

12-8-2003

Arbiter, December 8

Students of Boise State University

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The Arbiter

MONDAY
DECEMBER 8, 2003

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Sports - 6

The story behind jolly St. Nick



News - 3

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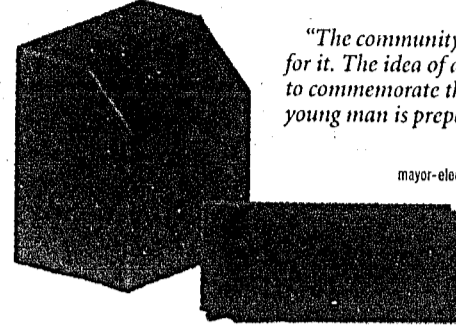
A&E - 8



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VOLUME 16 ISSUE 31



"The community wouldn't stand for it. The idea of a monument to commemorate the murder of a young man is preposterous."

- Marc Johnson, mayor-elect transitioning team chair

The plaque reads: Matthew Shepard entered Hell October 12, 1998, at age 21 in Defiance of God's Warning: "Thou shall not lie with mankind as with womankind, it is abomination" -Leviticus 18:22

Anti-gay proposal threatens park's Ten Commandments

BY JESSICA ADAMS & ANDY BENSON
The Arbiter

A request to install a 6-foot monument bearing an anti-gay message in Julia Davis Park by Fred Phelps, pastor of the Westboro Baptist Church in Topeka, Kan., threatens to ignite the tension between separation of church and state, and freedom of speech -- both protected by the First Amendment.

The monument, which celebrates Phelps' view that Matthew Shepard was murdered for violating the Old Testament's condemnation of homosexuality, also endangers the status of a Ten Commandments monument on Boise's Greenbelt.

The City Council was vocal in its opposition to Phelps' proposal at last week's City Council meeting. Mayor-elect Dave Bieter told the Associated Press that the city will "do everything it can to prevent the monument's location in Boise, while protecting the city's Ten Commandments monument."

Phelps' attorney, daughter Shirley Phelps-Roper, said Phelps plans to sue the city of Boise if the city tries to block the installation.

There are two big issues for the court to consider if Phelps files a lawsuit: The First Amendment of the U.S. Constitution contains two clauses that occasionally come into conflict -- the establishment clause, which says the state shall not make any establishment respecting a religion, and the free speech clause, which protects freedom of expression regardless of content.

BSU Communication Professor Rick Moore, who teaches media law, said Phelps does appear to stand on firm legal ground.

"Two clauses allow for grey area. Not to defend them [Westboro Baptist Church], but the monument he wants to establish is an expression of religious freedom," Moore said.

Mary Durand, ACLU legislative counsel, said once a government decides to allow religious speech on public property, it cannot discriminate between other forms of religious speech based on content.

"Once you allow all religious expression in a public

forum then the state can't discriminate," Durand said. "Most people don't find the Ten Commandments offensive, they are what they are. Lots of people find Rev. Phelps' monument extremely offensive."

"But the problem is, can the government say the Ten Commandments is good religious expression while Rev. Phelps' monument is bad religious expression? Can the government say: 'we like this one but hate that one?'"

Phelps-Roper said the Westboro Baptist Church is pursuing a strategy of attempting to place the anti-gay monument in cities that have allowed Ten Commandment displays on public property.

"When we started seeing those areas where this issue was cropping up about the Ten Commandments, we started picking them off -- and there's a lot more out there," Phelps-Roper said.

Phelps-Roper added that they picked the existing religious displays to exploit a U.S. Supreme Court decision that ruled municipalities cannot discriminate against religious monuments based on content.

"That is the important issue -- content," Phelps-Roper said. "That runs headlong into that First Amendment buzz saw."

Boise's Ten Commandments monument came to Phelps' attention when Dennis Mansfield and local church leaders organized a rally in support of the monument to take place this Sunday at the Julia Davis Band shell. The rally is in response to a court order to remove a Ten Commandments monument from an Alabama courthouse. Church leaders organized the event despite the lack of any present legal challenge to Boise's monument. Ironically, the monument may be threatened as a result of the rally, which drew the installation to Phelps' attention.

Ted Baird, assistant city attorney, said he believes the city can reject the Phelps' proposal based on the Park Department's current policy on memorials. The policy reads, "Plaques will not include texts or images which may be viewed as inflammatory or discriminatory by the

See Proposal page 2



Boise Fire Department dive team members retrieve a body out of the Boise River, behind the Ann Morrison Center Sunday.

PHOTO BY MARY DAWSON/THE ARBITER

Bicyclists spot body in river

BY JASON KAUFFMAN
News Editor
The Arbiter

At approximately 12 a.m. on Sunday two bicyclists riding west along the Boise River greenbelt discovered an unidentified body partially submerged in the river behind the Boise State University Morrison Center.

Jake Florence and Reisa Obenchan were out for a leisurely morning ride along the greenbelt when they saw the body. Florence immediately called 911 to report the discovery.

Ada County sheriffs from the BSU substation and the Boise Fire Department were the first to arrive on the scene. Officers immediately cordoned off the general vicinity.

A large crowd looked on as

Boise Fire Department dive team members arrived and removed the body from the river at approximately 1:45 p.m.

By this time, jurisdiction of the scene had been handed over to the Boise City Police Department.

Lt. Mike Monroe of the Boise Police department said the next step in the investigation is to positively identify the body to allow for the notification of the next of kin.

Monroe said the autopsy on the body, already determined to be a male subject, will be completed in the next 24 hours.

"The autopsy will give us a lot of information on what we need to know and whether the investigation is a homicide or natural death or whatever," Monroe said.

Both bicyclists expressed



PHOTO BY MARY DAWSON/THE ARBITER

Boise City Police officers load the body of an unidentified male into the coroner's vehicle Sunday. The body was found earlier in the day by Jake Florence (seen wearing the yellow hat) and Boise State student Reisa Obenchan.

shock over the discovery. "Your reaction is that this is not what you think it is," Florence said. "You think it's

probably a scarecrow or something Halloween-like that fell in the river."

Ed board studies U Place loan report

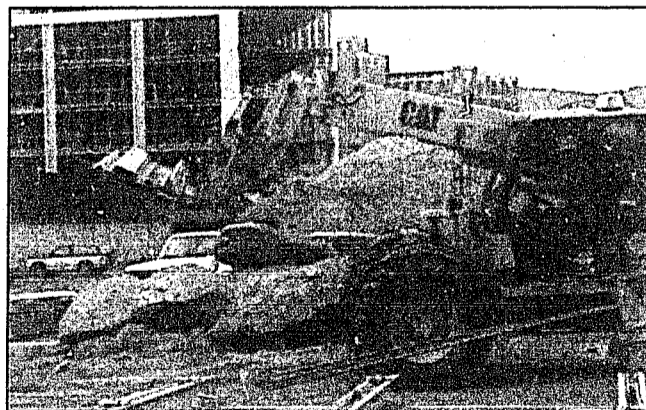


PHOTO BY EMILY DESLER/THE ARBITER

Meeting behind closed doors Friday, the Idaho State Board of Education reviewed a sensitive report, part of an investigative inquiry into financial maneuverings by the University of Idaho related to the University Place real estate project.

Costs of probe exceed \$500,000

BY BRANDON BECKHAM
News Reporter
The Arbiter

Meeting behind closed doors last Friday, the Idaho State Board of Education reviewed a sensitive report, part of an investigative inquiry into financial maneuverings by the University of Idaho related to the University Place real estate project.

The probe focused in on how the U of I cash management

fund came to lend \$10 million to its non-profit foundation. The loan was meant to assist with costs related to the \$136 million construction project being built in downtown Boise.

Boise attorney Larry Prince completed the investigation over a six-month period; Prince was commissioned by the Board in early April to conduct the inquiry.

U of I, which is funded by taxpayer dollars, will bear the cost of the probe. The university had originally budgeted \$200,000 to pay for the investigation, however the most re-

See U of I page 2

Former BSU engineering student sentenced to 25 years in prison

BY JASON KAUFFMAN
News Editor
The Arbiter

Former BSU Engineering student Vincent Craig Olsen was sentenced to 25 years in prison last Wednesday for the shooting and killing of fellow Boise State University student Cameron Davis.

Olsen will be eligible for parole after completing a ten-year fixed sentence, for

the charge of voluntary manslaughter.

The shooting occurred at a party on the 900 block of Belmont St. in March of 2003.

Shooting erupted in the basement of the house after a heated altercation between the victim and the defendant.

Davis, the son of Idaho Senate Majority Leader Bart Davis, was pronounced dead at the scene from a single gun-

shot wound to the chest.

4th District Judge James Judd presided over the entire three-day sentencing hearing.

"I think the crime here involves more than the shooting and death of Cameron Davis," 4th District Judge James Judd said at the sentencing hearing according to The Idaho Statesman. "It's the whole issue of when and why you carry a concealed weapon."

Ada County Deputy Prosecutor Roger Bourne said Olsen claimed self-defense in making an Alford plea to voluntary manslaughter, after originally being charged with second-degree murder.

The Alford plea allows a defendant who feels there is enough evidence for a conviction to plead guilty on charges that he or she doesn't agree with.

After the prosecution accepted the Olsen's Alford plea a negotiated settlement was reached. The state's settlement negotiation recommended a twenty-year sentence with 15 years fixed.

"So it's a little longer on the total sentence and a little shorter on the fixed sentence than what I asked for," Bourne said.

Bourne said defense attor-

ney David Manweiler, who declined to comment for this article, now has 42 days to make an appeal. Another option, according to Bourne, would be for the defense to make what is called a Rule 35 motion.

"It's a motion by the defendant for leniency," Bourne said. "It's not very likely the judge would change it after having had a three day sentencing hearing."

Welding instructor helps direct national spotlight on BSU

BY MONICA PRICE
News Writer
The Arbiter

Welding has often been thought of as a dirty, unskilled labor -- the kind of occupation that enlists tattooed high school graduates. But Boise State Welding Instructor Juan

Martinez is challenging that stereotype, while at the same time bringing BSU into the national spotlight.

