



LAW AND SOCIETY REVIEW
AT THE
UNIVERSITY OF CALIFORNIA,
SANTA BARBARA

Volume III

2003-2004

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The *Law and Society Review at the University of California, Santa Barbara* (ISSN: 15448746), is published annually by undergraduate students at UCSB under the leadership of Law & Society Program faculty. The Law & Society Program is an inter-disciplinary major, draws faculty from the humanities and social sciences, and utilizes both a theoretical and empirical approach to the understanding of law, with courses ranging from alternative dispute resolution to human rights. The Program is among the most diverse majors at the University and is designed to explore topics extremely relevant to current issues facing the community, Nation and world. The *Law and Society Review at UCSB* aims to be an interdisciplinary endeavor, seeking creative and original submissions from undergraduates in all majors and disciplines in order to gain a more comprehensive outlook on contemporary law in action within our society. The *Law and Society Review at UCSB* is an undergraduate, peer-reviewed journal highlighting outstanding undergraduate scholarship that increases the body of knowledge in this field.

Selection Criteria

The *Law and Society Review at the University of California, Santa Barbara*, carefully considers all submissions of undergraduate scholarship received. Submissions are reviewed and considered anonymously, without regard to the author's name, major, political affiliation, race, color, national origin, religion, sex, physical abilities, age, ancestry, marital status, sexual orientation, prior publications, or pending publication offers. Authors of submission must have undergraduate standing at the University of California, Santa Barbara, at the time the submission was written and works can be submitted no later than one school calendar year from the author's commencement from UCSB. Publication in the *Law and Society Review at UCSB* does not prohibit authors' submissions to concurrent or future publication in other journals or publications, nor are previously published works in other journals or publications ineligible for publication in the *Law and Society Review at UCSB*, permitting the prior publication allows.

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Katie Alexander graduated during winter quarter 2004 with a B.A. in Law and Society. A southern California native, she is back at home in sunny Dana Point where she is taking a break to enjoy freedom from school and to do some traveling. Katie pursues interests in both writing and art history and hopes to enter a field where she can combine the two. At some point in the future she would like to relocate and experience life in another city and attend either graduate or law school. Currently Katie views life as a blank canvas that is waiting to be filled with what she hopes will be a colorful and fulfilling career.

Dylan Ballard is a recent UCSB graduate with a B.A. in Philosophy. Originally interested in Political Science, Dylan became distracted by the seemingly intractable problems of moral and political Philosophy and instead chose a path of abstract contemplation. When not pondering such problems Dylan enjoys watching and playing sports and living his life according to the precepts of an Americanized version of Soto Zen Buddhism. He will begin attending UC Hastings Law School in the fall.

Jeffrey Thomas Dodd is a senior, graduating with a double major in Political Science and History. Jeff enjoys basketball, baseball, golf and surfing. After graduating he plans to attend law school in Northern California. He would like to pursue a career in public service after he graduates law school. Jeff is a brother at the Alpha Tau Omega Fraternity, where he has served as Philanthropy Chair and Alumni Relations Director, and is also a member of the Phi Alpha Theta Society. He would like to thank Professor Joel Clark for his support on this project.

Christopher Dore is a senior Law and Society major who was born and raised in Chicago, but fled west for better weather to attend UCSB. He will be graduating this summer and plans on attending the International Institute for the Sociology of Law in Spain to pursue his Masters degree with hopes of attending law school upon his return. During winter and spring quarter of 2003, Chris left school to travel independently over a period of six months in South America, South East Asia, and Europe. In his down time Chris enjoys golf and bowling, with the occasional jaunt at tennis.

Helen Theung is a third year senior Law and Society major and Art History and Women's Studies minor. She is currently working on feminist research in the Women's Studies department and will be going abroad to Hyderabad, India this June, 2004. She has focused the majority of her time outside of school independently organizing for social justice causes, including educational teach-ins regarding the World Trade Organization, International Monetary Fund, and World Bank. She is highly critical of these institutions as well as US foreign and domestic policies and plans on working to change them. Her future plans are still unsettled, but include graduate school, law school, and making greater contributions to social justice.

