

respect

A NEWSLETTER ABOUT LAW AND DIVERSITY

WINTER 2003 • VOL.2, NO. 2

Native American Mascots: Racial Slur or Cherished Tradition? *by Phyllis Raybin Emert*

Native American mascots and nicknames can be seen everywhere in our society. People drive Jeep Cherokees, watch Atlanta Braves baseball fans do the tomahawk chop and enjoy professional and college football teams such as the Kansas City Chiefs and the Florida State University Seminoles. Are the use of these symbols a tribute to the Native American people, or as some feel, a slap in the face to their honored traditions?

Across the country, according to the National Coalition on Race and Sports in Media, which is part of the American Indian Movement (AIM), there are more than 3,000 racist or offensive mascots used in high school, college or professional sports teams. In New Jersey alone, there are dozens of schools that use Native American images and symbols, such as braves, warriors, chiefs or Indians, for their sports teams.

In April 2001, the U.S. Commission on Civil Rights recommended that all non-Native American schools drop their Native American mascots or nicknames. The commission declared that "the stereotyping of any racial, ethnic, religious or other group, when promoted by our public educational institutions, teaches all students that stereotyping of

minority groups is acceptable, which is a dangerous lesson in a diverse society." The commission also noted that these nicknames and mascots are "false portrayals that encourage biases and prejudices that have a negative effect on contemporary Indian people."

Harmless fun?

For years, Native American organizations have opposed the use of such *>continued on page 4*

Virginia Cross-burnings Spark National Debate *by Barbara Sheehan*

As Americans, we pride ourselves on freedom of speech. But when do our political and personal expressions cross the line? Does the First Amendment give groups like the Ku Klux Klan (KKK) the right to burn a cross without fear of legal repercussions?

This year, the U.S. Supreme Court will decide this question when it rules on the constitutionality of a Virginia law banning cross-burning with intent to intimidate. The court's decision will help to establish parameters for groups like the KKK, which ignite controversy in our society and push the boundaries of our constitutional freedoms.

What is the meaning of a burning cross?

In an *Oxford American* article, Diane Roberts English, a professor at the University of Alabama, claims that modern-day cross-burnings originated in Scotland where Scots used the burning crosses as rallying symbols *>continued on page 7*

This publication was made possible through funding from the IOLTA Fund of the Bar of New Jersey.

Angela C. Scheck
Executive Editor

Jodi L. Miller
Editor

Editorial Advisory Board

Louis H. Miron, Esq.
Chair

John J. Henschel, Esq.

Maria E. Hernandez, Esq.

Desha Jackson, Esq.

Lisa H. James-Beavers, Esq.

Caroline L. Meuly, Esq.

Robin R. Parker, Esq.

Rafael Perez, Esq.

Lourdes I. Santiago, Esq.

Dr. Maria Schmidt

Amy Zylman Shimalla, Esq.

Dr. Paul Winkler

New Jersey State Bar Foundation Board of Trustees

Daniel M. Hurley, Esq.
President

Lisa H. James-Beavers, Esq.
First Vice President

John J. Henschel, Esq.
Second Vice President

Ellen O'Connell, Esq.
Treasurer

Mary Ellen Tully, Esq.
Secretary

Trustees

Mary M. Ace

Richard J. Badolato, Esq.

Robert J. Boland, Esq.

Terry Paul Bottinelli, Esq.

Patricia C. Carney

Anira Clericuzio, Esq.

Stuart A. Hoberman, Esq.

Stuart M. Lederman, Esq.

Edwin J. McCreedy, Esq.

Louis H. Miron, Esq.

Lynn Fontaine Newsome, Esq.

John H. Ogden, Esq.

Wayne J. Positan, Esq.

Steven M. Richman, Esq.

Dr. Maria E. Schmidt

Ronald J. Uzdavinis, Esq.

Karol Corbin Walker, Esq.

Leonard R. Wizmur, Esq.

Banishing Bias in High Schools *by Dale Frost Stillman*

Last year the cafeteria at Hillsborough High School was the scene of an assault when four students physically attacked Scott Lipich, a bisexual student who was then a sophomore. At least one of the four students allegedly made comments about Lipich's sexuality, turning the assault into a bias crime.

In response to this incident, Hillsborough High School Principal, Doug Poye, addressed the student body via the school's video system calling the incident inappropriate, and stating that everyone needs to be respected regardless of his or her gender, religion, ethnic background or sexual orientation. Poye told students that no one has a right to make anyone feel uncomfortable, and he advised faculty that they must correct students if they hear them using hurtful or disrespectful language. He says that he places someone saying, "That's so gay," in the same category as someone using a racial epithet. Poye wants to "sensitize students to the labels they toss out casually," and believes that they "are making inroads." The incident, he says, raised the school administration's consciousness.

