle in the papyrus marches

at dawn, rotating technicians "immortalize" wounds quick math grafts narrow

Gay marriage, continued from page 12 future sources of taxation. Furthermore, familie

inherently wrong/bad/unnatural, and thus we should not license gays to marry. It is not the claim I take issue with so much as the lack of reasoning or evidence behind it. It may be true that homosexuality is immoral/bad/wrong/unnatural (though I doubt it), but neo-cons present zero evidence to back up their claim. The Bible is not evidence. Reliable statistics and studies are evidence, and the neo-cons have neither as far as I can tell. They tend to fall back of terribly faulty reasoning like "no other animal acts in a homosexual way," which is neither factually true nor logically sound.

From the government's standpoint, and thus societies standpoint, granting marriage licenses is a form of incentive. The government provides certain privileges to heterosexual couples to encourage them to get married and stay married. Why? What is the compelling state interest?

Most married couples have children. Children are, as far as the government is concerned, are inherently beneficial to the future health of the state. They are future citizens and are more stable with children, and stable families can be shown to encourage stable societies. Consider the Moynahan Thesis, which argued that one of the root causes of urban blight and poverty was the lack of stable, nuclear families. The government uses marriage to encourage people to marry because it hopes they will bear children and maintain a stable family.

The problem with granting licenses to homosexual couples is that it seems to be a bad deal for the government (thus, the taxpayers). We give privileges to homosexual couples, but what do we get in return? Here is the question yet unanswered by liberals. Does the state have an interest in encouraging homosexuals to marry? As of today, there are not enough statistics and studies to give a definitive answer to this question, and thus remains the status quo. Liberals cannot point to a group of reputable studies that show that homosexual couples create stable family units, and contribute more to society because they are married. Such studies do not exist, or I am ignorant of them (I'll concede the latter as a definite possibility).

Here, the liberals will argue that the state does not require couples to have children, so children must not be societies' primary motivation in granting licenses. But this argument misunderstands the nature of an incentive. The government uses incentives to encourage a majority of people to act in a certain way. We cannot require married couples to have children, but we can encourage them to. It seems pointless, however, to encourage homosexuals to marry and bear children.

I am a conservative (NOT a neo-con) open to the idea of gay marriage. In fact, I sympathize with homosexuals; they may know that they are productive citizens and they may believe that their marriage will benefit society, and I even share their belief. But we should never base legislation on beliefs of interest groups, even if I may be a member of that interest group. If Skeptical proponents of gay marriage can fulfill their burden of proof and provide substantial evidence that, in general, gay couples will benefit society as much as straight couples do, I would be in favor of legalizing gay marriage. But until then, I support the status quo.

bones celestial from the mouth of a bird the doorway looms

a decoration savs a full rosary says there may be

other thresholds microbes, glues, steel garments the ferrous, literal

may yet flatly violate.

Then livid then greenish then

blue clouds.

# CARNAL KNOWLEDGE

#### The Observer's Sex Column

Fve always been slightly attracted to one of my Uncles who is only ten years older than I am-but this summer things got a little out of hand. He hit on me whenever he saw me, saying how "grown up" I looked and how "beautiful" I had become. A week before coming to Bard, we almost had sex, but then I realized that that would be incest, and stopped abruptly. However, I don't know what to do, since I keep thinking about him and wishing I had the chance to complete the act. It doesn't help that all of the guys I'm attracted to at Bard remind me of my uncle in some way. Is it wrong that I want my uncle? Is incest really that bad?

I would love to tell you that incest is simply social neurosis about the normal family structure, but it's not and you should cease any sexual involvement with this man. Incest is punishable for up to 5 years in prison. It's one thing to have a relationship with a cousin; it is commonly perceived that cousins have much too similar genetic codes to mate, but the chances that those children will be born with a genetic disease or deformity are not significantly higher than they are for non-related couples, according to the 2002 Journal of Genetic Counseling. But an uncle is much too close to you genetically-if he is your father's brother, it would be like having sex with someone with the same genetic material as your father. You may not be worried about pregnancy, but think about the complications a sexual liaison with your uncle could cause within your family. How would either of you explain this to future romantic partners? Consider what kind of man hits on his niece. I would take a moment and meditate on how inappropriate his actions are. For these reasons, I think it is very important you do not pursue a sexual relationship with your uncle-he could go to jail and there could be serious emotional ramifications for you and family.