The American Welding Society, a national non-profit organization, has chosen Martinez to create a piece of metal sculpture for their Chicago convention this April.

"We are hoping to bring him [Martinez] and the group of students who created the bridge [Caldwell Archway]," AWS Public Relations Officer Amy Nathan said.

Martinez brought together at-risk youth and BSU students to create a piece of public artwork for downtown Caldwell. AWS was impressed with the quality of the archway and the story behind it, Nathan said. Martinez was selected in order to highlight his efforts in bringing people together.

AWS is hoping to have Jessie James (of the Discovery Channel's show *Monster Garage*) on hand to accept Martinez's sculpture as recognition of James's contribution

to the welding community. "He is a role model to these kids," Nathan said. "There are not that many welding icons out there."

Welding rarely gains recognition, locally or nationally. Martinez's archway shows what welding can be. "There's lots of different options. It can be an art form," Nathan said.

Martinez has also been nominated for the AWS Educator of the Year award. James has not yet confirmed if he will be able to attend the convention. In the event of his absence, the sculpture will be given to the city of Chicago. "It's just a huge honor to be asked to do this," Martinez said.

"Students will represent BSU

nationwide with this piece of artwork," Martinez said. Martinez said placing Boise State in a national setting is a great honor and an opportunity to break down the nations stereotype of Idaho. This state is fighting a racist image, Martinez said. "Idaho is not what it appears to be."

Martinez hopes to help break down that negative stereotype by bringing students from all walks of life to Chicago with him. "This is a great opportunity to showcase our diversity," Martinez said.

"Just to get that sort of recognition is essential for the welding program," said Steve Needles, President of the BSU chapter of Skills USA. Needles

is also a liaison for the BSU's chapter of AWS.

AWS is a major force in welding, Needles said. It could mean more people enrolling in the program and better job opportunities for those graduating, he added. Needles said welding has infiltrated the market place. "Look around ... it's a metal and concrete society we live in."

Martinez has only been here a year and a half, and his fresh outlook has revived the welding program Needles said.

This kind of national recognition could lead to a new chapter in BSU's welding program, one designed to explore the beauty of metal.

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U of I

from page 1

cent invoice billed to the state on Oct. 31 was for \$536,000. Prince was paid \$225 an hour for his services.

University Place initially began as a two-phase building project scheduled for completion for the end of January 2003. Plans called for three office-buildings, which would be occupied by the U of I, Idaho State University, the Idaho Department of Water Resources and the U.S. Forest Service.

The project was a joint collaboration between the U of I, the U of I Foundation, Idaho State University and the state of Idaho. In March 2002 the Idaho Legislature approved \$136 million in bonds for the project.

In December 2002, the State Board of Education approved the first phase of the project, the construction of the Idaho Water Center, located at the corner of Broadway and Myrtle.

The center will provide offices and labs for both the Idaho

Dept. of Water Resources, U.S. Forest Service and the U of I hydrology program. Original cost estimates for the 196,000 square-foot building were approximately \$48 million; however more recent analysis reveals it may cost taxpayers upwards of \$54 to \$60 million.

In January 2003 the project began to stall after \$28 million invested by the U of I foundation on predevelopment expenses could not be recovered when bonds were sold.

In January, U of I officials also discovered the questionable \$10 million loan made by U of I cash management to its foundation. The money came from a pool of approximately \$50 in student fees invested and set aside as a contingency fund.

After media agencies began requesting information from the university under Idaho's public records act, Hoover revealed the problem to the Board of Education on Feb 18. Following Hoover's disclosure the Board announced it be conducting an investigation into the loan.

The Board appointed Prince

to conduct the investigation. The inquiry specifically keyed in on the appropriation of the \$10 million loan as well as the university management's oversight of the project.

More controversy over the project arose in March of 2003 when the Idaho Statesman uncovered that approval for the project had been accomplished through manipulation of the state's bidding process by government officials, including Gov. Dirk Kempthorne. It was also discovered that funding had been gained through deceitful remarks made to the Idaho Legislature by former U of I president Bob Hoover.

In April 2003 Hoover resigned his position as president of the university. Financial ramifications associated with the project also cost the job of the school's vice president of finance, Jerry Wallace.

In June 2003, U of I interim President Gary Michael made the decision to cancel the second phase of the project. The Water Center is scheduled for completion 18 months past schedule, in August 2004.

As a result of financial short-

falls the U of I has a current deficit of \$5.6 million from last years operating costs. During the 2003-2004 school year the school was forced to make \$14 million in budgetary cuts to programs throughout the university.

Speaking at an Idaho Press Club conference in Lewiston, Idaho Attorney General Lawrence Wasden told those attending that, "The public must know and should know every aspect of what occurred in University Place."

State Board President Blake Hall, in a quote to the Idaho Statesman said, "It will be my recommendation that we release the report to the extent allowed by the law," Hall said. "I don't anticipate it being publicly available until the following week."

Pending review by the State Attorney General's office and removal of personnel information protected from the public, Prince's final report should be made available for public review before the end of December.

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Tara McElhose-Eiguren	Arts/Sciences
Tom Peele	Arts/Sciences
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Robert Sisco	Social Sciences/Public Affairs
William Overton	Social Sciences/Public Affairs

Proposal

from page 1

general public."

Baird said he believes the city will make a decision on Phelps' request without affecting the status of the Ten Commandments monument.

"Basically what we are saying with regard to the Ten Commandment monument, is that there is no legal authority at this point requiring us to move it," Baird said. "It's been there since 1965, it's not in a place of prominence, it's not in front of City Hall or a courthouse, it's tucked away in a little corner. It's not been that big of a deal."

Moore, who does not de-

fend Phelps' case, said the city might be forced to tear down monuments bearing religious messages.

"If Phelps decides to sue, the question for the court will be where to draw the line between protecting free speech and respecting and establishing religion," Moore said.

He pointed to The Anne Frank Human Rights Memorial, built just a few years ago, which contains quotes from religious leaders that seem to show some respect for religion on the part of the state.

"Would the Boise community give up the Human Rights Memorial? It cost a lot of dollars to install," Moore said.

Moore said he suspects that Boise citizens would rather see the Ten Commandments monu-

ment go than be host to hateful messages such as Phelps'.

Marc Johnson, chairperson of Mayor-elect Dave Bieter's transition team, said Bieter has made it very clear that there is no sympathy in Boise for locating a monument of this kind here.

"The community wouldn't stand for it," Johnson said. "The idea of a monument to commemorate the murder of a young man is preposterous."

Johnson said the Anne Frank Human Rights Memorial was established as an effort to signal to the world that Idaho is a state that values human rights.

"This so-called religious leader from out of state is preying on Boise's allowance of a Ten Commandments monument," Johnson said.

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LEGAL

Access to bars and restaurants by minors

DR. DECATEUR REED
Legal Columnist

Diana is a 20-year-old student at Boise State University. Elaine, Diana's roommate, was in a sour mood one day and maliciously pointed out that guys seem to go out only once with Diana, and then refuse to seek a second date or even call her. Diana was offended that Elaine would bring this hurtful topic up since it was common knowledge this was a sensitive subject. Diana believes that guys are put off by her aggressive crusader-for-causes style and that someday she will meet someone who will appreciate her efforts.

Later that day as she sat in Dr. Reed's intellectually engaging law class, Diana reflected on her last date. It was with 23-year-old Kyle who loved to party. Kyle knew of Diana's reputation, but believed that he could handle it. He strategically planned to take her to a bar with a party atmosphere to "loosen her up" before really getting to know her. As they approached the entrance to the bar, Diana noticed a sign prohibiting entry to persons under 21 years of age and she was denied entry. Kyle, persistent in his belief that the "right" atmosphere was crucial in order to get Diana to relax, opted to take her to a restaurant that had a bar as part of the business. Diana was permitted to enter the restaurant, but Kyle's strategy backfired as she started to ask why she was not allowed in a bar, yet was allowed in a restaurant that had a bar. It seemed to her that there was an inconsistency here that needed her efforts. Kyle realized that his plan failed, slammed down a few brewski's in order to blur the barrage of questions from Diana, and then took her home early. As Diana's attention returned to class, her

questions were answered by Dr. Reed's lecture.

Under Idaho statutory law, it is illegal for persons under the age of 21 years to enter into, remain in, or loiter in establishments that are licensed for the sale of alcoholic beverages for consumption on the premises. Additionally, it is prohibited for persons under the age of 21 years to be in such places that store alcohol and alcohol-related supplies and equipment. The bar that denied Diana entry falls within this definition.

Idaho statutory law contains a significant access exception. If a business is operated as a restaurant that has obtained an endorsement allowing for the sale of alcoholic beverages for consumption on the premises, then persons under the age of 21 years are permitted to enter and remain on the premises. To qualify as a restaurant, the business must have a kitchen and cooking facilities for the preparation of food that is regularly served to the public as its purpose. The additional, and arguably collateral, purpose of serving alcohol is licensed through the endorsement. The restaurant that allowed Diana entry falls within this definition. A restaurant that has the endorsement for the sale of alcohol is not required to separate the restaurant area from the bar area through partitions, walls, or doorways. However, partitioning the areas is permitted if the business chooses to have such a separation.

Submit your legal questions to dreed@boisestate.edu

This article is intended as a general review of various legal issues. It should not be relied upon as a substitute for comprehensive legal advice. The information contained in this article is strictly the opinion of the author and not necessarily the formal position of Boise State University or The Arbiter.



The story behind jolly St. Nick

BY BRANDON BECKHAM
News Reporter
The Arbiter

Jolly. Red. Fat. Gift-giving and reindeer-sleighting. The character that we know today as Santa Claus has roots dating as far back as 280 A.D. It has been widely held that our myth of Santa Claus comes from the historical account of the early Christian bishop St. Nicholas.

According to various accounts, St. Nicholas was born around 280 in Patara, a city in Asia Minor. Both his parents were devout Christians; his father, a wealthy bishop. After the death of parents, Nicholas inherited the family fortune, which he believed was a momentous obligation given to him by God.

