

Wednesday

January 19, 2000



A Little Entertainment

The band Blue Room will perform today from 3-5 at the Hub during Happy Hour. Drink specials will be available.

Daily Nexus

UC Santa Barbara

Opinion

Do you want to major in a little bit of everything? David Downs presents a philosophical solution to this dilemma.



See p.6

Sports

Our Athlete of the Week is a member of the UCSB men's swim team that returned triumphant from its meet at University of the Pacific.



See p. 12



Sunset: 5:15 p.m.
High Tide: 9:09 p.m.
Low Tide: 2:40 p.m.

Volume 80, No.56

Two Sections, 16 Pages

Campus Looks Back at Life of Dr. King Jr.

■ Fraternity Hosts Event in Remembrance of Leader

BY CAITLYN McTAGGART
Reporter

Students gathered on campus Tuesday to commemorate the birthday and accomplishments of civil-rights advocate Dr. Martin Luther King Jr. with speeches and a silent march.

Marchers began at Cheadle Hall and proceeded quietly through the Arbor to reflect on the progress made for civil rights over the past 30 years. Close to 100 students and administrators came out to support the march, led by Alpha Phi Alpha Fraternity.

"The purpose of the silent march is to pay homage to Dr. Martin Luther King Jr., and thank him for everything he has done," Alpha Phi Alpha President Aaron Carey said.

In a later speech, Carey added, "Although people are tired of talking about it, racial issues need to be acknowledged and resolved. It is important to realize how far we have come, as well as how far we still have to go."

The event culminated in a rally at Friendship Court between the University Center and Ortega Dining Commons, where King's "I Have a Dream" speech was played over the loudspeaker. Two short



TRUC BUI / DAILY NEXUS

Approximately 100 people passed by Storke Tower while participating Tuesday in an Alpha Phi Alpha-sponsored march to pay tribute to the life and influence of Dr. Martin Luther King Jr.

speeches, one by Carey and one by LaDonte King, Alpha Phi Alpha director of community outreach, concluded the event.

"Spirituality is our guidance to carrying on the legacy of Dr. Martin Luther King Jr.," LaDonte King said. "This march provided an opportunity for students to commemorate and reflect upon the progress made by Dr. Martin Luther King Jr. It is important for us to gain more knowledge that we can incorporate into our lives to continue to improve the civil-rights situation."

Chancellor Henry Yang said the event gave participants a chance to consider how King's work can best be continued in the future.

"This march was a symbolic way to pay tribute to the life and legacy of the

Reverend Dr. Martin Luther King Jr.," he said. "It provided everyone here with the opportunity to reflect upon the work that remains to be done — in our hearts, on our campus and throughout our nation."

Some of the event's participants said the march was an opportunity to remember King's role in the battle for civil rights.

"I think Dr. Martin Luther King Jr. was a great human being," senior Stephanie King said. "We often overlook everything he did for this country. I think that this march helped everyone to remember him a little better."

"I came out here to pay my respects to everyone who has been forced to fight for civil rights," junior communication and Spanish major Garry Dillard said. "This event seemed to move many hearts by reflecting upon how far we have come."

Racism Focus of Suit Against Administrators

BY JASON GREEN
Staff Writer

Alleging racial discrimination and criminal misconduct, disabled Gulf War veteran and former UCSB student Harold Huggins has filed a private lawsuit against several key university officials, including Chancellor Henry Yang and Vice Chancellor of Student Affairs Michael Young.

Seeking \$4 million in compensation for endured emotional and economic hardship, Huggins contends that former electrical and chemical engineering Professor Michael Inbar and other university officials conspired to coerce him into leaving the university in 1992-93. Huggins maintains that the defendants systematically discriminated against African-Americans by denying their petitions for

See LAWSUIT, p.10

Committee Slows Commencement of Downtown Project

BY CATALINA CARDENAS
Reporter

Construction for a proposed time-share condominium and merchant store development on lower State Street has been delayed after being reviewed by the California Coastal Commission at its hearing in Santa Monica on Friday.

The project — known as "La Entrada de Santa Barbara" or "Levytown" after its developer, Bill Levy — was approved by the Santa Barbara City Council last year, and appealed to the CCC by the Santa Barbara League of Women Voters and the Citizens Planning Association. The CCC indefinitely delayed the project after going against a staff recommendation calling for denial of the appeal.

According to City Council Commissioner Pedro Nava, one of the CCC's primary concerns is the loss of a local budget hotel that would occur with the development of Levytown.

"This development calls for the removal of 96 rooms found at the California Hotel. ... [People] that don't have a lot of money won't be able

See LEVY, p.5

Local Volunteer Organizations Conflict Over Canine Protection Issues

BY SABRINA NOUACER
Reporter

When Shirley Janson first visited the Santa Barbara County Animal Shelter eight years ago, she was struck by the lack of beds, medical attention and exercise provided for approximately 100 dogs. As one of the four founding members of the Dog Adoption & Welfare Group and a vocal member of the eight-person board, Janson sought to better conditions for the animals.

"I walked into a kennel where the prevailing view was, 'If you don't feed them, they don't shit,'" Janson said.

With the help of its

See POUND, p. 10



JASON SCHOCK / DAILY NEXUS

"Skippy," this 6-week-old pit bull puppy currently living at the Santa Barbara County Animal Shelter, is waiting to be placed in foster care. When he is old enough, he may be officially adopted.



Top of the News

State Proposition Excludes Gay Marriages

SAN FRANCISCO (AP) — Christie Hardwick Vianson has been married twice to men, and has no plans to wed her female partner of the past six years.

But she doesn't want the state, in the form of Proposition 22, telling them and other same-sex couples they can never marry.

"It's the government coming into my personal relationship and making a decision about whether it's valid," says Vianson, a 40-year-old mother of three from Fremont who works for a high-tech company. "I think it gives legitimacy to people who want to hate."

Proposition 22 is on the California ballot March 7. It is only 14 words long: "Only marriage between a man and a woman is valid or recognized in California."

As far as Rebecca



Bennion is concerned, that's a good start. The housewife and mother of five disavows any anti-gay prejudice, but longs for a return to an earlier era.

"It would be great if we could roll the years back —

passed in Alaska and Hawai'i in 1998, and signatures are being gathered in Colorado and Nevada.

But the potential political impact is magnified by California's role as the nation's most populous

cy-makers and young gays and lesbians who are struggling with their sexual orientation."

No state has legalized gay marriage. Ever since Hawai'i's Supreme Court raised the possibility of same-sex unions in 1993, Congress and 30 states, mostly in the South and Midwest, have passed preemptive laws saying they will not recognize such marriages if they are legalized in any other state.

It is uncertain whether any of those laws can get around the requirement in the U.S. Constitution that states give "full faith and credit" to other states' laws.

Hawai'i has since adopted a constitutional amendment barring gay marriage. Vermont is the only state considering legalization, but lawmakers are generally expected to endorse domestic partner benefits instead.

I think [Prop 22] gives legitimacy to people who want to hate.

**— Christie Hardwick Vianson
protester of Proposition 22**

a man and a woman committed to each other, the wife staying home, nurturing the kids, like my mom stayed home," says Bennion, of Jamul, near San Diego. "We've tried everything else."

The California proposition is not unique: Similar ballot measures

state and the presence of a large, visible gay population in the San Francisco Bay area and Los Angeles.

"An eighth of the country is being asked to vote on an anti-gay initiative," says Mike Marshall, the No-on-22 campaign manager. "If it passes, it sends a profound message to poli-

Microsoft Denies Being "Abusive Monopoly"

WASHINGTON (AP) — Microsoft Corp. told a federal judge Tuesday it "respectfully disagrees" with his ruling that the company is an abusive monopoly, arguing that it doesn't control the price or availability of software to run the world's personal computers.

Shunning the monopolist label affixed by U.S. District Judge Thomas Penfield Jackson, Microsoft's lawyers repeated earlier assertions that the judge inappropriately considered as the company's only competition other software that runs Intel-compatible PCs.

"This purported market is too narrow ... because it excludes many of the most serious competitive threats faced by Microsoft's operating systems," the lawyers wrote. "Having an extremely popular product does not make the company a monopolist."

Settlement talks are expected to continue before a federal mediator in Chicago, though sources speaking on condition of anonymity indicated last week there has been little progress.

The company's lawyers said the judge agreed with the government that Microsoft used its power to crush the threat posed to Windows by Internet software from the former Netscape Communications Corp. and Sun Microsystems Inc. At the same time, the judge ruled that Microsoft was a monopoly that had no effective compe-



tion.