Legislative relief in New Jersey

On the heels of this well publicized incident at Hillsborough High School, New Jersey Governor Jim McGreevey signed a bill in September 2002 that would require each school district to adopt and put into effect an anti-harassment and anti-bullying policy by September 2003. Harassment, intimidation and bullying, based on language in the law, include actions against lesbian, gay, bisexual and transgender students.

New Jersey's Law Against Discrimination also prohibits discrimination in public institutions such as schools because of real or perceived

sexual orientation. The new anti-bullying law strengthens legal obligations that already exist as a result of the Law Against Discrimination. It includes "specific requirements for schools to adopt, implement and publicize policies and procedures for addressing instances of bullying and harassment." As a result, the New Jersey Department of Education developed a model policy that can be implemented in every public school in the state.

When Governor McGreevey signed this bill, New Jersey joined six other states—California, Connecticut, Massachusetts, Minnesota, Vermont and Wisconsin—that prohibit bias in education because of sexual orientation.

What's it like on the front lines?

The attack in Hillsborough brings up the question of what school is like on a daily basis for gay students in New Jersey high schools. For instance, it's not uncommon for 16-year-old Johanna Shultis, a lesbian student, to hear comments about her sexuality as she's walking down the halls of West Windsor-Plainsboro North High School.

"I get upset because people don't respect my lifestyle," says Shultis, who is president of her school's Gay Straight Student Alliance (GSSA). "I try not to say anything in response. Usually, I'll ignore it and then talk to my friends about it," she says.

It's important to find people you can trust and who are supportive, claims Shultis who counts her parents among those supporters. Shultis was "outed" in an English class when other students asked her if she had a girlfriend. She had no intention of "coming out" then, but decided to admit that she did.

Another student at West Windsor-Plainsboro North who is not gay says she "just walked in to a meeting of GSSA last year, and it seemed

interesting.” The members of the club want to make the school safe for everyone, not just gay students, she claims. “Kids are verbally attacked for being gay even if they’re not,” she says. From her observation the students being picked on either deny being gay or they verbally attack back.

Seeking relief in the courts

The incident in Hillsborough is not the first of gay harassment or assault in New Jersey or across the country. Some students have sought justice through the court system. In 1997, a former student at Jefferson High School in Newton filed a federal lawsuit against the school board, principal and other school administrators. Robert McDonald claimed that while he was being insulted and assaulted, administrators turned their backs. McDonald, who is gay, claimed that school officials did not act on his pleas for help and, thereby, violated his civil rights. The suit further claimed that school officials failed to abide by their own anti-discrimination and anti-harassment policies. This was the first case in New Jersey dealing with anti-gay harassment in public schools, and it was settled out of court.

In Reno, Nevada Derek Henkle filed a federal civil rights suit against the Washoe County school district. In incidents similar to the ones at Hillsborough and Jefferson High Schools, Henkle claimed he had been beaten and threatened by other students because he was gay. He further claimed that school officials neither protected him nor punished the students responsible, or investigated his harassment claims. Unlike New Jersey, Nevada does not have laws to protect a gay student like Henkle against bias in education because of his

sexual orientation, nevertheless, the school district did elect to settle the case out of court. In addition, the district agreed to recognize a gay person’s constitutional right to be open regarding his or her sexual orientation and to implement policies to protect gay students.

Offering support

According to the Gay Lesbian and Straight Education Network (GLSEN), a national advocacy organization, there are approximately 38 New Jersey high schools that offer some sort of support group or gay-straight alliance, which promotes tolerance and respect and helps students deal with the harrowing world of high school. Hillsborough High School has Youth Celebrating All Lifestyles (YCAL), which changed its name to Gay and Straight Alliance (GSA), a nationally recognized group, this year. Students belonging to GSA at Hillsborough High are concerned about the way other students in the building are treated, according to Principal Doug Poye. East Brunswick High School formed a group called Gay and Straight Peers (GASP) last year. The group consists of gay, bisexual and straight students. Janet Koenig, last year’s faculty advisor to GASP, said that when the group held meetings, “students would peek in the door to see who was there. There was a real curiosity.”

Health Interested Teens Own Program on Sexuality (HiTOPS), in Princeton, is a group that high school students can join instead of taking a required health course.