Nicholas decided the best way to fulfill said obligation would be to secretly give away the money away to those in need. Often, dressed in a disguise, he would distribute gifts among the poor, mostly to children.

Tales of the young bishop's generosity spread throughout his lifetime. Nicholas became so popular that whenever unexpected gifts were received, he was given credit as the giver.

Upon his death around 340 A.D., stories about him spread throughout the world and his popularity continued to increase. By the year 1085, Dec. 6 had become known as St. Nicholas Day. Stories and celebrations commemorating the saint became popular in many countries, including Russia, Greece, Switzerland, Germany, England and Belgium.

In the United States, myths about St. Nicholas can be traced back to the Dutch when they settled New Amsterdam

in 1630. The Dutch eventually merged their celebration of St. Nicholas Day with the English tradition of Christmas held Dec. 25.

In 1809, Washington Irving penned the first physical description of Nicholas related to our modern view. Irving described him as short, portly and jolly in demeanor, giving him flying reindeer and a sleigh as mode of transportation.


Dr. Clement Clark Moore, a professor of divinity at a New York theological seminary, is believed to have most influenced our present day idea of Santa Claus. In 1823, a poem written by Moore entitled, "A Visit From St. Nicholas" was

published in New York's Troy Sentinel. The idea of Santa Claus was further refined by the drawings of cartoonist Thomas Nast, whose renderings of the jolly saint were published in Harper's Weekly Illustration in 1863.

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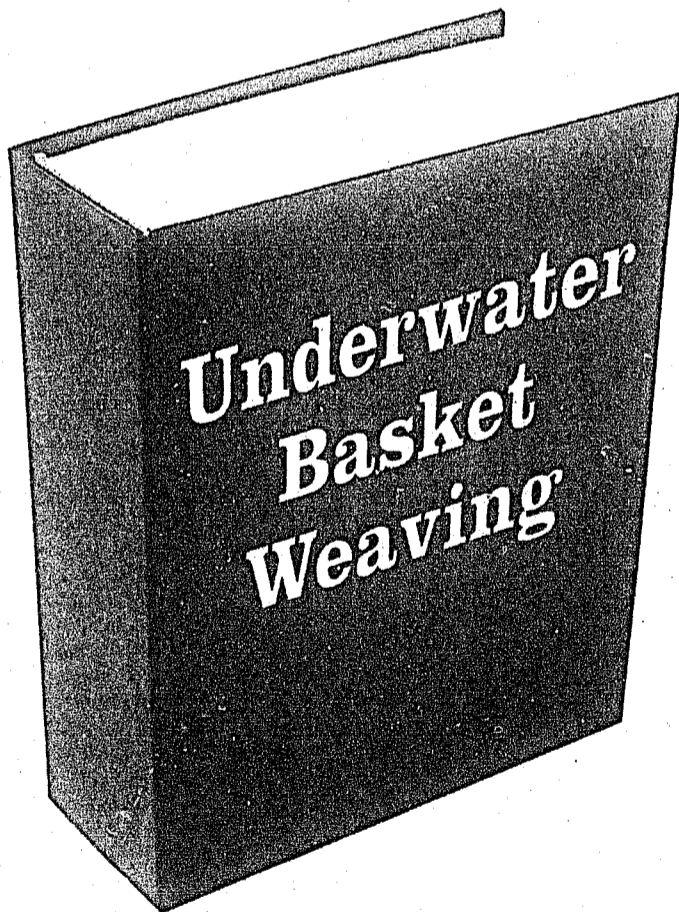
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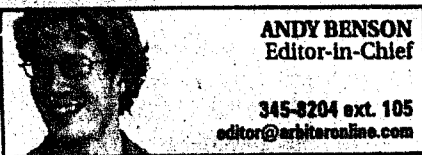
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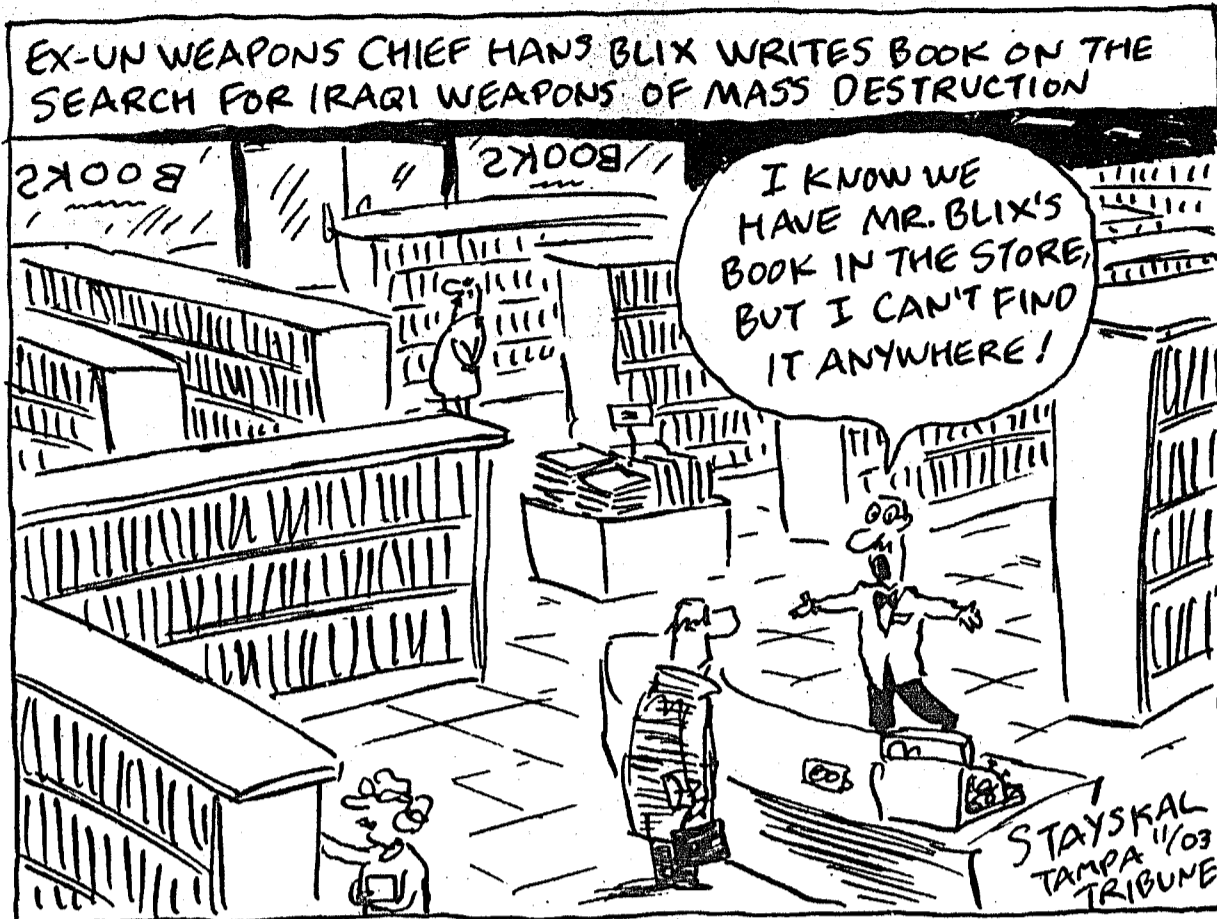
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Let the courts decide 'God hates fags' monument not worth city resources

THE ARBITER EDITORIAL BOARD

Once again Fred Phelps, the infamous 'God hates fags' preacher, is sending his brand of vitriolic hatred to Boise. Phelps sent his children to picket Gay Pride Week in Boise in June of 2002. This time he's attempting to force the city to place a monument in Julia Davis Park, celebrating the brutal murder of Matthew Shepard. The monument features a plaque that reads: "Matthew Shepard Entered Hell October 12, 1998, at age 21 In Defiance of God's Warning: 'Thou shalt not lie with mankind as with womankind; it is abomination' Leviticus 18:22."

Phelps rose to infamy after Shepard was tied to a fence outside of Laramie, Wyo., viciously beaten, tortured with cigarette burns, and left for dead in sub-freezing weather. Shepard died later at a Fort Collins, Colo., hospital. Phelps picketed Shepard's funeral, shouting, "God hates fags" as family members entered the service.

Celebrating the murder of a human being is despicable, but that doesn't deter Phelps' church. Shirley Phelps-Roper, Phelps' daughter and attorney, said hatred is a vital part of Christianity.

"You can't preach the Bible without preaching that characteristic of the Lord our God, which is his hatred," Phelps-Roper said.

One only need visit Phelps' Website to see the level of hatred his church advocates - the Web address is www.godhatesfags.

The city intends to block the location of Phelps' contemptible monument in Boise, but Phelps' attorney said he plans to sue the city. The court must then decide the fate of establishment of religion on city property. For more detail, see the front-page article.

In the interest of the Boise community, the court should not allow the placement of the anti-gay monument in the park. However, such a ruling would pose a problem for the status of the Ten Commandments monument, also in Julia Davis Park. The establishment clause in the First Amendment of our Constitution says the state shall not make any establishment respecting religion, which means that the Ten Commandments monument must be removed if the court rules against Phelps.

No doubt the residents of Boise would rather say goodbye to the Ten Commandments monument than host Phelps' hate message. The Christian community of Boise should also find the monument offensive as it proliferates hate in the name of their religion.

We suggest incoming Mayor Dave Bieter should refuse to spend any more time on this issue than is required. Bieter has stated he will work to find a solution that allows the 10 Commandments monument, while rejecting Phelps' monument. This is not an issue for the city to waste resources on. Ultimately, the courts will decide. Bieter should reject the monument, wait for Phelps' lawsuit, and let the judicial system determine where to draw the line between freedom of speech and establishment of religion.

Danger of the hate crime

BY EDVIN SUBASIC
Columnist

When I learned about the vandalism that occurred at the Jewish Education Center and the Greek Orthodox Church in Boise, I had to ask myself: Do people ever learn anything? Are these people somehow the same as those that hate elsewhere in the world?