The government "cannot have it both ways," the lawyers wrote.

The Justice Department released a statement Tuesday saying Microsoft's legal filing "ignores the court's findings of fact and distorts key legal precedents." It said the company's arguments "would give a monopoly virtually unlimited freedom to use its power to crush competition, harm consumers and stifle innovation."

Citing rare passages praising Microsoft in the judge's blistering Nov. 5 ruling, the company said its decision to give away its Web-browsing software with Windows helped consumers by improving familiarity with the Internet and cutting their costs.

Microsoft did not cite related passages in which the judge ruled the company "harmed consumers in ways that are immediate and easily discernible," and that "no consumer benefit" came from its actions because it refused to sell a version of Windows without any Internet software.

The company also contested the judge's ruling that it had limited the ways the nation's computer makers could distribute Windows to hurt rival software manufacturers, as alleged by the government. Microsoft's lawyers said the company's copyrights allowed it to restrict changes to its product.

Maryland Allowed Enactment of Good Friday School Holiday

WASHINGTON (AP) — The Supreme Court is letting Maryland require public schools to close on Good Friday, but the legitimacy of that law and Good Friday laws in more than a dozen states remains clouded.

The justices, acting without comment Tuesday, rejected an appeal in which a retired Maryland teacher said the school-closings law violates constitutionally required separation of church and state.

Good Friday, always two days before Easter Sunday, commemorates the crucifixion of Jesus.

Among the states with Good Friday laws, only



Maryland, Illinois and North Dakota require all public schools to close on that day each year. A federal appeals court struck down the Illinois law.

The justices still have before them a challenge to an Indiana law designating Good Friday a state holiday. They have not yet said whether they will grant full review to that dispute.

"This is not going away," said Dwight Sullivan, an American Civil Liberties Union lawyer in Baltimore. "You have the Constitution being applied differently in

different states."

The Maryland law "sends the message to non-Christians that the state finds Good Friday, and thus Christianity, to be a religion worth honoring, while their religion or nonreligion is not of equal importance," contended an appeal by former teacher Judith Koenick.

"That message is particularly significant in this case because it is being sent to schoolchildren," she said.

Lower courts rejected her argument. The 4th

U.S. Circuit Court of Appeals said the long weekend's legitimate purpose is to avoid anticipated high absenteeism among teachers and students on the days surrounding Easter, the holiest of Christian holidays.

Maryland's Montgomery County schools also are closed on Yom Kippur, the Jewish Day of Atonement, and the first day of Rosh Hashanah, the Jewish new year. Those policy decisions are based not on anticipated absenteeism, but on findings that large numbers of students would be absent if schools were open on those days.

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Old Times There Are Not Forgotten

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Phones:

News office.....(805) 893-2691
 Fax.....(805) 893-3905
 Editor in Chief.....(805) 893-2695
 Editor in Chief e-mail.....ed@ucsbdailynews.com
 Advertising office.....(805) 893-3140, 893-3829
 Classified Hotline.....(805) 893-7972
 Business office fax.....(805) 893-2789
 E-mail.....nexus@ucsbdailynews.com
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Weather

The Weatherhuman must remain aloof and impartial to political ongoing, but not to spineless weenies. While that may seem like a contradiction, well, it is. The spineless award goes to Gov. George W. Bush (R-Texas). When asked at a debate whether he felt it was wrong for South Carolina to have the Confederate insignia as part of its state flag, the governor said it was up to the people of South Carolina. What a gutless wonder. Why not stand up to people who don't think that having other human beings as "praw-puh-tee" is wrong? You'll only pick up about 42 other states in the process.

Today's forecast: continued cowardice with lily-liver moving in at the Mississippi debates.

Artwork Missing, No Leads in Investigation

By VALERIE ELLIOTT
Reporter

Three paintings were stolen from a classroom in the Arts Building between Dec. 13-15, while their student creator waited for a grade.

Senior art studio major Katie Buchenau said she left her artwork in her beginning painting classroom on Dec. 13 for Professor James Gobel to evaluate. When she returned to pick the paintings up on Dec. 15, they were missing, she said.

"My paintings are not even signed," she said. "Whoever took them could have sold them, given them away, taken credit for my work and claimed them as their own, or signed them themselves."

Buchenau filed a report on Dec. 16 with the UC Police Dept. According to UCPD Captain Bill Bean, investigators are working on the case, but with such a broad range of possible suspects, they have made little progress.

"Since Katie has no idea exactly when the paintings were taken, the thief could be anyone," he said. "We are just hoping that the paintings are unique enough that they will show up."

According to Buchenau, she had planned to give the paintings to her parents as a Christmas gift. Nikki Kvitky, Buchenau's roommate and a senior dramatic arts major, said, "They were beautiful, absolutely gorgeous paintings."

Gobel said he did not know of any possible suspects. "We just put up the posters and are hoping for the best," he said.

Buchenau posted fliers in Isla Vista shops the week before Winter Break, but they were removed by businesses. She said she plans to put up fliers all over I.V. again this week, and announce the theft on the campus radio station, KCSB. Buchenau is offering a \$500 reward for her artwork. Anyone with any knowledge about the theft can contact the UCPD at 893-3446.

Do you have any kick-ass recipes? Send them to Liz, our Features Editor and Chef Extraordinaire, at [<features@ucsbdailynexus.com>](mailto:features@ucsbdailynexus.com)



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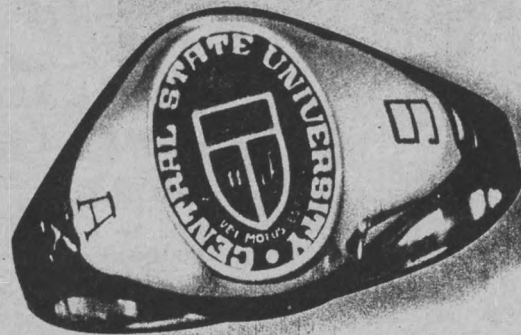
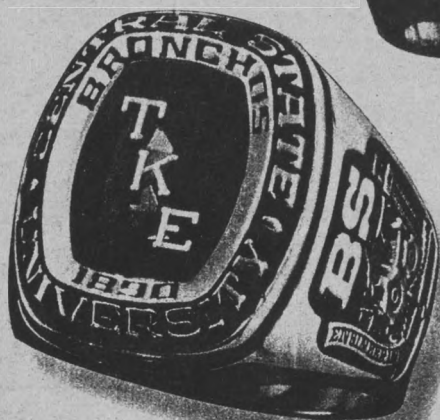
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The Daily Nexus

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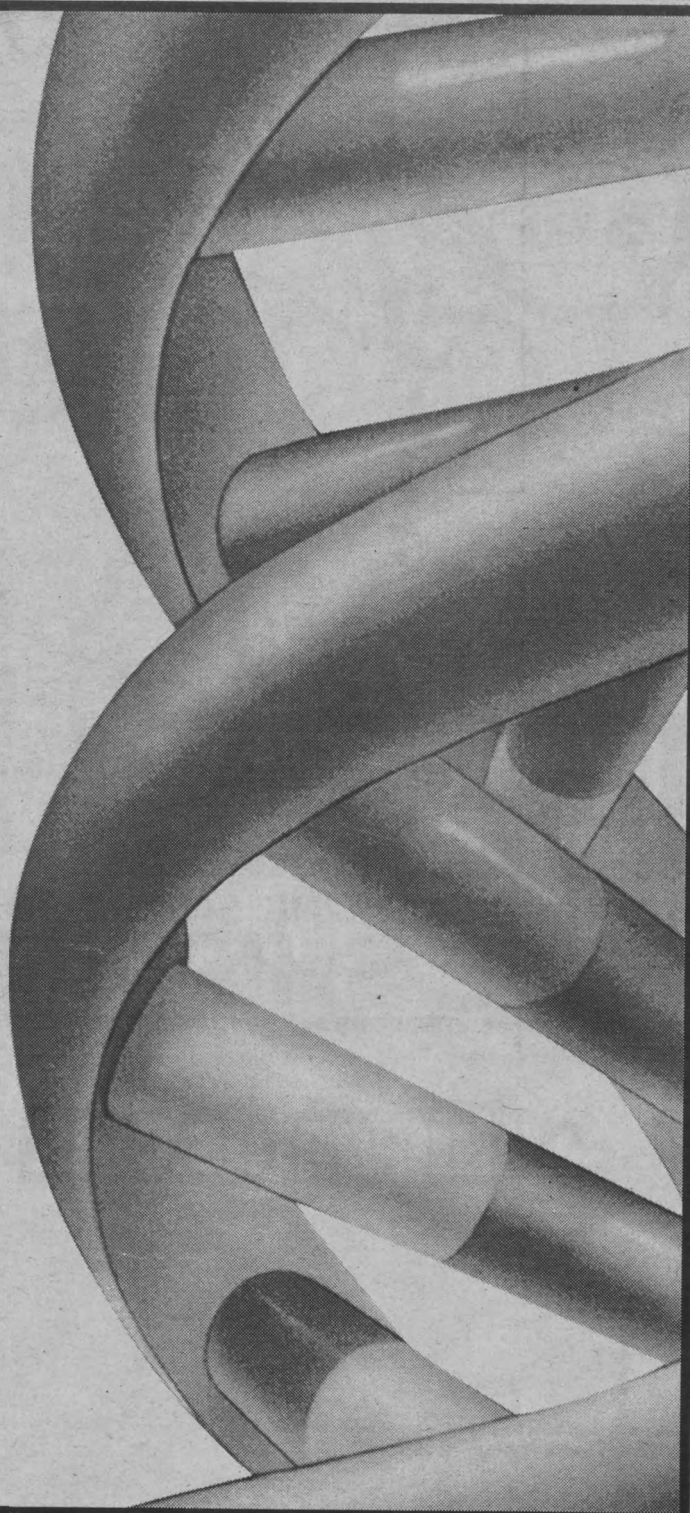
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LEVY