HiTOPS students are trained to teach other students about sexuality. They perform skits for various classes, presenting the information in a fun way. Former South Brunswick student, Jessica Merritt, thinks that kids are more

comfortable talking to other kids about sex. She remembers one student who trained with her who “came out” to their group. He had not “come out” to anyone else in the school because he felt uncomfortable, she said.

“The rest of the group and I felt privileged,” said Merritt. “He knew that we respected him,” she said.

HiTOPS also runs two support groups, one for parents—Parents, Families and Friends of Lesbians and Gays (PFLAG) and another for gay, lesbian, bisexual and transgender high school students, called First and Third that meets the first and third Saturday of each month. The goal of that group is to provide both support and a safe place for gay, lesbian, bisexual and transgender students to discuss issues about sexual orientation.

Wendy Michaelewsky, a student assistance counselor at West Windsor-Plainsboro North High School, is advisor to the Gay Straight Student Alliance (GSSA), whose main goal is to heighten the awareness of both teachers and the student body about tolerance and respect. For example, teachers can stop inappropriate language when they hear it, Michaelewsky contends.

“The club provides a safe environment for any student who may be questioning his or her sexual orientation or may have already decided they are gay or bisexual, and it also allows an opportunity for straight allies to provide support for the cause,” says Michaelewsky.

What kind of problems do gay students face? According to Michaelewsky, gay, lesbian, bisexual and transgender students more often than other students find themselves facing substance abuse, [>continued on page 8](#)

Mascots *continued from page 1* <

mascots, finding them offensive and a racial slur against their people. Supporters of the nicknames believe they honor Native Americans and focus on their bravery, courage and fighting skills.

Karl Swanson, vice-president of the Washington Redskins professional football team, declared in the magazine *Sports Illustrated* that his team's name "symbolizes courage, dignity, and leadership," and that the "Redskins symbolize the greatness and strength of a grand people."

In the Native American mascot controversy, the nickname "redskins" is particularly controversial and offensive. Historically, the term was used to refer to the scalps of dead Native Americans that were exchanged for money as bounties, or cash rewards. When it became too difficult to bring in the bodies of dead Indians to get the money (usually under a dollar per person), bounty hunters exchanged bloody scalps or "redskins" as evidence of the dead Indian.

In 1992 seven Native Americans filed a lawsuit against the Washington Redskins football club. Suzan Shown Harjo, one of the **plaintiffs** in the case, wrote in her essay, "Fighting Name-Calling: Challenging 'Redskins' in Court," which appeared in the book, titled, *Team Spirits—The Native American Mascots Controversy*, that they "petitioned the U.S. Patent and Trademark Office for cancellation of federal registrations for Redskins and Redskinettes...and associated names of the team in the nation's capital." In 1999, the Trademark Trial and Appeal Board "found that Redskins was an offensive term historically and remained so from the first trademark license in 1967, to the present." In a 145-page decision, the panel unanimously canceled the federal trademarks because they "may **disparage** Native Americans and may bring them into

contempt or disrepute," Harjo reported. The Washington Redskins appealed the decision and the case is now pending in federal district court.

Demeaning or entertaining?

Supporters contend that such nicknames are an entertaining part of a cherished tradition and were never intended to harm or make a mockery of any group. There is also a financial side to the issue. The sale of merchandise with team mascots and nicknames on items such as t-shirts, hats and jackets brings in millions of dollars to various schools and sports teams every year. A changeover would cost money and render much of the current merchandise obsolete, the teams contend.

Oponents of Native American mascots and nicknames are not concerned about the cost and use words such as disrespectful and hurtful, degrading and humiliating to describe

One New Jersey School Takes Action

Up until the spring of 2001, Parsippany High School students were known as the Redskins. They were the only high school in the state with that nickname. At football games, a selected team member carried a replica of an eagle feather spear and threw it into the ground before play began. The school mascot, Chief Wahoo, in red and white feathered headdress and fringed pants, would lead the fans in cheers to pump up the crowd and the players.

Shortly after the U.S. Commission on Civil Rights issued its recommendation to drop offensive Native American mascots, Parsippany Superintendent of Schools, Eugene Vasile, announced the end of the 45-year-old Redskins nickname and the props and logos that went with it.

"Since 1956," stated Vasile at a school board meeting on May 3, 2001



The Parsippany High School Red Hawk

(as reported by *The Star Ledger*), "the world has changed dramatically and our understanding of human relationships has also changed. Words have meaning."