As news of the vandalism spread, many Boise residents came to the Jewish Education Center and the Greek Orthodox Church to show support and sympathy, as well as help erase the hateful messages. While this demonstrates that many people feel for and connect with the victims of hate crimes, there are still the other kind of people whose hate never stops and frequently overpowers the principles by which many people live and work. And no matter how much these people want to show their good face and sense of being humane, it does not prevent the hate from happening in the first place.

It does not take a lot to start the hate and it is amazing how these feelings can become real, even in a place like Boise, a town that seems nice, friendly and warm. What I am trying to say is that the hate is easy to overlook when we don't want to see something that might make us uncomfortable. But, this approach will never make the problem go away. Even though I believe those people who committed the vandalism are just a small group, I have a reason to be concerned, because I have witnessed such acts many times in different places.

I can remember acts similar to this recent vandalism in Boise before the war in Bosnia started. The Catholic and Orthodox churches, as well as the mosques, were covered with painted expressions of hate, their windows broken, and, in the end, were bombed as if the buildings themselves were alive and dangerous. In fact, the only danger was the human factor. Buildings cannot destroy us, but we can destroy ourselves, and most likely will.

In Germany, the majority of people are trying to forget about their country's Nazi past, but on some occasions, the small groups who still embrace those ideas exposed me to neo-Nazi ideologies and hate. Those people, with their emotions full of hate, are regular people - people who you meet in everyday life. Still, they think that they should hate the foreigners and are proud of their Nazi past. And, while they are a small group, and a minority themselves, they cause many problems -- not only to foreigners, but also to the Germans who do not hate and do not want to be part of racism.

Bosnia was a case where neighbors and family members started hating each other based on nationality. In the beginning, it started with acts of vandalism and open discussions. But it ended with shame, a war and total disorder.

In the United States, I do not see war coming and the acts like the vandalism here in Boise should not represent anything other than a crime committed by a little criminal group. Nonetheless, we should not ever allow something like this - no matter how small or insignificant it may seem -- to happen in this community.



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Government should quit the marriage business

BY ALAN M. DERSHOWITZ
Special to the Los Angeles Times

The decision of the Massachusetts Supreme Judicial Court declaring that gays have a constitutional right to marry could become a powerful wedge issue in American politics. There is, however, a way to avoid that.

Those who oppose gay marriage believe deeply that marriage is sacred, a blessed sacrament between man and woman as ordained in the Bible. If they are right, then the entire concept of marriage has no place in our civil society, which recognizes the separation between the sacred and the secular, between church and state.

The state is, of course, concerned with the secular rights and responsibilities that are currently associated with the sacrament of marriage: the financial consequences of divorce, the custody of children, Social Security and hospital benefits, etc.

The solution is to unlink the religious institution of marriage -- as distinguished from the secular institution of civil union -- from the state. Under this proposal, any couple could register for civil union, recognized by the state, with all its rights and responsibilities.

Religious couples could then go to the church, synagogue, mosque or other sacred institution of their choice in order to be married. These religious institutions would have total decision-making authority over which marriages to recognize. Catholic churches would not recognize gay marriages. Orthodox Jewish synagogues would not recognize a marriage between a Jew and a non-Jew who did not wish to convert to Judaism. And those religious institutions that chose to recognize gay marriages could do so. It would be entirely a religious decision beyond the scope of the state.

Under this new arrangement, marriage would remain a sacrament, as ordained by the Bible and as interpreted by each individual church. No secular consequences would flow from mar-

riage, only from civil union.

In this way, gay couples would win exactly the same rights as heterosexual couples in relationship to the state. They would still have to persuade individual churches of their point of view, but that is not the concern of the secular state.

Not only would this solution be good for gays and for those who oppose gay marriage on religious grounds, it would also strengthen the wall of separation between church and state by placing a sacred institution entirely in the hands of the church while placing a secular institution under state control.

Although this proposal may sound radical, it does not differ fundamentally -- except for labels -- from the situation that exists in many states today. Throughout the United States, couples have the option of being married civilly by going to town halls or to a justice of the peace and simply signing a marriage certificate. They also have the option of going to a church, synagogue or mosque and being married in a religious ceremony. So most Americans already have the choice between a sacrament and a secular agreement ratified by the state.

All that would be different would be the name we give the secular agreement. The word "marriage" would be reserved for those who chose the religious sacrament.

Though some traditionalists would be certain to balk at an explicit division between marriage and civil union, a majority of Americans already agree that gay couples should be allowed to join in secular unions with the rights and responsibilities that generally accompany marriage.

So let each couple decide whether they want to receive the sacrament of marriage or the secular status of civil union. And let the state get out of the business of determining who should receive holy sacraments.

Dershowitz is a law professor at Harvard University.



Put blame on Cheney for U.S. mess in Iraq

BY JAMES KLURFELD
(c) 2003, Newsday

This isn't how Papa Bush and the handlers thought it would work out. Not when they put solid Dick Cheney in charge of the kid's government.

With all of his experience in government, from White House chief of staff to congressional leader to secretary of defense, Cheney was the one who would avoid the big mistakes, who would make up for Junior's lack of experience.

And yet President Bush is going into his re-election year with one huge mess on his hands in Iraq. It isn't only that much of the world is bewildered if not downright scared at the administration's arrogant unilateralism; it's that a good segment of the American people have begun to question the president's judgment and credibility because of how Iraq was handled.

Cheney was supposed to prevent something like this from happening. He was supposed to protect the not so well prepared W. from the big mistakes. And yet, as more accounts of the maneuvering inside the administration are revealed, it is increasingly clear that it was Cheney who was the moving force behind the decision to fight a war of choice against Iraq.

What is particularly disturbing is how the administration misused intelligence information to make its case for war and failed to plan competently for the postwar period. Two recent articles, one by George Packer

in The New Yorker and another by David Rieff in The New York Times Magazine, provide detailed, on-the-record accounts of how the Pentagon deliberately ignored almost all the expert advice coming from the State Department, the CIA and from almost anywhere else about what had to be done after the war.

There was plenty of information available about how difficult the postwar project would be, but the Pentagon planners, with utter disdain for anything coming from the State Department, ignored it. They believed that once Saddam Hussein and his top lieutenants were eliminated, the people of Iraq would greet the Americans with open arms. The State Department experts told them otherwise. Their information was trashed.

You could blame that on Secretary of Defense Donald Rumsfeld and his band of neoconservative warriors led by Deputy Secretary Paul Wolfowitz. But bitter conflict between State and Defense is common in every administration. It's the White House that is supposed to sort it out and make sure the president acts upon accurate information.

But Cheney turned out to be the leading neoconservative. According to one account, he told Bush in February of 2002 that he believed it was a mistake to have not eliminated Saddam during Bush I and that now was the time to do it. And he then drove the policy through to war. Cheney was put there to prevent Bush from being

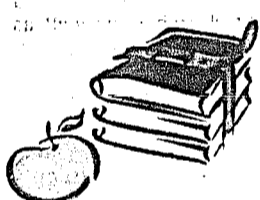
duped by those with axes to grind, yet the vice president turned out to be the chief ax grinder.

The same story is true on the run-up to the war. In the Dec. 4 edition of The New York Review of Books, Thomas Powers examines the administration's contention that Iraq posed an imminent threat. He particularly cites 29 claims made by Secretary of State Colin Powell in his very influential Feb. 5 speech to the United Nations and finds that so far not one has been shown to be the case. And Powell was more cautious than others.

The problem, Powers says, is that the White House exerted enormous pressure on the CIA to produce intelligence that coincided with its policy predilections. This is very dangerous, of course. And, given Bush's lack of background, it's easy to understand why he might not have understood how intelligence can be misused. It was Cheney, the seasoned, solid expert in national security matters, who was supposed to make certain the intelligence was straight, who was going to protect the president's credibility. But it turns out he was the one pushing for information to confirm his preconceived notions.

Yes, the buck stops with the president, but the more I learn about what happened behind the scenes the more I say put the blame on Cheney.

Klurfeld is editor of Newsday's editorial pages.



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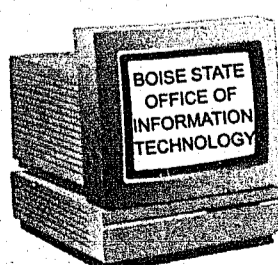


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Forget the color with Forsey



In the eyes of all of the beloved Boise State fans, Brock Forsey may be the greatest running back to ever play here. Everyone has heard his tale -- much reminiscent of the "Sea-Biscuit" story.

Brock walked onto the BSU football team with no scholarship, but he had a dream. Through hard work and determination, he earned a scholarship and eventually a starting position on the nationally-ranked Bronco squad.

It's kind of a heart-warming, "Little Engine That Could", inspirational stories, don't ya think?

Brock Forsey isn't far removed from Boise State. He was just here one short season ago. Still, the man is almost a legend to Bronco fans. But to the people in Chicago, where Brock is playing his pro ball, he is something very different.

He is an anomaly. He is "Casper." Not literally a ghost, but similar. The people of Chicago

are behaving as if they have never seen a white running back before. After his second start of the season, when Forsey stepped it up and rushed for over 100 yards, all columnists in the windy-city could talk about was his skin color.

He rushes for nearly 200 yards with a pair of touchdowns in two starts, and all everyone there can say is, "A white running back?"

Guess what? He's white. What's the problem?

Oh, I get it. In America, we like our running backs black, and our presidents white, right? Come on, let's get out of the dark ages, people.

Brock Forsey is not white. He was blue and orange when he was at Boise State, and now, he is dark blue and orange in Chicago. He is a running back, and a damn good one I might add. Let me remind you that this is a guy who holds the record for most touchdowns scored in a single season for the NCAA.

