

TUESDAY KENTUCKY KERNEL

Despite
scrutiny
offensive
line still
having fun
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October 14, 2003

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Administration: classroom renovations are priority

Improvement funds have not been hurt yet; if budget problem persists, UK may have to cut back

By Adam Knipp
CONTRIBUTING WRITER

One classroom, once average, was given a facelift in August when it was turned into a practice courtroom from money in UK's classroom renovation fund.

The room, part of the College of Law's U.S. Senator Mitch McConnell Center for Distance Learning, is one of several to be touched by the near-\$1 million account.

"Classroom improvements are a priority so that undergraduate, graduate and

professional students and faculty have access to modern teaching and learning environments," said Provost Michael Nietzel. "It is an ongoing project."

Classroom renovation is still a priority at UK, despite a significant decrease in state appropriations, he said.

This is the third straight year the state has cut appropriations to the university.

The 2003-2004 fiscal year total is \$308.5 million - \$13.7 million less than in 2001-2002.

"The money for classroom improvements is developed annually from the general fund (tuition and state appropriation) and has been a part of the university's budget for many years," Nietzel said.

This year, the budget set

aside for classroom renovation hasn't been hurt, he said. However, if the university's budget is cut again, "this may be a source of funds that will be affected."

The classroom improvement fund was created in September 1999, said Mary Margaret Collier, head of UK Public Relations.

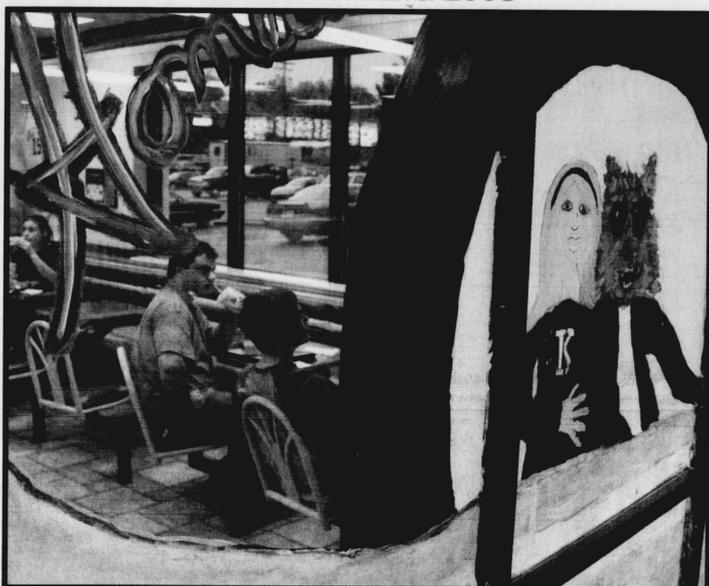
In the last year the university has completed 16 ren-

ovation projects, including multiple classrooms.

At a September Board of Trustees meeting, Todd requested approval of and received funds for the renovation and expansion of numerous buildings across campus, including the UK Art Museum, the Pilot-Scale Mineral Processing facility, the Center for Oral Health

See RENOVATE on 2

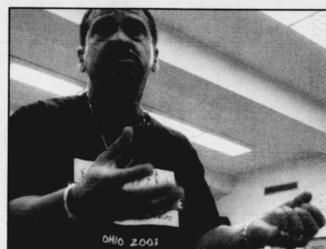
Homecoming 2003



JOHN FOSTER | PHOTO EDITOR

Philosophy senior Jonathan Hacker (left) and architecture senior Billy Boyd eat at McDonald's on S. Limestone as the Wildcat and his favorite cheerleader look on from their pink Cadillac on the window. Window decorations at businesses around campus, themed 'Wildcat Bandstand,' were painted by campus greek organizations as part of this week's Homecoming celebration.

Exonerated inmate speaks about death row and the death penalty



JOHN FOSTER | PHOTO EDITOR

Juan Melendez, who was on death row for a crime he didn't commit, speaks at UK yesterday about his experiences.

By Emily Hagedorn
NEWS EDITOR

The garbage man was his ticket. The garbage bag, his noose. "I take the bag, I twist it, I made a rope. I made a noose," he said. "You're free. Dead, but free."

Juan Melendez considered suicide during the time he spent on Florida's death row for a crime he didn't commit. But at the point when many give up, Melendez found hope, he told the roughly 80-person crowd in the College of Law's Courtroom yesterday.

Falling asleep on his cot, he dreamt of blue skies and water, dolphins and his father waving at him from shore. "I knew right then and there I didn't want to die," he said. "God was telling me he controlled my time."

After 18 years on death row, Melendez was exonerated

See PENALTY on 2

Lottery decides seats for sniper trial

Five seats in courtroom will be left open for the public and a lottery will decide who gets to observe each day

ASSOCIATED PRESS

VIRGINIA BEACH, Va. — Some did it on a whim. Others are interested in watching justice at work. One woman just wanted to get out of the house.

More than 800 people have signed up for a lottery to win a seat for a day in the courtroom with Washington, D.C. area sniper suspect John Allen Muhammad, whose capital murder trial starts Tuesday.

"The last major trial like this that I can remember would be the O.J. trial," said William Dean of Paneytown, Md., who doesn't mind driving 290 miles to attend the trial if his name is drawn.

Unlike Simpson's California murder trial, the Muhammad trial will not be broad-

cast, per the judge's orders — the only way to watch the proceedings will be to be in court.