Jennifer Yang is a fourth year Law and Society major with a Women's Studies minor. Jennifer spends most of her time off campus, when not in class. She enjoys working with children, watching movies, and spending time on the beach. Jennifer is interested in women's rights advocacy and civil rights law. After graduation in June 2004, she plans on attending law school or graduate school. She would also like to get involved in women's rights organizations in Los Angeles.

**SANTA BARBARA COUNTY BAR FOUNDATION
PAPER PRIZE AWARDS**

The Santa Barbara County Bar Foundation is the sponsor of the *Review's* annual paper prize competition. Every submission to the *Review* is eligible for the prizes, with first prize receiving \$500, second prize \$200, and third prize \$100. After the submissions have been chosen for publication, the *Review* selects paper prize award winners that exemplify outstanding scholarly undergraduate writing in the field of law and society.

**2003-2004 Santa Barbara County Bar Foundation
Paper Prize Award Recipients**

First Prize

Jeffrey Thomas Dodd

*Curing Disenfranchisement in the District of Columbia:
What Hasn't Worked and Why?*

Second Prize

Christopher Dore

*Exploiting Power: The Assault on Fundamental Rights
in the Post 9/11 World*

Third Prize

Katie Alexander

*College Hate Crimes: Choosing the Best
Method of Mediation*

EDITOR'S NOTE

Three years ago, the University of California at Santa Barbara launched the first-ever online undergraduate *Law and Society Review*. At the time, as with any newly initiated project, many were uncertain as to whether the *Review* would amount to much. However, after three years of publication, I am proud to announce that not only does the publication continue, but the *Review* is getting more and more successful and it is growing in surprising ways. Law Libraries from around the nation, including Goldman Law Library of Yale University and University of Iowa Law Library, are contacting the *Review at UCSB* asking permission to put our publication on their shelves. The recognition we have received is outstanding and could not have been possible without the much needed support we have received throughout our three years in existence.

In fact, the success of the *Review* has come with such recognition that Blackwell, the publisher of the national *Law & Society Review*, has contacted us requesting us to change the name of our publication. In 2004-2005 the *Review* will continue with Volume IV; however, the name will change to the *Law and Society Journal at UCSB*. The request to change the name of the *Review* is additional proof that this "little project" has grown in big ways. The intimidation our journal puts on the *Law & Society Review* is continued evidence that our questionable initiation will turn to be an annual success.

The extensive scope of issues our society is constantly being exposed to further emphasizes that it is imperative a *Law and Society* publication cover a wide assortment of social, political and philosophical issues. Volume III of the *Review* uses the published papers to intertwine law and legal topics with the issues currently covered throughout our society, as well as discuss some issues that we often are not exposed to. The editorial board of the 2003-2004 *Review* was quite selective in their publication decisions. We decided to publish works that cover everything from a letter addressed to the World Trade Organization, to alternative ways of addressing hate crimes in University settings, to marriage by capture in the Hmong culture and how it affects women's rights within the United States, and another paper that addresses concerns involving the September 11th attacks and its' aftermath. The six authors in Volume III of the *Review* represent Law & Society majors as well as an author who majors in both Political Science and History and also a graduate who received a B.A. in Philosophy in June of 2003.

The completion of Volume III could not have been possible without the help of a number of supporters. In addition to those who generously donated to our organization, I would like to extend a thank you to the board members of Volumes I, II and III of the *Review*. Without your initiation and dedication to this project, we could not have reached this milestone. Each of you are appreciated and remembered throughout the making of Volume III.

It is with great pride and pleasure, on behalf of the 2003-2004 Editorial Board, that we present the 2003-2004 Volume III of the *Law and Society Review at the University of California, Santa Barbara*.

SARAH MULDER
Chief Editor, *Law and Society Review at UCSB*