Although the action by Vasile was opposed by a small group of vocal students and community members, Parsippany High School selected a new nickname and mascot. They are now the Red Hawks in honor of the red-tailed hawk that is native to the Garden State.

what they believe is racial **stereotyping**. They regard the mascots as **caricatures** of real Indians that trivialize and demean native dances and sacred Indian rituals.

"It's the behavior that accompanies all of this that's offensive," Clyde Bellecourt told *USA Today*. Bellecourt, who is national director of AIM, said "The rubber tomahawks, the chicken feather headdresses, people wearing war paint and making these ridiculous war whoops with a tomahawk in one hand and a beer in the other—all of these have significant meaning for us. And the psychological impact it has, especially on our youth, is devastating."

What is the price of entertainment?

What is at stake, opponents of Native American mascots argue, is the self-image and self-esteem of American Indian children.

"Their pride is being mocked," Matthew Beaudet, an attorney and president of the Illinois Native American

Bar Association, explained in "More Than a Mascot," an article that appeared in the newsletter, *School Administrator*. "The Native American community is saying we know you're trying to flatter us, but we're not flattered, so stop."

Washington Post columnist Richard Cohen agrees.

"It hardly enhances the self-esteem of an Indian youth to always see his people and himself represented as a cartoon character," Cohen wrote. "And, always, the caricature is suggestive of battle, of violence—of the

[>continued on page 6](#)



Legal battles across the country

In recent years, the U.S. Department of Justice has investigated a number of alleged civil rights violations regarding Native American nicknames. The legal basis for these investigations was the equal protection clause of the U.S. Constitution and Title VI of the Federal Civil Rights Act of 1964, which protects people from various forms of discrimination. At a high school in Buncombe County, North Carolina, the end result of the inquiry was a settlement in which the school eliminated the name squaws for its girl's sports teams and stopped routine chants of "scalp 'em" at sporting events. In Illinois, a lawsuit was filed against Huntley High School to remove its Redskins name. The controversy ended in May 2002 when the students selected a new nickname, the Red Raiders.

In 2001, New York State Education Commissioner Richard Mills requested that local school districts eliminate Native

American nicknames and mascots. Mills told *The New York Times* that "the use of Native American symbols or depictions as mascots can become a barrier to building a safe and nurturing school community," and implored New York school boards to end their use. Similar actions were taken in Maryland and Minnesota.

In July 2002, New York City Schools Chancellor Harold Levy ordered six city high schools to change their nicknames and mascots because they may be offensive to Native Americans. Civil Rights Commissioners in Kansas and Michigan have also recommended the elimination of American Indian names and mascots.

Aftermath: Moving on at Parsippany High

This is the second year that students at Parsippany High School have identified themselves as Red Hawks and not Redskins. The ferocious-looking, hooked-beak Red Hawk logo is visible everywhere on campus and instead of chanting "Go

Skins" at football games and other sporting events, the crowd now chants "Go Hawks."

The change from Redskins to Red Hawks has been smooth and uneventful, according to Assistant Principal Tom Barnard.

"The transition was very successful. The students have done a great job in moving on, knowing it was time for change," Barnard said. "Their intent was never to be disrespectful (to Native Americans)."

Barnard noted that some seniors occasionally wear their old Redskins jackets, but as the classes graduate and new students take their place, the Red Hawks nickname will become firmly established. As part of Parsippany High School's long history, the Redskins nickname and logo will not be entirely forgotten. Trophy cases will display memorabilia since 1955, including football helmets and other items with the old logo. —Phyllis Raybin Emert

American Indian Tribes: Facts and Figures

- The last major conflict between American Indians and U.S. troops was the Battle of Wounded Knee in South Dakota on December 29, 1890.
- All Indians became American citizens on June 15, 1924.
- Today there are 1,937,391 American Indians living in the United States.

Top Ten Tribes by Population

Cherokee	369,035
Navajo	225,298
Sioux	107,321
Chippewa	105,986
Choctaw	86,231
Pueblo	55,330
Apache	53,330
Iroquois	52,557
Lumbee	50,868
Creek	45,872

Source: 2002 *The World Almanac*

Indian warrior, the brave, the chief, the warpath, the beating of tom-toms.”

Survey says

The mascot issue is most controversial at the local level. Although numerous schools have voluntarily taken action to cease using Native American symbols (see sidebar on page 4) many school boards have refused to do so. Supporters of Native American mascots and nicknames point to surveys, such as the one published by *Sports Illustrated* in March 2002, which found that although most Native American **activists** found Indian mascots and nicknames offensive, the majority of non-activist American Indians were not disturbed by them.