Continued from p.1

to lodge here anymore," he said. "One of the first things the CCC is concerned about is the low-cost visitor's rooms as well as residences."

Nava said construction of Levytown would also have a negative impact on surrounding neighborhoods because of increased traffic in the area.

According to Nava, "La Entrada will incur congestion and impact neighborhoods on either side of State Street. The Funk Zone and West Beach neighborhoods are going to suffer."

Nava said the Coastal Act calls for each of Levytown's three parking lots to have an equal amount of parking spaces as there are rooms in the development — something that is not in the project's plans.

"Right now, Parcel A has only 17 parking spaces of its own. The developer stated that time-share tenants of Parcel A may park at any of the three parcels, but it is still not enough for what the act requires," he said.

Architect and city council member Gill Garcia, on the other hand, supports the development, believing it will actually reduce traffic in the area.

"I don't think that the project will bring more traffic; I think it will make it better," he said. "There will be three pedestrian plazas as well as four outlets where cars may drive through. ... People will be able to walk to the beach. It will encourage them to walk."

The construction of the development will mean the long-desired extension of State Street shops to the beach, according to Garcia.

"We can finally extend State Street

because of funds from the developer. ... We have always had the vision of extending the pedestrian State Street mall to the beach," he said.

According to attorney for the League of Women Voters Tanya Guilleserian, the development would have an environmental impact on the area.

"They feel that the project is too big, and that impacts will be bad for the laws we have in place. We want a project that will follow our laws to protecting certain areas," she said. "We will also lose the mountain views."

Nava agreed the development of Levytown could have a significant environmental impact, expressing particular concern over the conservation of Mission Creek.

"The plan that they are working on states that any development shall include a buffer zone between the creek and any building or activity," he said. "There are places in the development scheme where there are absolutely no buffer areas right up to the edge of the creek. ... I just don't believe that this is the best thing for the creek. It will interfere with the best plans to improve it."

Guilleserian said the CCC is looking into imposing a fee on Levy in order to fund the construction of an inexpensive hotel in order to replace the California Hotel.

"Levy agreed to pay \$1 million to build this new hotel to replace the 96 rooms that will be lost, but in one year of holding the time-shares, Levy will make approximately \$46 million," she said.

The development of Levytown has been delayed indefinitely while the CCC reviews the plans. The CCC will be asking for a hearing in Santa Barbara to be held as early as this March.



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Note: Students must use current local address in order to vote in Santa Barbara County election.

Opinion

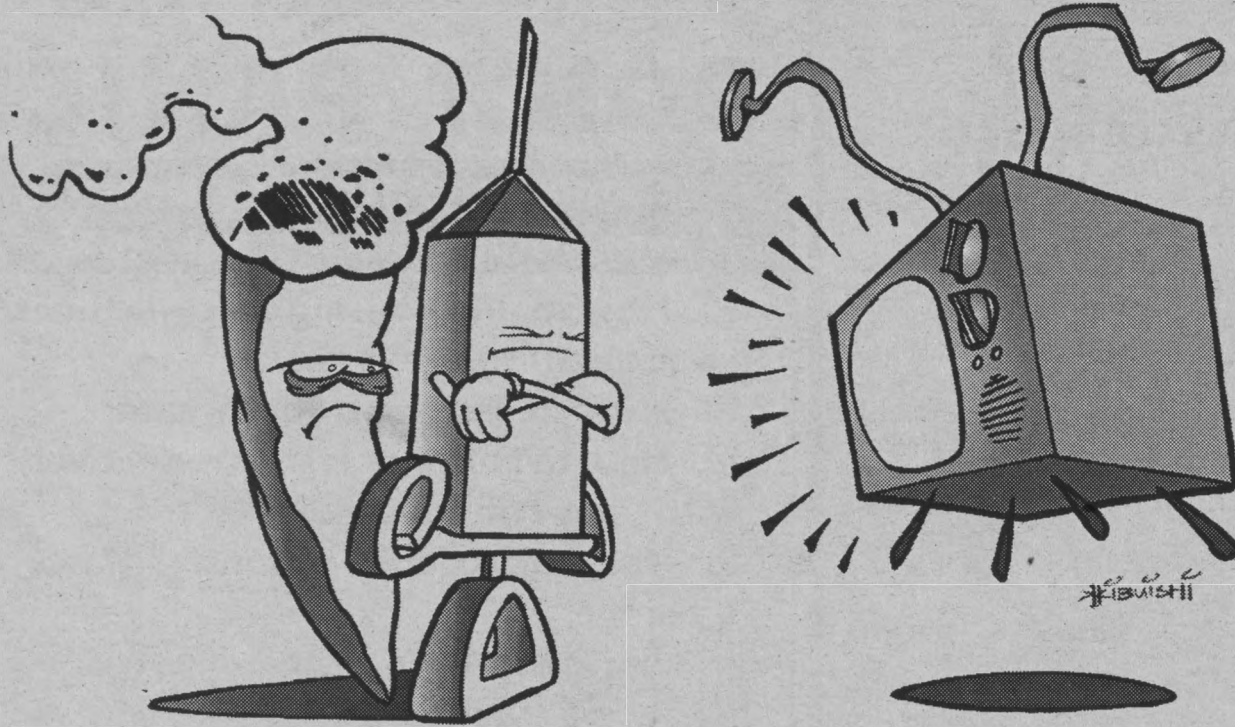
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Columns and Letters:

We welcome all submissions. Minimum length is three columns. All submissions become the property of the Nexus.

Staff Editorial



Money for Messages

Government-Financed Anti-Drug Messages on TV Going Too Far

What do "ER," "Beverly Hills, 90210," "Sports Night," "The Practice" and "7th Heaven" have in common? Nefarious financial arrangements with the federal government to insert anti-drug messages into their episodes without disclosing the deals to viewers.

Since 1998, the White House Office of National Drug Control Policy — better known as the office of the drug czar — has used nearly \$25 million in financial incentives to encourage networks to include anti-drug messages in the plots of their prime-time shows. According to *Salon*, the online magazine that broke the story last week, this has even included specific script changes suggested by White House officials.

Two years ago, Congress agreed to pay \$1 billion for network advertising over five years for anti-drug public service spots, produced by the drug czar's office and the quasi-governmental Partnership for a Drug-Free America. However, this deal included a catch: The ad time was purchased at half price, so the \$1 billion bought \$2 billion worth of advertising. When the five participating networks — ABC, NBC, CBS, Fox and the WB — grew tired of the half-price arrangement, they agreed a compromise with the drug czar's office. In exchange for freeing up some of the half-price ad time, which the networks could then resell, the networks agreed to incorporate anti-drug messages into certain shows.

In addition to being sneaky and Big-Brother-like, this action may also be illegal. *Salon* reported that the arrangement might have broken federal regulations requiring broadcasters to disclose any financial contributions to a program (i.e., "Promotional considerations paid for by ...").