#### National Sexual Assault Hotline • 1.800.656.HOPE • Free. Confidential. 24/7.

I had heard that an IUD, copper or otherwise, is the most effective form of birth control and can last up to something like 10 years. I've never been able to get information about how much it costs, though. What's the average price for implantation of the IUD? Does it really vary that much?

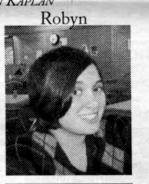
An IUD (intrauterine device) is a T-shaped plastic device sometimes coated with copper that releases progesterone and prevents the fertilization of the egg. It costs around \$250, plus the cost of having a doctor insert and remove it. Many health insurance plans cover these costs, and family planning clinics (such as Planned Parenthood) charge much less. If you are serious about trying it, talk to your gynecologist about the possible side effects and check your insurance policy.

I am unable to orgasm. I really want to, and I think maybe I've come close, but I just can't reach climax! I have never had sex, but that's not the only way you can orgasm, right? I've tried masturbating, and others have tried to make me orgasm, but it just doesn't work! It's a shame, because I love being with other people and I can make them orgasm, but I feel badly because they can't make me! I think I've tried almost everything. Is there some way you could help me out? -Frighteningly rigid

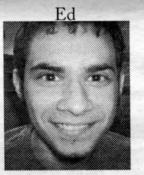
The Resurrected Guy @ Kline COMPILED BY JON KAPLAN



Bill Maple, no question. I think we'd end up with a really cool treehouse.



Gary Hagburg, who can move things with his mind



Terrence Dewsnap, for the hugs

A female orgasm, like a male's, is not a thing, not an instant, not a purely physical experience. It is a state of heightened feeling; perhaps think about it as connecting to some higher energy state, where different forms of energy are allowed to flow in uncommon ways. It is not a quick something; it is the Exquisite. Speaking without the poetry, a girl needs to know her body and know what works for her long before another person can figure this out. Girls cannot be shy about exploring their own bodies and expect to experience anything out of the ordinary with a guy or another girl. So if guys really care about this, just understand that she needs to find the angle, the motion, the mood, the whatever. If she's having trouble with it, maybe she's just not ready to have an orgasm, because it is a process and you have to be honest and relaxed with yourself. But don't worry-everyone is anatomically built to have one. Try not to focus on it, since the anxiety itself will shut your body down. And I'm not even going to get into the emotional connection requirement, as I am starting to feel like a sex therapist ....

I'm from the city and haven't had to deal with being forced to see the people I hook up with everyday, until now. The worst that happens to me is a random run in on the train or something. Here it is incestuous and supremely awkward to see the person you were just with flirting with someone else, or even walking by. How can you avoid the awkwardness in a weird- I-didn't- know-you-were-drunk-and-webooked-up-and-now-our- friendship-is-ruined situation? More importantly, is there any way the guy possibly likes you even though he's being so damned weird? Why would he book up with you in the first place if he didn't find you attractive?

Bard isn't the place to be if you want to be an anonymous face when you're walking to class. So either move off campus or get a girl or boyfriend. Or, the next time you think about hooking up with someone, remember that the experience will probably only be a one-timer. And if it's a friend, ask yourself if the friendship can handle the intimate digression. Foresight! You can't tell me you haven't figured out by now that if you want a relationship to go beyond the first hookup, the hookup cannot be the first interaction you have with the other person. Lots of times, hookups turn into relationships, but sometimes months later and most of the time, never at all.

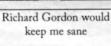


this is not intended to replace professional medical advice.

opinions

If you were to be stranded on a deserted island and could only bring one Bard professor with you, who would it be?







start a Montaigne fan-

club.

Nripesh

That would suck.