American Indian activists explained the discrepancy in the *Sports Illustrated* article that accompanied the survey, saying, “Native Americans’ self-esteem has fallen so low that they don’t even know when they’re being insulted.”

Harjo, who is president of the Morning Star Institute, an Indian-rights organization in Washington D.C., stated in her essay, “There are happy campers on every plantation.” Harjo implied that although many slaves may have been content with their lives in bondage, the institution of slavery still needed to be abolished and the same reasoning holds true for Native American mascots.

According to the *Sports Illustrated* survey, 87 percent of American Indians who lived off Indian **reservations** did not object to Native American mascots or nicknames. Of the Indians who lived on reservations, 67 percent were not bothered by the nicknames, while 33 percent opposed them.

In addition to the survey, those who would like to keep the traditional Native American nicknames give examples of American Indian tribes that have openly embraced schools and teams using their names. At Arapahoe High School in Littleton, Colorado, for example, the Warriors’ school gym is named for Anthony Sitting Eagle, an Arapaho leader. Every year on Arapaho Day, tribal members come from the reservation to visit with students and teach Arapaho history and traditions. Tribal leaders have also advised the Warriors on how to make their logo authentic, and even persuaded the school to remove a painting on the gym floor because it was offensive to have students walk over it. Similar close relationships exist between Florida State University and the Seminole tribe, Central Michigan University and the Chippewa tribe and the Arcadia High School Apaches in California, who have a relationship with an American Indian tribe in Arizona.

Racial slur or cherished tradition?

The Native American mascot issue has caused debate throughout the country between communities and school boards, students and Native American groups. Although the outcome of the debates has varied from state to state, with some communities refusing to change, the trend in recent years has been to eliminate offensive Native American mascots and nicknames at schools and colleges. Not a single professional sports team, however, has changed its name. Given the strong opinions on both sides and the pending Washington Redskins case, the controversy will no doubt rage on. ■

Debate *continued from page 1*

before going off to war. Crosses would be set on fire on Scottish hilltops to warn of an enemy invasion.

For Americans, burning crosses conjure up images of **lynchings**, the Civil Rights Movement and terrified black citizens in fear of their safety from the Klan. Some contend it is a form of hate speech. But if it is a form of speech, should it be protected under the First Amendment of the U.S. Constitution?

U.S. Supreme Court Justice Clarence Thomas has said that cross-burnings symbolize the Klan's "reign of terror" against black communities and is an expression intended only to cause fear and intimidation for its victims. Therefore, he argues, it deserves no First Amendment protection.

What is the Supreme Court case about?

The pending U.S. Supreme Court case of *Virginia v. Black* involves two 1998 cross-burning incidents in Virginia.

In the first, two Virginia Beach men tried to burn a cross in the yard of a black neighbor. In the other, a man burned a cross during a KKK rally on the property of a fellow Klansman, who had given his permission, and frightened a neighbor of the property owner.

Both of these incidents resulted in convictions under a Virginia law that generally prohibits cross-burning.

Specifically, the Virginia statute states:

"It shall be unlawful for any person or persons, with the intent of intimidating any person or group of persons, to burn, or to cause to be burned, a cross on the property of another, a highway or other public place."



The Virginia Supreme Court overturned the convictions, ruling that the Virginia law was overly broad and violated the First Amendment.

Don't yell "fire" in a theater

While cross-burnings undoubtedly incite fear and, in the opinion of many, suggest violence, a question remains about whether Virginia's cross-burning statute is permissible under the First Amendment.

While he made no predictions about the outcome of the Virginia case, Monmouth County lawyer Eugene McDonald, who speaks to New Jersey high school and college students about constitutional issues, noted that freedom of speech is not an absolute right, and that the courts in the past have placed limitations on certain types of speech.

Summarizing a quote from the late U.S. Supreme Court Justice Oliver Wendell Holmes Jr., McDonald said, "You have a right to free speech, but you can't yell 'fire' in a theater." In other words, McDonald says, the First Amendment does not protect speech that would incite a riot or terrorism.