What's more, the government's plan to influence our drug attitudes through prime-time TV seems an exercise in futility. Many television depictions of drug mythology are so far from the truth that they become a joke in the eyes of viewers (see the vari-

ous substance-abuse sagas on "90210" over the years). There is a general lack of real information about drugs and alcohol in mainstream entertainment. But government meddling in the television industry is not the solution. Invading a form of artistic expression, something that should be independent of government influence, is a threat to all Americans' freedom of information.

The drug czar's office justified this meddling in the name of presenting anti-drug messages to children. Well-done, subtle and realistic anti-drug messages in children's shows may positively influence young viewers. However, networks do not need, and should not accept, underhanded government influence to recognize their social responsibilities.

For the networks, inserting these messages for financial compensation is a cop-out, both financially and socially. By not running anti-drug commercials, networks lessen their potential effectiveness in presenting the public with drug education. By taking money from the government to sneakily insert these messages, they are relinquishing the creative rights of their writers and producers into the hands of officials.

Most importantly, this arrangement sets a frightening precedent. These messages have cleared a path for any other government propaganda campaign. For example, if government sentiment shifts toward "family values," these right-wing ideas can be subversively placed in television programming.

We would not be so nervous about anti-drug programming if it were directed through an impartial, accountable and well-informed nongovernmental agency. Providing accurate, realistic information to youth via mainstream television is not an unworthy cause. Taking money to promote governmental causes, however, is too much for us to swallow.

The Low Down

Specialized M

Instead of General Education

DAVID DOWNS

God, how time flies when you're killing general requirements. One minute I'm chronically absent but in Music 15, and the next I'm getting letters about my major.

It seems as if I've managed to become a junior without taking a single prerequisite communication class. What I came into school thinking communication might be something to do with writing and journalism, but I was taken.

After three depressing quarters of communication research, analysis and other synonyms for horse feces, I decided to call it quits. I'm throwing in the towel and coming to the closet. I will tell my parents and my friends that I am a philosophy major.

Becoming a philosophy major is a major lifestyle change. I learned that people usually have two reactions when I tell them I'm a philosophy major:

"Oh!" — accompanied by a forced smile and general agreement like, "Cool. That must be really, uh ... interesting."

"Oh." — as in, "You pretentious asshole."

After numerous parties and conversations where I've been asked to open, I've found it's better to just make up a major and stick to it.

"Yeah, I major in hand-held video-game ergonomics," I say.

"Dude, no way," says the meathead.

"Sure, man, it's in the College of Creative Studies."

Of course, in order to get in the Miscellaneous category, you have to demonstrate an almost psychotic inability to settle on what you want to do for the rest of your life. Instead, you learn to need to whoop some severe "College Jargon," and pay off your student loans.

"Cool."

No one really knows what those crazy CCS kids do. I avoid having grades or finals, so you can get people to almost any major imaginable. I'm not a chronic liar. People tend to have an inherent fear of philosophy majors.

Make no mistake, I have no lofty intentions of walking the streets with a flashlight searching for "one honest man." My potential dilemmas revolve in low orbit around whether I should stay up to watch "Space Ghost Coast to Coast" or if I should avoid the ethics of Internet fraud.

I'm becoming a philosophy major because it's pretty much a degree in philosophy, and inherently the silliest of majors. Ease and silliness — the unifying theme of a philosophy major.

I've never understood why you come to college to do whatever the hell you feel like learning about, and then you have to pick one thing and beat it to death. There are people on this campus learning all there is to know about 18th-century British literature, cellular mitosis and P

The Reader's Voice



DISACKNOWLEDGEMENTS REVISITED, MASTERS' CANDIDATE TELLS HIS STORY

Editor, Daily Nexus:

On Jan. 8, the University of California Student Association voted overwhelmingly to support the claim that UCSB continues to violate my freedom of speech and academic freedom (Daily Nexus, "Controversial Dissertation Receives Support from UCSA," Jan. 10). After hearing evidence, the UCSA felt that the decision of Professors Galen Stucky, Dan Morse and Fred Lange to deny my degree, which was based merely on the expression of my opinions and not predicated on any academic considerations or objective standards, was outrageous.

The decision is noteworthy for two reasons. First, UCSA leaders showed that they value freedom of speech for all UC students. Second, in over six months the UCSA was the first university body willing to proceed with a standard of impartiality and openness to the evidence. The UCSA was appalled at what had replaced standards of fairness in the review process.

The problem is not that there is no clear policy to handle appeals, but that the universi-

ty is unwilling to follow the existing policies. In this instance, existing policies have been replaced with kangaroo courts following ad-hoc standards of their own choosing. Not surprisingly, the standards have all been biased toward the position set forth by their colleagues.

United States Supreme Court Justice Brandeis once wrote, "Nothing can destroy a government more quickly than its failure to observe its own laws, or worse, its disregard of the charter of its own existence." In this instance, these words seem all too appropriate. Consider that the UCSB Graduate Student Bill of Rights affirms:

"When a formal hearing is required, a graduate student has a right to the following minimum procedural standards to assure a fair hearing:

The opportunity for a prompt and fair hearing, upon the request of the student at which the University shall bear the burden of proof, and at which the student shall have the opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the University. No inference, however, shall be drawn from the silence of the accused.

A record of the hearing; an expeditious written decision based upon the preponderance of evidence, which shall be accompanied by a written summary of the findings of fact.

If a graduate student in one of the departments is unable to exercise their freedom of expression, they should doubly feel threatened.

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Letters:

ommissions, but please include your name and phone number. For columns, maximum is three pages, typed and double-spaced; for letters, one page. All submissions are the property of the *Daily Nexus* upon being turned in and are edited for length and clarity.

How to Reach Us:

Drop by the Nexus office under Storke Tower, call us at (805) 893-2691, call the Hot Line at (805) 893-2692, fax us at (805) 893-3905 or e-mail us at <opinions@ucsbdailynexus.com>.

Education Majors Are Useless, Try "Miscellaneous" Instead

Education Requirements, UCSB Should Offer a Major That Is Relevant to the Real World

ry. I guess that that kind of specialization is something they enjoy. I loathe it.

I say balls to specialization. Specialization is for insects, and it runs counterintuitive to the human mind. We're born with adaptable minds for use in a changing world. It's a tragedy when mechanical engineering majors graduate unable to program their VCRs, and communication majors can't go three words without using, "like."

We need a major for the Internet age, and not in the sense that we need a porno major. I propose one should be able to major in Miscellaneous.

Those of us majoring in Miscellaneous would be able to take any class regardless of prerequisites, sink or swim. Of course, in order to get in the Miscellaneous major, you have to demonstrate an almost neurotic inability to settle on what you want to do for the rest of your life. Instead, you learn all you need to whoop some severe "College Jeopardy" ass, and pay off your student loans.

I want to learn how to plan a war, pick a lock, read four languages, identify dinosaur bones, explain string theory, bake a Bundt cake, write a novel, steal cable television, and make a bomb out of a tampon, some chewing gum and a little WD-40.

My friends will tremble at my Trivial Pursuit skills, and "Comedy Central" will have a show called "Win David Downs' Money," which I will never lose.

Miscellaneous majors would go on into

successful careers doing whatever the hell they wanted because all the basics were covered.