# The Observer

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### calendar

# THE BARD OBSERVER October 18, 2005

TUESDAY OCT 18	WEDNESDAY OCT 19	THURSDAY OCT 20	FRIDAY OCT 21
ITALIAN TABLE 11:30-12:30PM KLINE COMMITTEE ROOM	7PM PARTY HOSTING WORK- Shop	CHINESE TABLE 12-1:30PM PRESIDENT'S ROOM KLINE	BFC: FAMILY WEEKEND SPECIAL: #1 WHAT MAKES A HOSPITABLE
MIND MATTERS 12-1 PRESIDENT'S ROOM	SPANISH TABLE 12:30-1:30PM	5PM PARTY HOSTING WORKSHOP	FAMILY 7PM AUDITION
4:30 PARTY HOSTING WORKSHOPS CAMPUS CENTER MEETING ROOM 214	KLINE COMMITTEE ROOM	FRENCH TABLE 12:30-1:30PM KLINE COLLEGE ROOM	9PM FUNNY GAMES SMOG: 9PM WOLF PARADE, OLD TIME RELIJUN, MUSSELS
BIG BROTHERS BIG SISTERS OF NY CITY MENTOR TRAINING 3PM-7PM MPR DINNER SERVED	MANOR FIELD 4:45 TIBET PANEL OLIN LC 115 6:30PM	LOVE AND TERROR FILM SERIES: BURN! 5PM WEIS	60'S ROCK-WHEN MUSIC MAT- TERED BARRY DRAKE
THE PROPOSAL MANOR FIELD 4:45	CONCERT: CLASSICAL JAZZ 8PM OLIN HALL	FOLLOWED BY DISCUSSION WITH HUMAN RIGHTS PROFES- SOR, MARK DANNER	MPR PM DANCE PERFORMANCE
SMOG: THE NEW FLESH 7PM	FOUR SQUARE MPR 10 PM	OBSERVER STAFF MEETING	8PM PAC, THEATER 2
GAMELAN OPEN REHEARSALS 9PM OLIN 305		8PM TEWKS BASEMENT TRACY GRAMMAR DOWN THE ROAD CAFE 9PM	
SATURDAY OCT 22	SUNDAY OCT 23	MONDAY OCT 24	TUESDAY OCT 25
ROMEO AND JULIET 2PM BLITHEWOOD 7PM CONTACT IMPROV DANCE STUDIO PAC SECOND FLOOR SMOG: SURREALIST TRAINING CIRCUS SKELETON BREATH LIONS & TIGERS GOODNIGHT GUNFIGHT	ROMEO AND JULIET 2PM BLITHEWOOD BFC: #2 HOW STRONG CAN A FAMILY REALLY BE 7PM THE SEVENTH CONTI- NENT 9PM HAPPINESS OF THE KATAKURIS DANCE PERFORMANCE 3PM, 8PM PAC, THEATER 2	1947: WALT DISNEY TESTI- FIES BEFORE THE UNAMER- ICAN ACTIVITIES COMMIT- TEE AND NAMES DISNEY EMPLOYEES HE BELIEVES TO BE COMMUNISTS	1415: THE ARMY OF HENRY V OF ENGLAND DEFEATS THE FRENCH ARMY AT THE BATTLE OF AGINCOURT!
DANCE PERFORMANCE 8PM PAC, THEATER 2 SPELLING BEE MPR 9PM			
WEDNESDAY OCT 26	THURSDAY OCT 27	FRIDAY OCT 28	SATURDAY OCT 29
7PM CONTACT IMPROV DANCE STUDIO PAC SECOND FLOOR FOUR SQUARE MPR 10PM	TONY TRISCHKA DOWN THE ROAD CAFE 9PM HAPPY BIRTHDAY JOHN CLEESE	BFC: THREE MODERN VAMP TALES 7PM NEAR DARK 9PM THE ADDICTION 11PM CRONOS PUMPKIN CARVING CONTEST MPR 7PM	1960: CASSIUS CLAY (MUHAMMAD ALI) WINS HIS FIRST PROFESSIONAL FIGHT IN LOUISVILLE, KENTUCKY
		"VIRTUE ITSELF TUL BEING MISAPPL AND VICE SOMETIM	TIED;
SUNDAY OCT 30	MONDAY OCT 31	DIGNIFIED" WILLIAM SHAKESPEARE'S <b>ROMEO AND JULIET</b> BLITHEWOOD SATURDAY OCT 22 SUNDAY OCT 23 2PM DRESS WARMLY AND WEAR COMFORTABLE SHOES	
THREE REAL-LIFE SERIAL KILLERS 7PM DERANGED 8:30 PM HENRY, PORTRAIT OF A SERIAL KILLER 10PM CHOPPER	LOVE AND TERROR FILM SERIES: SHAMPOO 6:30 PM WEIS, FOLLOWED BY DISCUSSION WITH MARK DANNER		