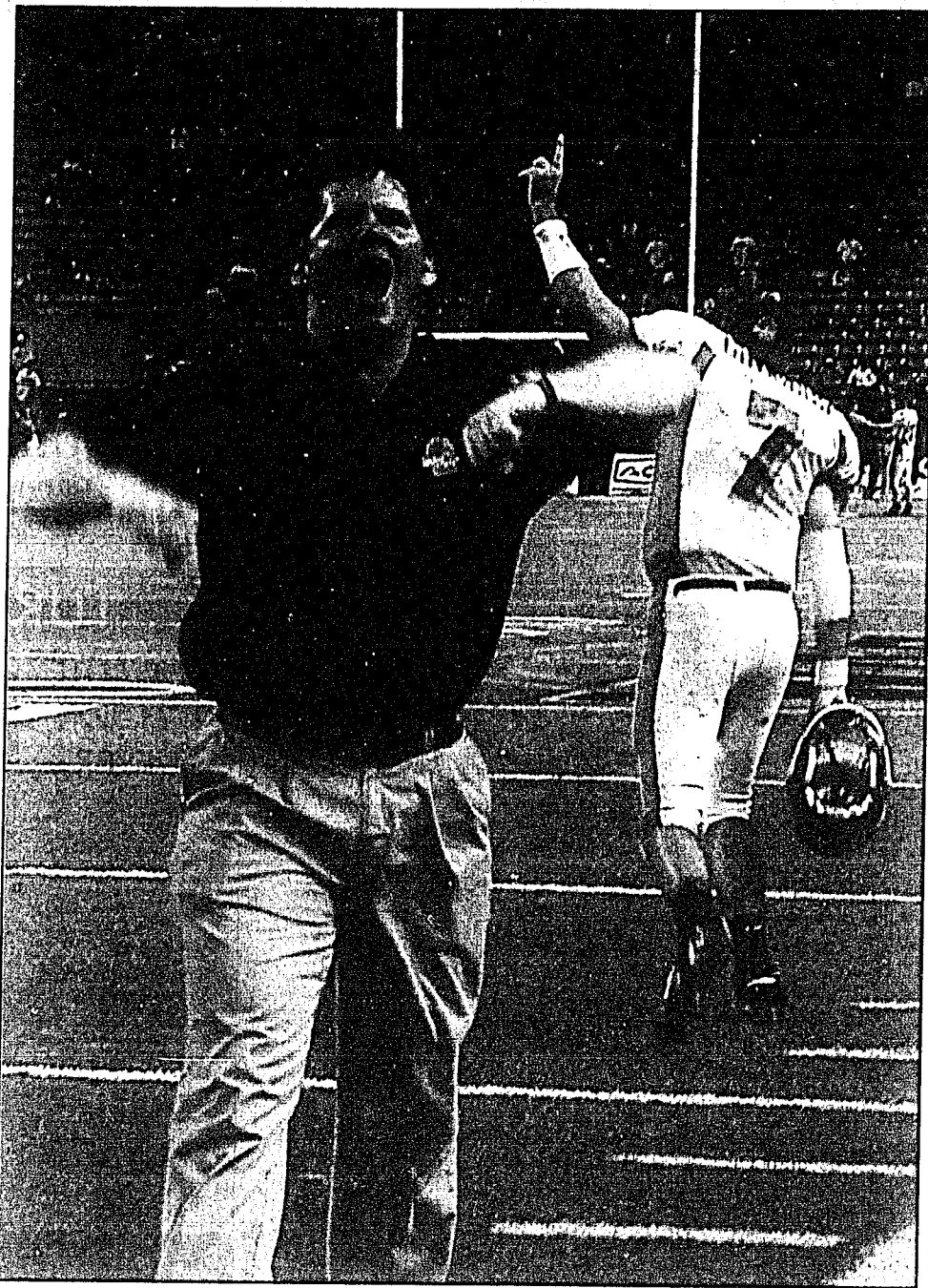
And let's talk about the Bears. Have you seen them play lately? They better be praying to God, thanking Him for the "great white hope" that He has provided. Walter Payton isn't coming out of retirement anytime soon. We all know that Mr. A-train, Anthony Thomas, is not getting it done.

I have an idea. Instead of putting those black stripes just under his eyes, let's put it all over his face and arms. Let's color him up. This way you can't tell he's white.

Or, everyone can just accept him as he is. Let's cheer him on not because he is white -- but because he's solid. Forsey is clutch. But he is no different from any other running back, besides a lighter tan.

So to the people in Chicago: just being grateful that your GM found a "diamond in the rough." Focus on what the man does on the field, not on the skin color underneath his uniform.

WAC PERFECTION



Coach Dan Hawkins expressing the thrill of victory with Ryan Dinwiddie after the 45-28 win over Hawai'i

Broncos beat Hawai'i; go undefeated in WAC for second straight season

BY TREVOR HORN
Special to the Arbitron

On a night where Ryan Dinwiddie hobbled, David Mikell was virtually unseen and Tim Gilligan sat on the sidelines with an injury, the Broncos pulled out another victory at Hawai'i, 45-28.

With Dinwiddie failing to score a single touchdown pass, Donny Heck picked up the slack with four (yes, four) rushing touchdowns. The Broncos finished the regular season at 12-1 (8-0 WAC), and now look toward another win against TCU in the inaugural Fort Worth Bowl Dec. 23.

But on Saturday, the Broncos were fighting for bragging rights in the WAC and recognition on the national scale. However it wasn't Boise State's high-powered offense that struck first. The newly assigned Hawai'i starting quarterback Jason Whieldon, in place of Timmy Chang, put up the first score on the board with a 4-yard touchdown pass to Jeremiah Cockheran with 3:44 left in the first quarter.

Lee Marks then took the ball in the end zone with one of the team's five rushing touchdowns, with a 30 yard score to finish off the first quarter.

With a strong front presence by the defensive line, the Warrior defense held Dinwiddie who finished the game completing 20-31 passes for 329 yards and one interception.

Dinwiddie also finished as the all-time NCAA pass-efficiency leader. A record-breaking career by Dinwiddie came to a close in another strong Bronco offensive production, but unlike any Bronco fans have seen during the three years with Dinwiddie at the helm.

Junior Donny Heck gave Bronco fans something to look forward to next season, with by far his most productive game of his career.

Along with the four touchdowns, he finished with a total of 87 yards, 25 on the ground.

With Gilligan out, and an extremely strong rush by the Rainbow Warriors' Travis Leboy, the Broncos passing attack was never able to find the end zone. The lone Dinwiddie interception came in the second quarter, as Leboy tipped a pass and followed through with the interception.

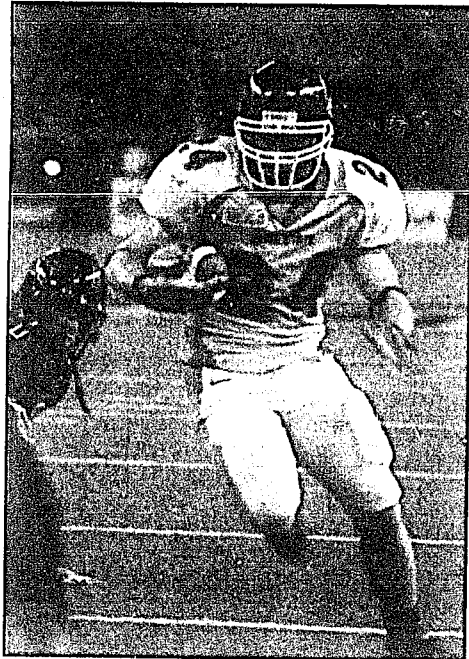
David Mikell found the end zone for his WAC leading 12th rushing touchdown of the season. With that score, the Broncos took a 24-14 lead into intermission. In a half where the offense was never truly in sync, they were able to capitalize with five of their last six drives starting in Warrior territory.

After the half, the Warriors once again struck first with a 17-yard run by Mike Bass to bring them within three at 24-21. The Broncos scored again, with the second of Heck's touchdowns with 11 seconds remaining in the third.

No more than two minutes had gone by in the fourth quarter before Jerry Smith snagged a 68-yard catch. But it was Heck who, once again, drove it in to put the nail in the coffin. The Broncos lead 38-21.

The Warriors did score again, this time with Chang taking the snaps after Whieldon finished completing 23-44 for 195 yards and two touchdowns and a pair of interceptions. Soon after, the Broncos answered with another Heck touchdown to seal the win, 45-28.

Once again, Bronco fans were treated to another stellar season by the entire Bronco team. But it isn't over by a long shot. The team travels to Dallas, looking for a Texas-sized win over nationally-ranked TCU in the Fort Worth Bowl, just two short weeks from now.



Ryan Dinwiddie didn't complete any touchdown passes in the Broncos win over Hawai'i. But Donny Heck will give Bronco fans something to look forward to next year, as he will return for his senior season.

PHOTOS BY STANLEY BREWSTER/
THE ARBITER



12-1 (8-0)

ESPN/USA Today Poll -- #16
Associated Press Poll -- #18

OU takes fall but could land in Sugar Bowl

BY RACHEL COHEN
The Dallas Morning News
(KRT)

KANSAS CITY, Mo. -- Kansas State overcame 69 years of history and an Oklahoma team that had been called one of the best in history to post a stunning 35-7 upset Saturday night.

The Wildcats won their first conference title since 1934 by shredding the defense of the top-ranked and undefeated Sooners in the Dr Pepper Big 12 Championship in front of 79,451 at Arrowhead Stadium.

All is not lost for OU (12-1). Most BCS expects predict the Sooners will still play in the Sugar Bowl -- the national title game.

Much was gained by No. 13 Kansas State (11-3). It was offered a Fiesta Bowl berth afterward and will make its first BCS appearance.

The Wildcats, victims of a title-game upset in 1998 that cost them a shot at a national championship, played the spoiler this time.

Their seventh straight win capped a remarkable turnaround from a three-game losing streak.

Kansas State did to OU what no other opponent could. The Wildcats intercepted Heisman Trophy favorite Jason White twice.

Kansas State's Eli Roberson outplayed White, passing for 227 yards and a title-game-record four touchdowns. Running back Darren Sproles had 323 yards of offense.

OU had left most of its opponents in its dust by halftime, but a critical series of plays midway through the first half swung the momentum to Kansas State.