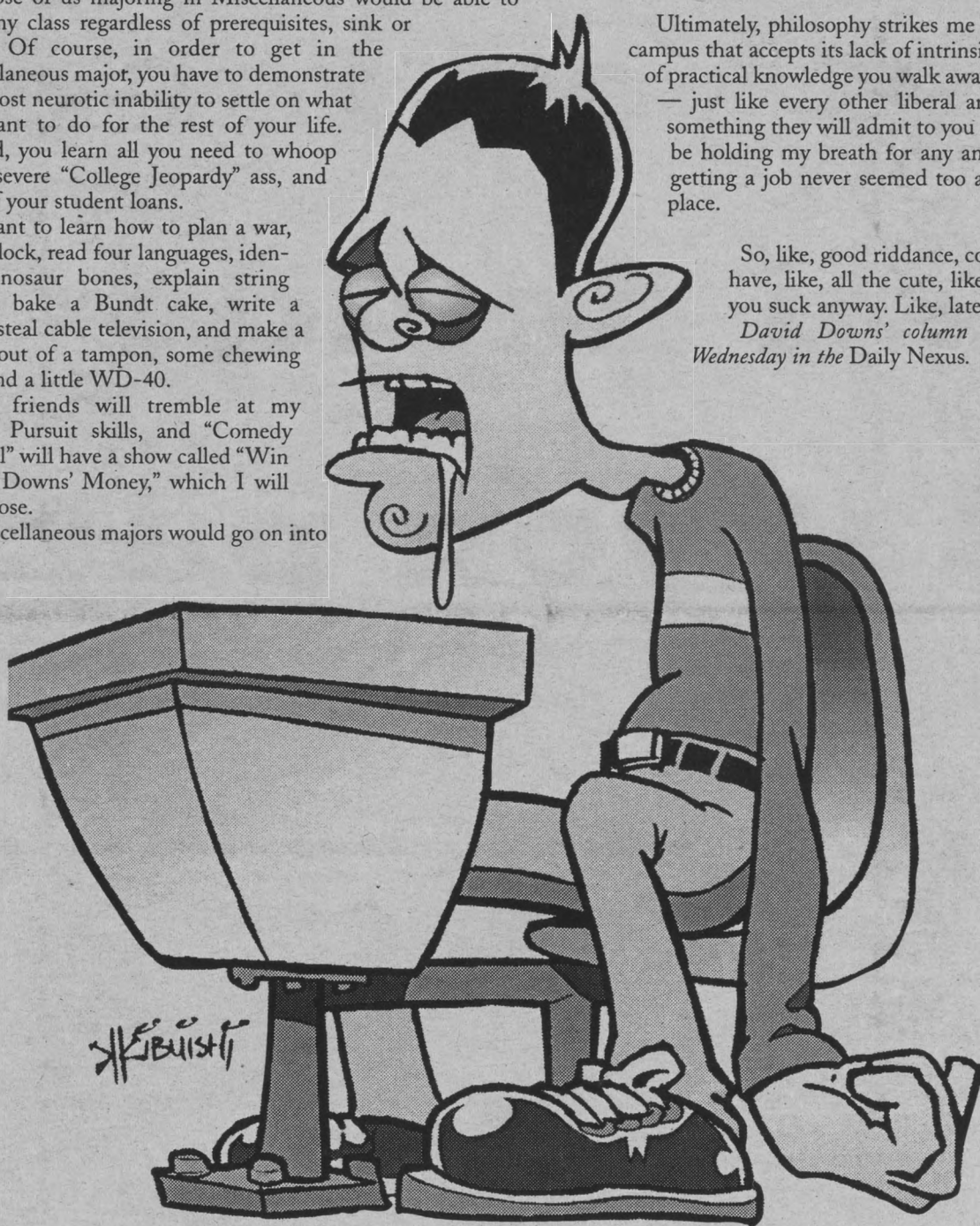
The University of California admits that you aren't here to learn skills for what you want to do for a living; rather, one is supposed to learn how to "think" in college. Instead of learning how to write a news story, you learn the theories of how people react to sex in the media and sensationalism. In rhetoric, you don't give a single speech, but learn the theories of speeches. It's ludicrous.

A good 90 percent of college graduates I know do absolutely nothing related to their long-lost majors, so I think I'm going to be in good company.

Ultimately, philosophy strikes me as the only major on campus that accepts its lack of intrinsic worth. The amount of practical knowledge you walk away with is little or none — just like every other liberal arts degree — but it's something they will admit to you right up front. I won't be holding my breath for any amazing job offers, but getting a job never seemed too appetizing in the first place.

So, like, good riddance, comm major. Like, you have, like, all the cute, like, girls, like, but, like, you suck anyway. Like, later, or something.

David Downs' column appears every other Wednesday in the *Daily Nexus*.



KAZUHIRO KIBUISHI / DAILY NEXUS

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An appeal."

In three appeals, thus far, UCSB officials have only provided opportunity for more absurd appeals.

The most atrocious violation of the standards of fairness came at the hands of Graduate Division Associate Dean Diane Mackie, who went so far as to deny my appeal without offering an explanation. On Oct. 13, she wrote, "I have reviewed the Academic Affairs Committee's decision and the reasoning behind its decision. I have also studied your appeal letter in detail. I do not find any reason to overrule the Academic Affairs Committee's decision." When asked what factors influenced her decision, she responded only, "I believe Graduate Division's letter of October 13, 1999, was clear, and there is no need to expand on it."

Not only has the university failed to follow its own rules, but standards of fair play have been replaced by an aggressive witch hunt. Over the past six months, university officials have threatened me with three lawsuits, publicly accusing me of libel, slander and blackmail — none of which I have committed. Graduate Division's Mary McMahon and Professor Dan Morse attempted to have me removed by police force for attending a research meeting to which I

was an invited guest. And Chancellor Henry Yang has refused to meet on four separate occasions to request that the harassment stop and the university rules be enforced. Early this year, graduate division Dean Charles Li, the Materials Dept. and Professor Stucky have placed me on academic probation in order to block my employment at the university and dismiss me without my degree.

This tyranny should be disturbing to all students, especially undergraduates. If a graduate student in one of UCSB's banner departments is unable to exercise academic freedom and freedom of expression, then undergraduates should doubly feel threatened. If the award of a graduate degree is based on the espousal of a university-mandated position, then undergraduates should not expect more. If the appellate process favors colleagues over impartiality, then students should not rely on receiving a fair hearing.

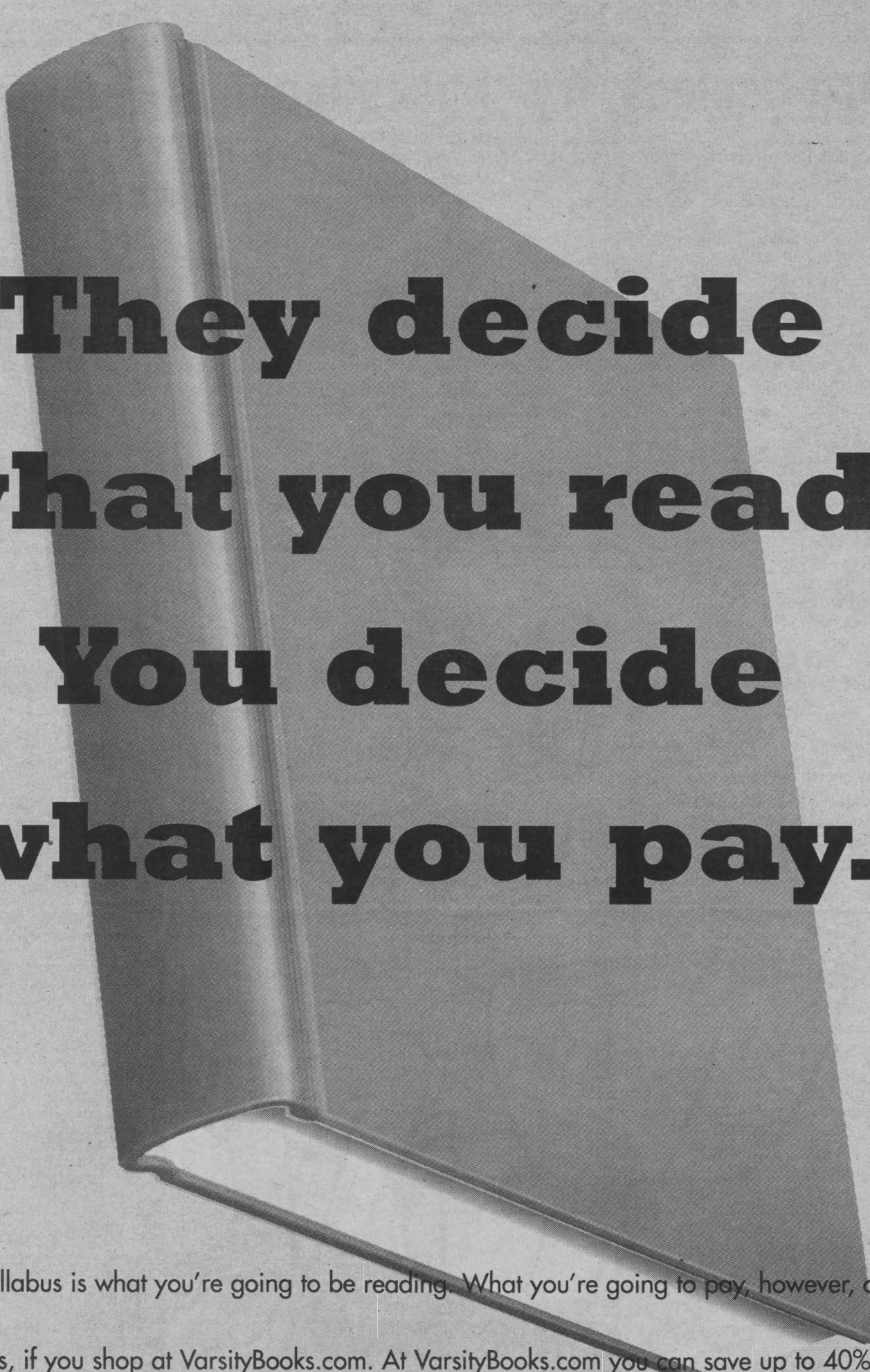
I caution you not to believe what the university says about freedom of speech or objective evaluation. Guard closely your true feelings, regurgitate what the faculty wants to hear and wait until after graduation to express your true self. Until you leave UCSB and return to the United States of America, please do not entertain any notion that your thoughts, speech and conscience are your own.