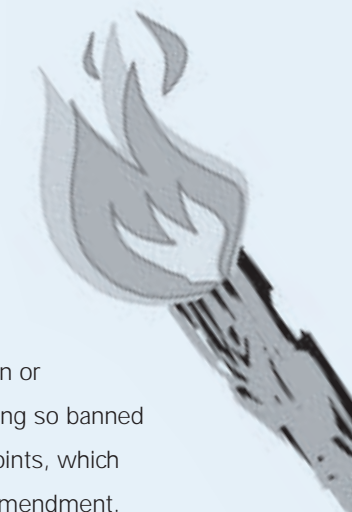
Related to this is a form of speech often referred to in the courts as "fighting words," or speech that provokes imminent hostile reaction. This type of speech is also unprotected. An example of fighting words would be a demonstrator shouting abusive language at a police officer.

Revisiting *R.A.V. v. City of St. Paul*

Lawyers for Barry Black, who is the Ku Klux Klansman involved in the Virginia cross-burning rally, argue that it is unconstitutional to single out the burning of a particular symbol, such as a cross or flag, for punishment. Further, Black's lawyers have compared Virginia's statute to a similar Minnesota ordinance that was deemed unconstitutional by the U.S. Supreme Court in a landmark 1992 case known as *R.A.V. v. City of St. Paul*.

Specifically, the Minnesota ordinance made it a crime to place a symbol on public or private property that arouses anger in others on the basis of race, color, creed, religion or gender.

The U.S. Supreme Court in that case, while denouncing the act of cross-burning in general, concluded that the Minnesota ordinance was unconstitutional, among other reasons, because it was "content-based." In other words, it prohibited speech based on the subjects the speech addressed—specifically race, color, creed, religion or gender—and in doing so banned only certain viewpoints, which violates the First Amendment.



>continued on page 8

activist: a person who actively pursues a political or social goal. **appeal:** when a case is brought from a lower court to a higher court to be reheard. **caricature:** any picture or depiction that exaggerates or ridicules a particular characteristic of a person or thing. **disparage:** denounce, belittle, condemn. **epithet:** a word or phrase meant to demean someone. **homophobic:** derived from the word homophobia, which is an irrational fear of homosexuals. **lynching:** to murder by mob action, usually by hanging. **plaintiff:** person or persons bringing a civil lawsuit against another person or entity. **repugnant:** offensive. **reservation:** public lands set apart to be used by Native Americans. **stereotype:** an oversimplified opinion, prejudiced attitude or judgment regarding a particular group. **virulent:** very infectious; extremely harmful.

Bias *continued from page 3*<

physical threats and **homophobic** remarks, sexual harassment, and skipping school because of safety fears. Michael Lewsky also notes that a high suicide rate is common among the gay student population.

What about Scott?

Last year's bias attack, new legislation, and gay and straight alliances may have raised the consciousness of teachers and students. When Scott Lipich was asked what school is like for him this year, he says, "It's still kind of tough, but this year it's easier. The kids are more aware of what they say. There's always going to be a crowd of people who are homophobic," Lipich contends. His answer? "You choose your friends, and you (are forced to) choose your enemies." ■

Debate *continued from page 7*<

The U.S. Supreme Court opinion in that case stated that "Although the ordinance as construed reaches categories of speech that are constitutionally unprotected, it also criminalizes a substantial amount of expression that—however **repugnant**—is shielded by the First Amendment."

No intimidation allowed

The Commonwealth of Virginia argues that the Virginia statute differs markedly from the Minnesota ordinance because it applies to anyone who burns a cross with the intent to intimidate anyone else for any reason, and does not single out a specific targeted group. Therefore, the Virginia statute is "content-neutral," Virginia argues.

"Cross-burning is an especially **virulent** form of intimidation," the Commonwealth of Virginia wrote in its brief. "Since it is constitutionally permissible to ban all forms of intimidation, it is constitutional to ban its most virulent forms."

Since the case of *Virginia v. Black* was **appealed** to the U.S. Supreme Court, the Virginia Legislature reportedly passed a new law that does not mention crosses specifically, but makes it a crime to burn any object with the intent to intimidate. The old law remains on the books, so the dispute is still relevant. If the old law is deemed unconstitutional, however, the new law would stand, unless it is also challenged.

At what cost freedom?

Though it began with the controversial acts of only a few individuals, the U.S. Supreme Court case of *Virginia v. Black* has gained national attention, and its impact will undoubtedly be felt throughout the nation.

But even as people look to the justice system for answers, McDonald questions whether Americans are spending too much time debating minutia and making laws, and too little time practicing manners and common sense.

"Why do we celebrate bad behavior and turn it into a right? Is that good for society?" McDonald asks. "What defines an American?" he questions. "A lot of people say freedom, but at what cost?" The U.S. Supreme Court is expected to rule on this case by June 2003. ■