KRT PHOTOGRAPH BY TOM FOX/DALLAS MORNING NEWS
Oklahoma receiver Will Peoples (29) can't pull in a Jason White pass because Kansas St. defender Cedrick Williams (4) interfered on the second quarter

Dominant LSU defense whips Georgia in a 34-13 SEC Championship win

BY JIM MASHEK
Knight Ridder Newspapers
(KRT)

ATLANTA -- They brought the house, as promised, and Georgia quarterback David Greene bore the brunt of it.

The LSU Tigers' relentless defense added another victim in their biggest game yet, a Southeastern Conference championship game that was essentially over at halftime.

LSU used a big-play offensive attack and its usual defensive resolve to push the Bulldogs all over the

Georgia Dome on Saturday night. The Tigers clobbered Georgia, 34-13, to earn their 12th victory against a single defeat, and now they'll wait to learn if they did enough to play for a national championship.

"I want what's best for our team," LSU coach Nick Saban said. "I'd love to see us have the opportunity to play for a national championship, but we don't know if that's going to happen. I believe in the (Bowl Championship Series) system, I'll live with the system."

It seems the Sugar Bowl, which takes place on Jan. 4 in the Louisiana Superdome, will pair No.

1-ranked Oklahoma, even after its loss to Kansas State in the Big 12 championship game, against second-ranked Southern California (11-1) or No. 3 LSU. Southern Cal buried Oregon State 52-28 on Saturday, but the Tigers may have gained some BCS ground when Syracuse pummeled Notre Dame 38-17 earlier in the day.

All that was left for LSU was to take care of its business, and the Tigers did that with a sense of style before a sellout Georgia Dome crowd decked out largely in OU red and black.

"We just got beat by a better

team," Georgia coach Mark Richt said. "You've got to give them a lot of credit. They really dominated this game. Their defense brings a lot of pressure and forces you to execute."

LSU's defense came at the Bulldogs in waves, keeping Greene from establishing any kind of rhythm against the Tigers' secondary.

It was LSU's second SEC championship in three years. The Tigers upset Tennessee 30-21 in the SEC title game in 2001.



KRT PHOTOGRAPH BY JASON VORHEES/MACON TELEGRAPH
Georgia defensive end Robert Geathers knocks the ball loose from Louisiana State quarterback Matt Mauck during the first quarter of the SEC Championship game

THE SIDEBAR

COURTESY OF BRONCO SPORTS

Boise State's Coach Patton wins award

Boise State Men's Tennis Coach Greg Patton is the national winner of the USTA/ITA Community Service Award. He will be honored on Dec. 12 at the ITA Coaches Convention at the Doral Golf Resort and Spa in Miami, during the ITA General Membership Meeting.

Patton has been involved in numerous activities benefiting the Boise area, Idaho Tennis Association and USTA Intermountain Section.

Some of the events Patton has been involved with this past year benefiting area youth were: the Southern Idaho Junior High School Clinic, involving over 300 players from ten junior high schools in the Boise area; the Idaho High School Leadership Conference, as the key note speaker; and the Junior Clinic/Games at the USTA Intermountain Labor Day Sectional Tournament in Boise.

He also conducted several clinics and workshops for local junior players, the Corporate League of Idaho and area junior high and high school coaches.

Patton has contributed to the local community through his involvement in: a leadership and tennis clinic and workshop for community leaders from Nampa, Idaho, which offered a combination of team building and leadership skills in a context of a tennis clinic; the Sue Burke Multiple Sclerosis Trust Benefit, a tennis clinic and exhibition with Tom Gullikson to benefit the MS organization and teaching pro Susan Burke; and the Make-A-Wish Foundation of Idaho.

Patton coached at Boise State from 1992-98 and resumed coaching here again last spring, leading the Broncos to the 2003 WAC Men's Tennis Championship. He is also the community service award recipient for the USTA Intermountain Section, which encompasses the states of Colorado, Idaho, Montana, Nevada, Utah and Wyoming.

This is the inaugural year for this award in the USTA and ITA.

Bronco men's basketball team defeats Idaho 81-69

The Bronco men's basketball team defeated the Idaho Vandals, 81-69, Saturday night. Jason Ellis led the charge with 16 points and 19 rebounds.

Ellis was one of four players who scored in double figures. Jermaine Blackburn had 18 points as the Broncos' leading scorer. Aaron Haynes added 15 points, five rebounds and five assists. Bryan Defares added 10 points and grabbed seven rebounds.

The Broncos trailed 38-33 at the half, but went on a 19-2 run to start the second half and never trailed again. Boise State (4-1) held Idaho (1-4) without a field goal for more than six minutes to start the second half.

The men will next head to the eastern part of the state to play Idaho State on Dec. 10.



The Navy Midshipmen celebrate as Navy beat Army 34-7. KRT PHOTOGRAPH BY RON CORTES/PHILADELPHIA INQUIRER

Navy Overruns Army, 34-6

BY KEN MURRAY
The Baltimore Sun

PHILADELPHIA -- At Friday night's team dinner, Navy's football team got a reminder of what its annual tussle with Army means in a broader spectrum. It arrived in the form of a United States flag.

"We had a flag sent to our football team that flew over the airport in Baghdad," Coach Paul Johnson said Saturday night. "They thought enough of the Army-Navy game to pull that flag down and send it."

Navy returned the favor with a methodical 34-6 victory over Army at Lincoln Financial Field in Saturday's 104th edition of the rivalry. The Midshipmen unleashed a running game that was as gung-ho as the raw weather, gouging the Black Knights for 359 yards on the ground.

Leading the way was fullback Kyle Eckel, a Philadelphia-born junior who piled up 152 rushing yards, two touchdowns and the game's MVP award.

"It's bigger than football," he said of the Army-Navy game. "I don't know if there's any other game like it."

In their season of resurgence, the Midshipmen climbed another rung up an improbable ladder. By sweeping Air Force and Army this season, they earned the academy's first Commander in Chief's Trophy in 22 years for service football superiority. At 8-4, they are tied for the third-most wins in the team's past 40 years.

And one year after going 2-10, they're going to the Houston Bowl on Dec. 30, to play either Texas Tech or Nebraska. The opponent will be announced Saturday.

"We knew we had some good players," Eckel said. "We had to learn how to win. We've been losing for a pretty long time, so we learned a lot. This year, we used everything we learned."

Army may take some consolation in that discovery. The Knights became the first Division I-A team to go 0-13. That's about all they got out of Saturday's game, though.

Navy never trailed after a 14-play drive covering 74 yards and 6:40 on the clock opened a 7-0 lead with its first possession. But its precision triple-option offense bogged down after that and



Naval Academy's Midshipman march into the stadium at Lincoln Financial Field in the 104th playing of the Army-Navy game. KRT PHOTOGRAPH BY DAMON J. MORTIZ

The Midshipmen had to settle for a 13-6 halftime lead.

It wasn't until the fourth quarter that they finally broke the game open on Eckel's two scoring runs (16 and 12 yards). But it was never really in doubt after they started the second half with an 80-yard touchdown drive.

Despite a total offense of 414 yards, a 10-minute advantage in time of possession, and only one penalty (for 5 yards), Johnson played the role of perfectionist afterward. He thought Navy should have played better.

"We probably didn't run the ball as good as we could have," he said. "We were OK. Our guys missed some opportunities. (But) give Army credit. I thought we played in spurts offensively."

The Midshipmen averaged 5.4 yards per carry on 67 rushes, a shade under their 5.5 average coming in. But on a day when the bitter elements would seem to have made their option offense a risky proposition, they handled the ball superbly. Their only turnover was an interception, and not one of senior quarterback Craig Candeto's pitchouts found the frozen ground.

"It wasn't too bad," Candeto said of the cold. "The field was a little wet, but the refs did a nice job of changing the ball. And we had hand warmers, so it wasn't a big factor."

Candeto ran for 58 yards to join Eckel as 1,000-yard rushers this season. It's the first time in Navy history the team has had two players go over the 1,000-yard mark.

The rush line was a long one. Slotbacks Tony Lane (71 yards on three carries) and Eric Roberts (38 yards, two touch-

downs) both burned the Army perimeter with Candeto's perfect pitches. Lane had the longest run of the day when he bolted 54 yards to set up Eckel's first touchdown in the fourth quarter.

Roberts contributed the best pass-receiving play of the game, too, when he one-handed a Candeto pass at the Army 7 and fell to the 5. The pass covered 19 yards. Two plays later, Roberts punched in a 2-yard touchdown run that gave Navy a 20-6 lead in the third quarter.

Miami juniors Wilfork, Taylor, Winslow reported to turn pro

BY OMAR KELLY
South Florida Sun-Sentinel
(KRT)

MIAMI - Miami is expecting the early departure of three juniors who will likely become first-round picks in April's NFL Draft.

Sources say tight end Kellen Winslow, defensive tackle Vince Wilfork and safety Sean Taylor have informed UM coaches of their decisions to leave school early.

UM is having the game film for all three, and junior cornerback Antrel Rolle, evaluated by the NFL's advisory com-

mittee so they will get a more accurate assessment of their draft status.

Rolle, who boosted his stock by shutting down Pittsburgh wide receiver Larry Fitzgerald for the second straight year, appears to be undecided about his decision because he's not a guarantee for the first round.

While the early exits won't help the Hurricanes on the field next season, it will aid coaches in recruiting because high school prospects want to play for a program that can produce NFL talent.

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A&E

Holiday Music at Boise State

Holiday concert will feature all seven of Boise State's Choirs



ILLUSTRATION BY DAVID HABBEN/THE ARBITER

JAKE HANSEN
A&E Writer

It's that time of year again. That's right: Christmas time. I'm not sure what the general consensus BSU's student body is, but, at age 20, I am just as excited for Christmas as I was when I was a boy. I'm excited for the colors and the shops and the joyful attitudes most people have during the holiday. I can't wait to go back to my hometown and see snow (though I hate it any other time of the year). In short, I am in the mood for Christmas.