CHRISTOPHER BROWN

Letters to the editor MUST include the author's FULL name, phone number, year and major.

in one of UCSB's banner departments, then undergraduates

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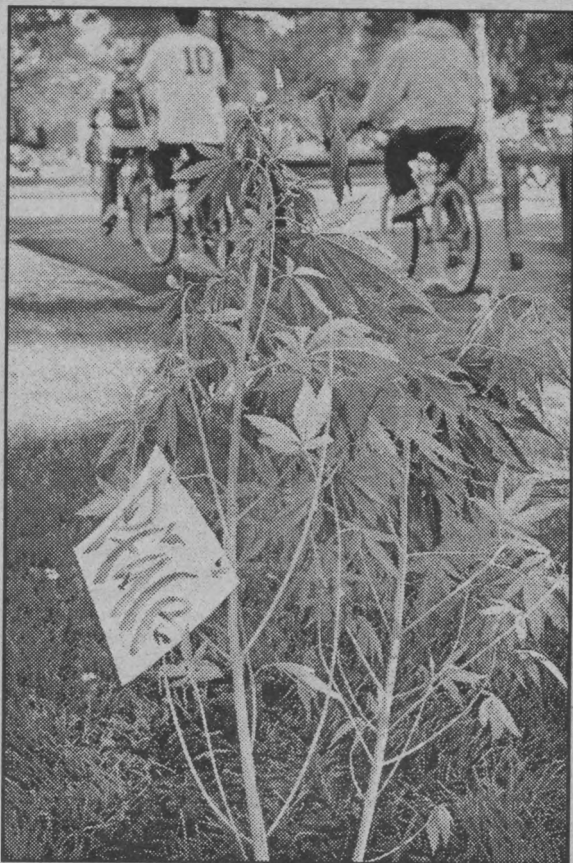
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Nexus Classifieds Work. 893-3829

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Leaping boldly into 1993.

The Daily Nexus finally has e-mail.
nexus@UCSBDailyNexus.com

your Daily Horoscope

by Linda C. Black

To get the advantage, check the day's rating: 10 is the easiest day, 0 the most challenging.

Aries (March 21-April 19) — Today is a 7 — The pace is fast and furious. Have you thought about taking a trip or going back to school? You'll want to make something happen, and it's not a bad idea. You've thought about it long enough.

Taurus (April 20-May 20) — Today is a 7 — If you can be in two places at the same time, you'll get everything done. Otherwise, you may have to make a difficult choice. Should you go near or far? Whichever costs less.

Gemini (May 21-June 21) — Today is a 7 — Money's the big focus for you, again. Having a partner could help. If more is going out than is coming in, misery loves company. Besides, the two of you will inspire each other to be even more creative.

Cancer (June 22-July 22) — Today is a 7 — You could get yanked out of your shell. You'd rather have somebody else speak for you, but that may be hard to accomplish. Do it if you can, but if you can't, have the courage of your convictions.

Leo (July 23-Aug. 22) — Today is a 7 — If you can hide out, away from the maddening crowd, and do some scheming, you'll prosper. The object of your attention? The same person who's the object of your affections. Provide what's needed.

Virgo (Aug. 23-Sept. 22) — Today is a 7 — A lot of people care about you. They all want to be with you, however. That's the downside of being so darned cute! How about having them all over to your house tonight?

Libra (Sept. 23-Oct. 23) — Today is a 7 — Capricorn, Aries, Cancer and Libra. Those are all the cardinal signs. When we have planets in these signs, like now, quick thinking is required. It's relatively easy for you to do, too.

Scorpio (Oct. 24-Nov. 21) — Today is an 8 — You have an ace up your sleeve. Your intuition's good, too. Speak up and let the person you care about know what's on your mind. You've had enough waiting to last you for a while.

Sagittarius (Nov. 22-Dec. 21) — Today is a 7 — You might qualify for a loan if you can answer a few tough questions. Don't try to pull any tricks; just stick with the truth. That always works best for you.

Capricorn (Dec. 22-Jan. 19) — Today is a 6 — If you're worried about a friend, call. Don't just think about it; turn those thoughts into action. You could do something to help, so find out what it is and do it.

Aquarius (Jan. 20-Feb. 18) — Today is a 7 — You'll have to push hard to keep on schedule. Part of the problem is that you're more interested in something else. Once the icky assignment is done, the rest of the day will be easier.

Pisces (Feb. 19-March 20) — Today is an 8 — Your friends and loved ones all know you can do it. If you're not so sure, well, disregard that thought. Pisces is the sign of faith, remember? So, have faith in god's good judgment in making you!

Today's Birthday (Jan. 19). A legal matter requires attention this year, but all turns out well. Put your money where your mouth is in February. Ask probing questions in March. In April, home is where your heart should be — and the rest of you, too. May's good for romantic commitments, and June's not bad, either. By August, you should know where to go next, and in September, you could take the trip. Secret loves are revealed in December.

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LAWSUIT

Continued from p.1

incomplete grade changes and course repetition requests. He also alleges they obstructed justice during an Office of Civil Rights investigation, and committed academic grade and mail fraud.

According to Huggins, Inbar discriminated against him in his 1992 ECE 2A course because he is African-American. "At the end of each class, [Inbar] would ask the students if they understood the material, and [Inbar] would purposely bypass my seat every day," he said. "If that's not discrimination, I don't know what is."

Huggins said Inbar denied his request to repeat the course for a better grade without just cause. However, there is no rule that guarantees a student's right to repeat a course or file an incomplete grade request, according to Joyce Carasa, coordinator of academic advising in the College of Letters and Science. However, she noted that while instructor approval is needed to repeat a course, good reason is generally necessary to deny a request.

"An instructor has the right to refuse a student from repeating a course again, but it has to be for good cause," she said. "It can not be for frivolous reasons or prejudice."

Huggins said he also filed two incomplete grade change requests for ECE 5 and ECE 134, both of which were never processed by the Office of the Registrar. Huggins said he filed for incompletes in ECE 5 and ECE 134 because necessary medical treatment for wounds from which he suffered in the Gulf War forced him to miss the last week of Spring Quarter in 1993. Huggins charges that the university blocked the requests as part of a larger conspiracy to lower African-American enrollment.

I'm not an attorney, but I know that there were enough criminal acts to justify a civil rights violation, and hence a civil suit.

- Harold Huggins

Huggins said he pursued an investigation through the Office of the Registrar and ultimately the U.S. Dept. of Education. According to Huggins, tapes of the investigation containing references to discrimination were altered before they were provided to the Dept. of Education for review. After the Dept. of Education ruled that no discrimination had occurred, Huggins decided to file his own lawsuit against university officials.

Attorney for the defendants Keri Bush said this is not Huggins' first suit involving the university. According to Bush, Huggins filed a similar case against the UC Regents based on the Racketeering Influenced and Corrupt Organization Act. However, Bush said Huggins' first suit was dismissed due to procedural error. "You cannot pursue a RICO-based claim against a public entity," she said.

While the first lawsuit has been appealed to the 9th Circuit Court of Appeals, Bush said the defendants have yet to respond to Huggins' private suit. According to Bush, the defendants will move to dismiss the case in February, based primarily on the expiration of the state's one-year statute of limitations period and Huggins' failure to state a claim.

"We are filing to dismiss the case based on the fact that [Huggins] has waited too long to file, and that he hasn't alleged the sufficient information in his complaint to proceed with the lawsuit," Bush said.

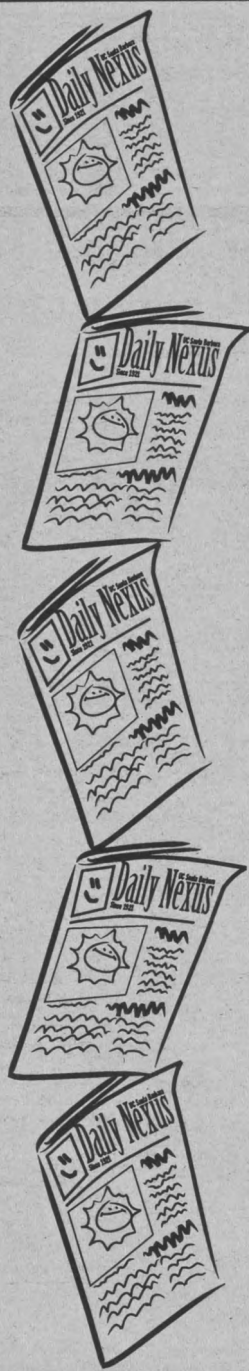
Huggins said he believes a five-year federal statute of limitations regarding civil rights violations — beginning when the plaintiff discovers that a criminal act has been committed — should be applied to him in this case. He said he first came into the knowledge of criminal misconduct Jan. 8, 1998.

"Until the Department of Education produced the historical archive documents that were provided by the university to the Department, I was not aware that my civil rights had been violated under the civil rights statute," he said.

According to Bush, Huggins is improperly introducing criminal allegations, such as mail fraud, into a civil case. Bush added that Huggins' only claim lies in his assertion that he was discriminated against based on race, an allegation that the defendants will deny.

"We disagree that any kind of discrimination has occurred here," she said.

However, Huggins believes the criminal allegations help build his civil case, and therefore belong in the suit. "I'm not an attorney, but I know that there were enough criminal acts to justify a civil rights violation, and hence a civil suit," he said.



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Five days a week.

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POUND

Continued from p.1

volunteers — about 25 percent of which are made up of UCSB students and staff — Janson says DAWG has established a more extensive record-keeping system and collected community donations. The shelter used the donations to add the Virginia Russell Medical Center, six new exercise yards and the Richard Finear Kennels.

"In February of 1998, DAWG invested \$1.4 million of our budget to build these buildings on the basis of an agreement we made with the county in 1997," Janson said.

The seemingly symbiotic relationship between the animal shelter and its volunteer group soured when complaints were filed last summer by shelter employees and members of the community saying that they had been threatened or endangered by the actions of DAWG volunteers.

Complaints ranged from people who were threatened with having their dogs euthanized if they turned them in to the shelter, to claims that volunteers hid behavior problems of some dogs from prospective adopters, putting adopting families in danger. Many of the complaints specify Shirley Janson as the volunteer involved.

When asked about the complaints, Janson replied, "I'm a little old lady with white hair. I'm 67 years old, and I weigh 120 pounds. I could never be threatening."

Lee Heller, a former member of DAWG and coordinator of the Concerned Citizens for Santa

Barbara Dogs, disagrees. Concerned with activities of some of their fellow DAWG volunteers, Heller and other volunteers formed the CCSBD to realign the actions of DAWG with what they felt to be its original goals.

"We want these dogs to have a chance to be adopted, rather than rotting in their cages, losing weight and becoming aggressive," Heller said.

According to CCSBD's mission statement, its goals include establishing a training program for volunteers, maximizing the number of adoptions and improving the quality of life at the shelter.

"If we put a dog to sleep instead of holding it at the shelter for 12 to 16 months without it being adopted, we could rotate 15 dogs from other shelters, and possibly find homes for them, instead of having them be euthanized at their original shelters. It sounds like a more calculating method than an emotional one, but in the long run, it is more humane," Heller said.

As a result of some volunteers' involvement in CCSBD — in some cases for writing letters to county officials voicing their concerns — volunteers were informed that they were no longer welcome at DAWG.

CCSBD volunteer and sophomore biology and French major Sophie J. Reguigne was one such person who was dismissed. Reguigne said she got involved with DAWG after missing her own dogs and wanting to volunteer locally.

"The most unfortunate part for the dogs is that the people who are barred from working at the shelter now are those who I saw there most

often," Reguigne said.

According to Heller, the county animal shelter and DAWG operate under a Memorandum Of Understanding contract drawn up when DAWG was created. The MOU gave DAWG volunteers the power to evaluate, facilitate and block possible adopters, making it impossible for those not involved with the volunteer group to work at the shelter.

"It was a small number of those within DAWG that abused the responsibility and discretion the MOU allowed them," Heller said.

The decision of whether or not to reclaim for the county some of the power formerly turned over to DAWG is now in the hands of the county supervisors. According to 3rd District Supervisor Gail Marshall, supervisors recommended mediation after first hearing of the problems between the county staff and the volunteers of both groups in mid-October.

"The mediation was meant to get rid of some of the animosity between the three parties," she said.

The board of supervisors is scheduled to review and decide the matter on Feb. 1. UCSB students, who became involved with DAWG after seeing volunteers tabling in Storke Plaza, continue to volunteer with DAWG.

Freshman Kendra McMasters said the local shelter is more humane than some she has witnessed.

"I like the way the shelter is run here. I'm from the Bay Area, and there they put dogs to sleep in seven days; here they are given a chance to find loving homes," she said.

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Classifieds

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| 40 Unattractive fruit? | 25 French state | |
| 41 "Understand?" | 27 Suit to — | |
| 42 Moon goddess | 28 — Dame | |
| 43 Fake coin | 30 Unfair? | |
| 44 Dynamic beginning | 31 Author Ferber | |
| 45 "Like a Rolling Stone" singer | 32 "Giant" star | |
| 46 Tea type | 33 Like a tropical forest | |
| 48 French 101 verb | 34 Look rudely at | |
| 50 Letters from Crete | | |
| 52 Scrape off | | |
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ANSWER TO PREVIOUS PUZZLE:

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By Elizabeth C. Gorski
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1/19/00

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Sports

UCSB Swimmers Split Road Meet at Pacific

By ZACK O'NEILL
Staff Writer

The UCSB men's and women's swim teams traveled to Stockton for a dual meet with inter-conference rival University of the Pacific this past weekend in a mini-preview of the Big West Championships on Feb. 17-19, in which both schools will participate.

It was a tighter competition than the Gauchos expected; the men were pushed to their limits before eking out a 132-130 victory. The women didn't fare as well in their meet, falling 145-117, despite winning six events.

"It was a very interesting road trip," UCSB Head Coach Gregg Wilson said. "For the men, it came down to the last relay. With the women, we had a lot of strong freshmen performances, so it bodes well for the future."

The men's team went into Stockton coming off of back-to-back losses to Cal and USC. Saturday, they were up against a Big West foe eager to show the Gauchos that it is capable of ending UCSB's streak of 21 consecutive conference titles. The Tigers raced out to a fast start against the Gauchos, winning eight events including the 50, 100 and 200 frees.

"We might have taken them more lightly than we should have," senior Mike Scarcelli said. "We need to be on the ball because they're gunning for us."

Scarcelli helped the Gauchos stay even with UOP, winning the 100 backstroke with a time of :51.23. Other UCSB winners included sophomore Kevin Herlihy in the 500 free (4:37.12), junior Ryan Koch in the 1000 free (9:31.14), senior Ryan Laurance in the 100 fly (:51.19) and freshman Matt Wheeler in the 200 fly (1:52.93). But despite the Gauchos' multiple wins, the meet still came

down to the final event, the 200 free relay.

"[Pacific Head Coach Ray Looz] was out of [fresh] swimmers," Wilson said. "We had to finish in first and second in the relay to win, and we did. We beat them handily in the last relay."

The Gaucho relay teams occupied the first two spots of the event, enabling them to narrowly win the meet. UCSB's "A" squad finished the relay in 1:24.91, while the "B" team finished second at 1:26.60. UOP came in over a full second behind the "B" team, and almost three seconds behind the "A" team at 1:27.69.