And, at Christmas, there is a tradition that I think is more beautiful than any other yearly tradition--choirs. For as long as I can remember, my family has gone to the Christmas pageant put on by the local high school. So when I saw that Boise State would be putting on the "Choral Holiday Program" Tuesday, Dec. 9, I jumped at the opportunity to get a preview of this year's event.

Giselle Wyers, the conductor of four choirs (including the Meistersingers, BSU's most advanced, award-winning choir), and Director of Choral Activities, is a lucky woman, getting to spend each day in the presence of such

amazing musical talent. This year, the choir was one of only three choirs selected to sing at the 2004 American Choral Directors Associations (ACDA) Northwest Conference, a very prestigious honor.

Before our interview, I lingered outside of the practice hall where the Meistersingers were preparing for this year's event. The beautiful chorus that poured from the room and into the hall filled me with joy and anticipation.

The holiday concert will feature all seven of Boise's choirs including the University Singers, Men's Chorus, Combined Women's Chorale, Vox Angelis Women's Chorale, Vocal Jazz Ensemble, Chamber Singers and the Meistersingers. I asked Wyers what she thought the highlights of the performance would be and what the audience could expect. "Variety. And a lot of the traditional holiday songs. It's a great show for the entire family. And a wonderful way to get into the holiday spirit."

The choirs will be performing a variety of songs. Some will be singing up-beat songs, and some will be of a slower, more mysterious nature. There will be songs from nearly every time period--sung in Hebrew, Old English, Spanish, Latin

and German. When I asked Dr. Wyers what was the best part about this year's program was, she said, "Bringing everybody together to sing as one choir. One full sound." And, indeed, full it will be. The combined total of performers from the seven choirs should total approximately 150 people.

Organizing this many individuals was no easy task. The choirs began practicing for the holiday event in early October and have been working hard ever since. Three separate conductors are cooperating to create this massive performance. Wyers will conduct the University Singers, Combined Women's Choral and Meistersingers. Boise State's Jim Jirak, will conduct the Men's Chorus and the Vocal Jazz Ensemble. Finally, Boise State graduate teaching assistant Steve Kuykendall will conduct the Vox Angelis Women's Chorale. Wyers has a great deal of confidence and respect for both men and their respective abilities.

Some of the pieces to look forward to are, "Go Tell it on the Mountain," "Ding Dong! Merrily on High," "Deck the Halls," "Wachet Auf," as well as Wyers' favorite "Corpus Christi Carol." Each choir will perform separately and then com-

bine for what will undoubtedly be the evening's highlight--all seven choirs singing "Do You Hear What I Hear?" together. In addition to the choir, Felix-Andrei Constantinescu, an exchange student from Romania who is working on his master's degree here at Boise State, will be playing piano. Wyers said that, "He is a beautiful pianist. A very talented person." Peggy Jo Wilhelm, a faculty member, will be also accompanying on flute.

At intermission, the choirs will be having a "basket auction." Local businesses have donated a variety of items and Wyers and staff have arranged the gifts into four baskets to be auctioned off. All proceeds earned will go to benefit the Meistersingers.

The show is free for all students and those under 18. Adult admission is \$5 and senior admission price is \$3. Students do not need to obtain tickets beforehand, though ID will be required.

Finally, if any tenors are interested in singing for Boise State, Wyers and the Meistersingers have three openings. They need the new members for the ACDA NW Conference, so contact her immediately at 426-2400, or at gwyers@boisestate.edu.

Local writer/artist premieres zine

Benefit concert to be held at Neurolux

BY JESSICA ADAMS
Managing Editor
The Arbitrator

Equilibrium, a locally-produced, independent magazine edited by Amy Garrett, features the poetry, short stories and drawings of several young writers and artists in Boise. The winter 2003-2004 issue of Equilibrium offers an interesting read brought to you sans advertising dollars--sure to please those in search of creative works free from the pressures of costly production methods.

Composed of brow sweat and standard white copy paper, Garrett's publication is all black and white, with a cover image resembling "Metropolis," industrial and clouded, with Orwellian eyeballs popping out of heads.

The writing inside is also reminiscent of smoking barrels. It's dark stuff, but not that dark. Well, some of it's that dark. None scary, though. Once inside, try reading it backward, then forward, then just flip to random pages--that's what you have to do to get a good sense of the work.

A lot of the writing and art featured in Equilibrium V deals with anxiety about technology and can be read as a critique of humanity's

faith in technology to save mankind. One piece in particular stands out, Garrett's own, "Atari Weirdo Ten Years Later," a poem that describes the remote-controlled actions of a video-game character.

Another prominent theme of these works is death. Jason Bright contributed his simply titled short story, "Green," which chronicles the emotions brought out by the suicide of a childhood friend, and an overcast sky that puts a green tinge on everything. A poem by Chris Hansen, "Suburban Worries," illustrates the demise of suburban lifestyles--signaled by schoolchildren shooting classmates and themselves.

A particularly striking drawing by Stasha Nash depicts a woman's undertaking to love herself, with the word "wonderful" written on her face and words such as, "mom," "respect," "independence."

Although many of the works deal with sensitive subjects, the contributors offer hope in the form of media activism. They deal with issues with more honesty than do mass media, as the latter seeks to appeal to endlessly wider audiences.

Equilibrium V represents an alliance among local artists and writers whose goal is to keep their creative property untainted by corporate interests. Sure, it'd be nice to make a couple extra bucks, but clearly that's not what Garrett and her cohorts are out to accomplish.

If you go...

A benefit concert to support Equilibrium V will be held at Neurolux Wednesday night, beginning at 8 p.m. The cover charge is \$3 and Garrett will sell copies of the new issue for \$3 on this night. Local musicians, Kris Doty, Tim Andrea, The Slaves and Travis Ward and The Junkyard Bandstand are slated to perform.

POETRY

Nothing Erases this Feeling Between Me and You,

So She Thought
By Brandon Follet

Dreams separated by miles, a fluctuating speed limit, a slow car, depression, and an accident. Time for Veronica and Aaron at this moment, 8PM.

She's at 10th Street Station in Boise, Idaho waiting for time to signal the days end. Minutes pass by through observation of couples. One woman holds a man's hand at the end of the bar. A man's thumb rubs his girl friend's leg at a table underneath the Budweiser car hood. A couple just kissed beside the Western Union sign. The entrance door slams

a woman runs out-- he doesn't follow.

Aaron's at his parents home in Middleton, Idaho anxious for time to cease. On a couch between he and his cat a stack of newspapers that span the globe. Today's Idaho Statesman rests on his lap. The front-page headlines read: Boise State University football coach makes a million plus. Boise State University tuition dramatically increases. The snip snip of scissors keeps rhythm to the Dead Kennedys. He scotch tapes the articles to a wall. A shrine is built that reflects economic success and defeat.

Cindy Lauper song, I Drove All Night plays. Music always gives Veronica

perspective. The lyrics: "what in this world keeps us from tearing apart. no matter where I go I hear the beating of your heart. I think about you when the night is cold and dark no one can move me the way that you do nothing erases this feeling between me and you."

10th Street Station falls away in the rearview mirror. Veronica looks out the driver side window moments from four months ago appear. The images advance like a projector. Veronica and Aaron stumble as they try to swing dance at the Blues Bouquet, play a game of cribbage at Flying M Coffee House,

share kisses at Skinny Dipper hot spring.

Scissors become idle. On the shrine appear images of two months ago in Aaron's life. He lies in a hospital bed. Nurses feed tubes up his nose, up his veins, down his throat. The medical bill \$30,000. Cosmic Bertha, a Volkswagen bus, totaled. A dead deer. College graduation postponed.

In the driver's side window Veronica sees an optimistic future. Aaron slides a ring onto her finger. A wedding dress lies on her bed. The Pixies, La La Love You plays. A slow dance begins. Veronica smiles.

On the shrine emerges the present. The price tags of medical bills, wedding rings, a honeymoon, a house. The price of comfort, a big question mark. Aaron cries.

The road runs black and straight. The car window rolled down summer air not yet cool. Cruise control set the engine makes a gentle purr. Cindi Lauper changed out for National Public Radio.

The car slows as it enters Middleton. The radio voice: According to the March 2002 National Consumer Council newsletter, 13 percent of American families have credit card debt that exceeds 40 percent of their income.

According to the National Strategy for Suicide Prevention, suicide is the 11th leading cause of death in America. Of the 16,000 calls the Southern California suicide hotline receives annually, 10 to 15 percent are callers facing debt.

Veronica turns down Aaron's parents' driveway. A bang and brilliant flash of light illuminates a second story bedroom window. Her cigarette drops onto the gravel.

lyrics from: I Drove All Night Statistics taken from a suicide website

You can check out Brandon in his band Veronica and the Mental Foreplays, and others, on December, 13 @ The Mint in Hailey, ID. 9:00pm

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Looking scruffy was Tom Cruise's call in 'The Last Samurai'

BY STEVEN REA
Knight Ridder Newspapers
(KRT)

If Tom Cruise looks kind of bloodshot and disheveled in "The Last Samurai," don't blame Marshall Herskovitz or Edward Zwick. The producer-cowriter and director, respectively, of the \$100 million historical epic were just heeding their star.

"It was all his impulse to mess himself up," explains Herskovitz. "To wear a beard, to have the long hair, to have Lois Burwell, who was our wonderful makeup artist, add years to his face. ...Tom wanted that. He said that's who the guy is."