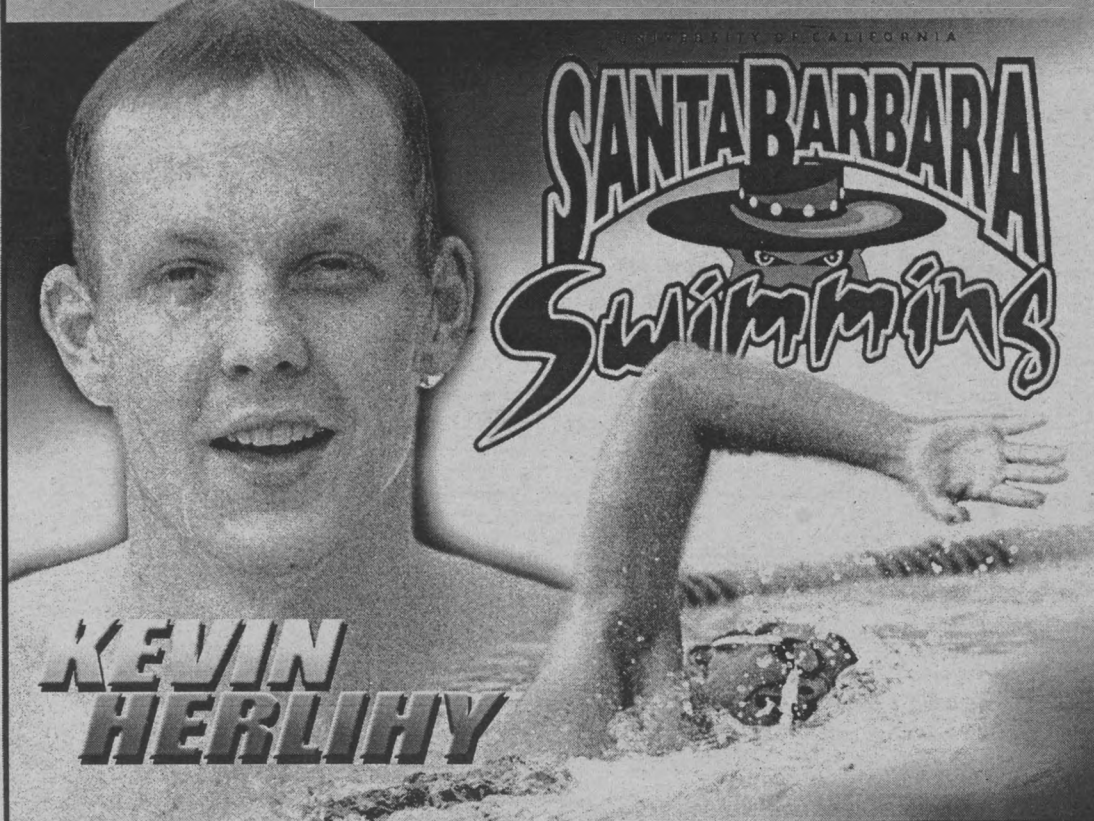
On the women's side, it was UCSB's freshmen who kept the Gauchos in the hunt. Among Santa Barbara's first-year swimmers who had winning performances were Romina Mosquera in the 1000 free (10:22.94), Brenna Wilkinson in the 50 free (:23.87), Tammy Pratummas in the 200 breast (2:24.40), and Danielle Steadman in both the 100 fly (:58.01) and the 100 free (:51.58).

In spite of these strong showings, the Tigers were able to defeat a UCSB team crippled by the exclusion of four swimmers (freshmen Kristal Haesler and Devon Pipe as well as sophomores Kim Feig and Karin Finger) due to injury, illness and scholastic reasons. However, the Gauchos conceded that UOP was a formidable opponent.

"I think we did swim to our potential," Steadman said. "But they were a tough team. We said that the rain and the long bus ride were reasons for losing, but we need to go out and compete without making excuses."

"It was a pretty sound defeat," Wilson added. "But four of the races were decided by less than a 10th of a second. The races were close; [Pacific] just won most of them. On the road, it's tough to get those close ones."

Athlete of the Week



JASON SCHOCK / DAILY NEXUS

Sophomore Herlihy Trying to Get Smart

By ZACK O'NEILL
Staff Writer

When the Gaucho men's swim team traveled to Stockton to face the University of the Pacific this past weekend, UCSB knew it was a marked team. Defenders of 21 straight Big West championships, the Gauchos knew that an up-and-coming conference rival, like UOP, would be hoping to establish themselves as usurpers of the throne which UCSB has found itself atop of for so long.

What resulted was a meet that took Santa Barbara to the brink of defeat, giving the Gauchos a glimpse of their own mortality. But the efforts of sophomore Kevin Herlihy, along with those of junior Ryan Koch, sophomore David Maddan and senior Mike Scarcelli led UCSB to a snug 132-130 victory, a sign that the Gauchos' reign will not evaporate as easily as UOP might have thought.

"It was definitely a wake-up call," Scarcelli said. "Pacific showed they're capable of beating us. But we can destroy them if everyone steps up."

In the meet's closest moments, it was Herlihy who stepped up in a big way for the Gauchos. In addition to leading a sweep in the 500 freestyle

with a time of 4:37.12, he placed second in the 200 free with a time of 1:41.41, and had a strong showing in the 200-free relay in the victory.

"Coming out of the Winter Break, I had a horrible meet at Cal," Herlihy said. "It was hard to get back into it. But USC [on Jan. 7] and Pacific were much better for me."

One other aspect of the Pacific meet was a chance for Herlihy to renew a rivalry with Tiger swimmer Matt Smart. After splitting a pair of races at the Big West Shootout in November, Herlihy admits he won't even speak with Smart, and the two have had skirmishes in the pool.

"We got a little rough in the warm-up pool at the Big West Shootout," Herlihy said. "He was invading my space, so I did a flip-turn and kicked him in the face."

At Pacific, Herlihy was bested by his rival in the 200 free by less than half a second. Herlihy knows he will get another shot at Smart at the Big West Championships in February, but insists he has more on his mind than his rival.

"I'm trying to focus on the Big West first," he said. "Beating Matt is not the biggest thing on my mind right now. But it would definitely be icing on the cake."

Santa Barbara Finishes Behind Cal and Stanford This Past Weekend

By BECKY FREEMAN
Reporter

Talented newcomers and massive potential are the strengths of this year's UCSB men's gymnastics team. Unfortunately, inexperience runs hand-in-hand with those two attributes, and the Gauchos felt that this past weekend at Cal, losing once again to the Bears and Stanford.

In the tri-meet, the Gauchos were able to fill out more of their roster than on Jan. 8, when they suited only six of their 11 team members against Cal at UCSB, a meet that the Gauchos lost, 216.9-197.6. This past weekend, seven gymnasts participated in the meet to gain a closer score. UCSB's overall team total was 203.25, earning it third place. The Cardinal finished second with 214.40, and Cal scored a 221.40 to win. The Gauchos' final outcome was six points higher than last week when they lost to the Bears at Rob Gym.

"We did better than the week before," sophomore

Dushan Mikichi said. "[We were] higher all-around and away from home, so that's two pluses. It's good to have more people there."

Junior Cody Casey led the team with the highest individual all-around score, 52.30. The score put him fourth overall behind two Bears, Tal Moskovitz and Michael Ashe, and Stanford's Jason Blitz. He also got first in floor exercise by sticking a 9.60, and second in the vault with 9.25. The Gauchos did well in the vault, hitting their landings and coming in second.

"We did well since Cody came back to the team," UCSB Head Coach Mircea Badulescu said. "He didn't compete last Sunday."

Behind Casey were the all-around finishes of Mikichi and freshman Donald Mahr, who had to scratch a couple of events because of an injury, but still pulled through with a team high 8.7 on the rings. The Gauchos also exhibited great performances from other team members in their individual events. Sophomore Michael Kelley brought in the highest pommel horse score with a 9.0, freshman Damian Langere received the team's second-

best vault score with an 8.8. Freshman Jesse Poon finished with a respectable score of 8.5 on the high bar.

"We did a lot better because we realized what we need to know, and having one more person gave us more of a sense of team unity," Casey added.

Unfortunately, the team is unable to run on Casey's presence alone, and while the team sees the future as promising, the Gauchos still would like to compete with a full roster sometime soon. Badulescu is looking forward to the return of freshmen Israel Alatraste and Marshall Higa, who have been ineligible for competition due to logistical reasons with the NCAA Clearinghouse.

"We are waiting for Israel Alatraste to come for the best part of the season and make our team much stronger," Badulescu said. "We have a very young team with seven freshmen out of 11."

"We are going to have to do a lot more work in the gym," Casey added. "Our number-one goal is to build respect for the years to come, along with experience for the younger guys since we're such a young team."