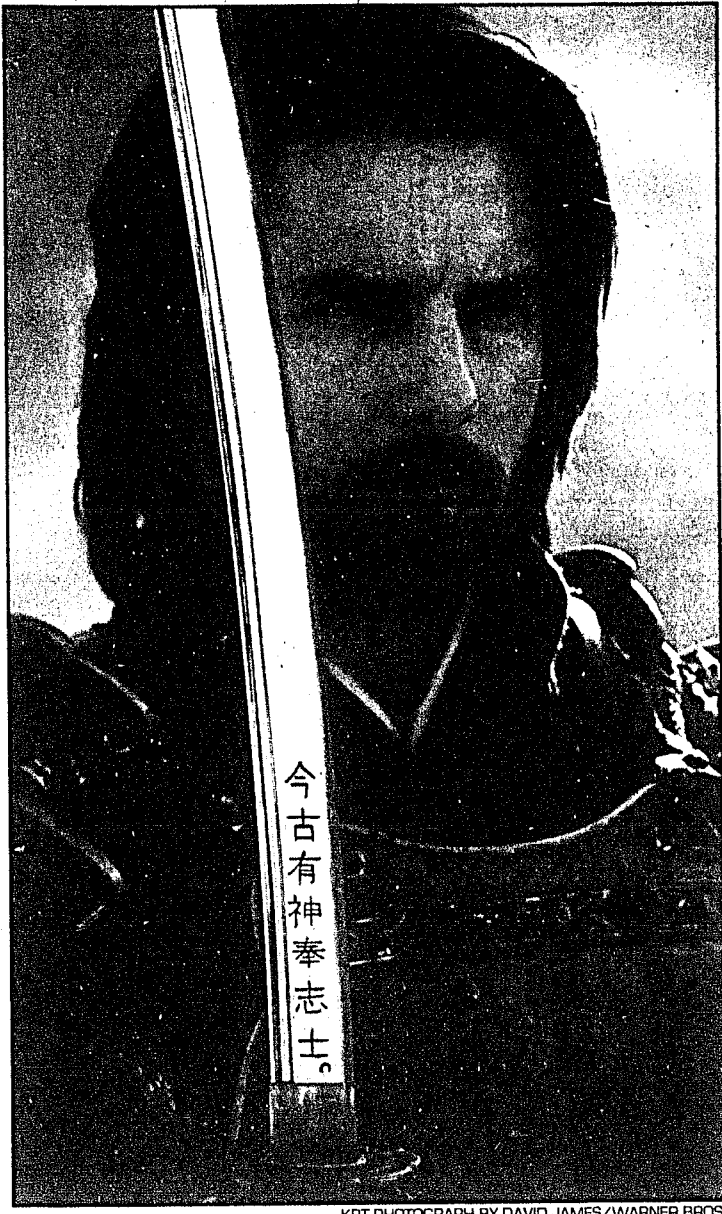
The guy Cruise is, Nathan Algren, is a Civil War veteran and career military man hired by the Imperial Army of Japan to train its troops in Western-style combat to deal with an uprising of the tradition-bound warriors, the samurai. Turned sour by his involvement in the Indian Campaigns that decimated tribes across the American West, Algren has become a drunken, cynical mercenary.

His time in 1870s Japan changes Cruise's Algren — as he finds himself living among the samurai, learning "bushido," the way of the warrior. The bloody, R-rated "The Last Samurai" opens in theaters Friday.

"Tom was really fascinated by the whole concept, and how the samurai lived. It spoke to him, I think, very personally," says Herskovitz.

"I think people have an image of Tom from some of his films, like 'Mission: Impossible,' but then there's the Tom who did 'Born on the 4th of July' and 'Magnolia.' As Ed likes to say, he's really a character actor deep inside. He actually really wants to immerse himself completely in a part and transform."

Herskovitz and Zwick have



Tom Cruise stars in an epic action drama set in 19th century Japan, "The Last Samurai."

known each other since the mid-'70s, when they were enrolled at the American Film Institute. In 1985 they formed the Bedford Falls Co., named for the town in "It's a Wonderful Life." Their '80s TV series, "thirtysomething," set in the Philadelphia 'burbs

(whence Herskovitz hails), was a benchmark of baby-boomer self-reflection. Herskovitz and Zwick have worked as a producer-director team on the Brad Pitt-Anthony Hopkins opus "Legends of the Fall," as well as on the recent ABC series "Once and Again."

Separately, Zwick directed Denzel Washington and Matthew Broderick in "Glory" and Washington and Meg Ryan in "Courage Under Fire." Herskovitz, who has one feature to his credit as a director — 1993's "Jack the Bear" — has produced the films "Traffic" and "I Am Sam."

Bringing the changing world of 19th-century Japan to the screen was something both men were keen to do.

"It was really a remarkable time in Japanese history," says Herskovitz, who, with Zwick and screenwriter John Logan, delved into the history books and archives. "Japan had just opened itself up to the West in 1854, and in the space of 20 years they had completely transformed the society and a lot of people were having trouble with that. The samurai class was being dispossessed, and a bunch of them were rising up in revolt. It was a very dramatic period."

It was also a very dramatic shoot. Production crossed three continents — two weeks in Japan, seven weeks in Los Angeles and five months in New Zealand, where a team of 200 carpenters built a 19th-century samurai village outside of New Plymouth, on the country's North Island. Filming began in 2002 and went well into 2003.

"It was a very long and very tough shoot, just in terms of the physical demands," says Herskovitz, on the phone

from Washington just before Thanksgiving. At times, the production crew swelled to 1,200: 300 to 600 Japanese extras, 400 New Zealanders, and a U.S. contingent of 200 to 300.

"When Tom turned to us one day and said, 'Well, this is the biggest movie I've ever worked on,' we all got a little bit scared," Herskovitz recalls, laughing. The decision to shoot in New Zealand, home of the Hobbits and warriors of Peter Jackson's "Lord of the Rings" trilogy, was based on economics and landscape.

"Japan today is very different to how it was in 1876," says the producer. "And although there are unspoiled areas, they're very remote. It was difficult, just in terms of the logistics, to make it work."

"Ed did a lot of scouting in Japan, and then a lot of scouting in New Zealand, and there were a lot of things to recommend New Zealand — obviously the open spaces, which are remarkable there. Where we built the village, you could turn the camera literally 360 degrees and not see anything of the modern world."

Cruise, who speaks some Japanese in the film, is surrounded by a cast of great Japanese actors: Ken Watanabe, Hiroyuki Sanada

and Koyuki, the popular model-turned-actress who portrays a widowed villager at first repelled by the Westerner ("He smells," she says with a frown) and then compelled to throw a lot of moony glances his way. Brits Billy Connolly and Timothy Spall and American Tony Goldwyn also star.

Logistically, the most difficult undertaking for Herskovitz and Zwick was the picture's climactic battle, in which a mass of rifle- and cannon-equipped Imperial soldiers face the noble, sword-slinging — and seriously outnumbered — samurai. More than 50 horses were deployed.

"The battle scene had every single department head very nervous for many weeks," says Herskovitz. "There was a lot of physical danger in it from the weapons and in terms of the horses. It was just on such a huge scale."

"And also, it was such an articulated battle. It wasn't a battle scene where they come, they clash, and it's over. This was a battle scene that had, basically, three acts and told a lot of story. So, that raised the level of difficulty tremendously. In the end, it took us 31 days, with two units working all the time, to film that one sequence. I get tired just thinking about it."

'Angels' looks heavenly: Pacino and Streep star in a mini-miracle

BY DAVID BIANCULLI
New York Daily News
(KRT)

Tony Kushner's epic two-part Broadway play, "Angels in America," is a drama about miracles, faith and mutual support. That makes it altogether fitting that the creative team behind HBO's six-hour adaptation had the faith to attempt it on a grand scale, and supported each other, from the biggest star to the actor with the smallest part.

In the process they crafted a minor miracle: a TV version of an acclaimed play that feels like a movie, and one of the grandest of miniseries. HBO Films president Colin Callender, with this \$60 million gamble, has delivered a masterpiece.

On Broadway, the two parts of "Angels," "Millennium Approaches" (1993) and "Perestroika" (1994), won Tony Awards in their respective years; "Millennium" also won a Pulitzer. On HBO, the two plays will be televised one week apart, this and next Sunday night at 8 EST, and also will be repeated in hourly segments throughout the week.

I recommend the three-hour maximum doses, but make sure you see it. For a miniseries, "Angels in America" is so ambitious, challenging and meaningful that it deserves mention right along with the best miniseries ever written for television, Dennis Potter's "The Singing Detective."

"Angels" is an adaptation, not an original work — but the way director Mike Nichols and teleplay author Kushner have opened things up, it should almost be considered a new creation. Central Park is used often and powerfully enough to count as one of the play's main characters — and from the visually audacious special effects to the most delicate and intimate scenes, this TV "Angels" never feels stage-bound. Like an angel, it soars.

The first-ever teaming of film legends Al Pacino and Meryl Streep has gotten most of the advance press — he for playing venal Roy Cohn, she for playing several roles, from a Mormon mother to an aging, male rabbi. And yes, they're both fabulous.

Pacino's Cohn embodies feistiness even at his most infirm, and Streep, as ghostly presence Ethel Rosenberg (one of the real-life Cohn's most famous and tragic targets), puts on a clinic about how to deliver an astonishing performance while saying little or nothing.

Though those two superstars are so great, the rest of the cast accomplishes the unthinkable: When Streep and Pacino aren't on screen, you don't miss them. Give credit to Kushner for writing a story so involved, and characters so clearly delineated, that you care deeply about everyone in the play. Then give credit to a truly superb cast.

Emma Thompson and Jeffrey Wright (who won a Tony for

"Perestroika") are among the other actors who, like Streep, tackle multiple roles. She shines both as a nurse and an angel, he mostly as a compassionate yet queenly night nurse.

Yet there are many other standouts as well. There's Justin Kirk as Prior Walter, who contracts AIDS in this story, which is set in the second half of Ronald Reagan's term; Ben Shenkman as Louis, who begins the play as Prior's lover; Patrick Wilson as Joe Pitt, a conservative Mormon lawyer; and Mary-Louise Parker as Pitt's confused and unhappy wife, Harper.

I had thought, after seeing Parker on stage and on "The West Wing," that she couldn't charm me any more. I was very, very wrong.

In smaller roles, James Cromwell and "Singing Detective" star Michael Gambon contribute brief but strong pieces to this powerful puzzle, and Thomas Newman's music is, on every occasion, just perfect.

The death scenes and romantic arguments, the punch lines and unblinking nudity, the passionate messages and unexpected turns — discover them all for yourself in the comfort of your living room. "Angels" is hauntingly, unshakably memorable, and ranks among television's finest recent achievements.

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