Most of the about 50 seats in Courtroom No. 10 are reserved, for reporters, security, attorneys and relatives of victim Dean H. Meyers, who was shot to death a year ago at a gas station in northern Virginia.

That leaves five seats for the public to be assigned in weekly random drawings, with each winner being allowed in the courtroom for one day. There will be no public seats during jury selection, when most of the seats will be filled by potential jurors. With testimony expected to take four to five weeks, that means about 125 members of the public will get a seat.

As of Monday morning,

there were 854 entrants, said sheriff's spokeswoman Paula Miller. Some people signed up more than once, but duplicate entries will be weeded out, she said.

People may continue to enter the lottery throughout the trial by filling out a form on the city's Web site or by calling the city.

While most of the entrants so far live in the area, at least one hails from northern Virginia. The judge moved the trial from northern Virginia after defense attorneys argued that all residents there could be considered victims because of the fear the sniper shootings caused.

In all, Muhammad, 42, and Lee Boyd Malvo, 18, are charged with 13 shootings, including 10 killings, during a three-week spree last October in Maryland, Virginia, and Washington, D.C.

Malvo's trial is scheduled

to start Nov. 10 in Chesapeake, which is next to Virginia Beach. The process for allocating public seats during that trial is still being developed.

Maureen Watts of Norfolk thought it would be interesting to sit in on a case that is attracting international attention.

"I did it on a whim," Watts said. "Really, I did it just because I could do it."

Rena Moore of Virginia Beach gave a little laugh when asked why she signed up for the lottery.

"The truth? To get out of my house. I'm on disability," said Moore, who has lupus.

Theresa Miller of Chesapeake, is studying to be a court reporter, so she wants to get some experience sitting in a courtroom during a high-profile case. "I'm certainly not interested in those men whatsoever," she said. "I think they're idiots."

Breathitt not expected to regain consciousness

By Crystal Little
STAFF WRITER

Former Kentucky Gov. Edward T. "Ned" Breathitt is not expected to regain consciousness, according to a UK Hospital official on Monday night.

"The diagnostic evaluation has been completed," said John Gurley M.D., a cardiologist at UK Hospital. "We have determined that Gov. Breathitt collapsed due to ventricular fibrillation, an abnormal heart rhythm that was not caused by a (heart attack). Despite a successful resuscitation, Gov. Breathitt's brain was deprived of oxygen. He remains in a deep coma and is not expected to regain consciousness."

Breathitt, 78, collapsed Friday evening while giving a speech. The Democrat was the keynote speaker at Lexington Community College's Volunteer Appreciation Dinner, held at UK's E.S. Good Barn. Breathitt has not regained consciousness since the incident, and his wife and daughter remain at his bedside while his son, traveling somewhere overseas, may not know what has happened to his father.

Breathitt, a UK law graduate, served as Kentucky governor from 1963 to 1967 and three terms in the state legislature.

The civil rights supporter returned to private practice after his term as governor. Breathitt is a former chair of the UK Board of Trustees and, more recently, became an advocate for local ownership of the Kentucky-American Water Company.

E-mail: clittle@uky.edu



Breathitt

Extended Forecast

Wednesday Rain	Thursday Partly Cloudy	Friday Partly Cloudy
63 46 HIGH LOW	61 46 HIGH LOW	64 45 HIGH LOW

For more weather check out kykernel.com

INSIDE

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Rifle teams looks to build on first win | PAGE 3

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The Low-down

Car driven by Lt. Gov.'s wife strikes female bicyclist

LOUISVILLE — A bicyclist was killed Sunday after being struck by a vehicle driven by Heather French Henry, a former Miss America and wife of Lt. Gov. Steve Henry. Jefferson County Metro Police spokeswoman Alicia Smiley said Heather French Henry was turning at an intersection at 6:30 p.m. EDT when she struck the bicyclist, who was crossing outside the crosswalk. Witnesses told police Henry had a green light at the time. Henry told investigators that the sun was in her eyes, Smiley said. The bicyclist, Karola Stede, 44, died later at University of Louisville Hospital, said Jefferson County deputy coroner Eddie Robinson. Smiley said the woman was not wearing a helmet. The investigation was continuing, but Smiley said she did not expect charges to be filed. Henry, who was Miss America 2000, and her 3-month-old daughter, Taylor, were wearing their seatbelts and were not injured. Peter Brand, a companion of Stede who had been riding with her, said she was a native of Germany who had been living in Louisville for the past several months. Brand said the two had met in Florida and had struck up a relationship.

Union workers at some Kroger stores vote to strike

CHARLESTON, W.Va. — Union workers at 44 Kroger stores in West Virginia, Ohio and Kentucky voted Monday to strike after rejecting the company's contract offer. More than 2,000 members of United Food & Commercial Workers Local 400 approved the strike Monday morning at a meeting in Charleston, more than the two-thirds majority required to authorize a strike, said Local 400 President Jim Lowthers. The union represents about 3,500 workers for the Cincinnati-based chain in 37 stores in West Virginia, five in Ohio and two in Ashland, Ky. Union members planned to set up picket lines at 10 p.m. Monday for workers in West Virginia, Kentucky and Ohio. Kroger proposed an 8 percent, or \$8 million, increase in what it pays into a health and welfare fund administered by a third party on behalf of the company and union. An independent actuary determined the fund needs an additional \$29 million, Lowthers said. Union members would have to pay more for health care, or suffer cuts in benefits under Kroger's proposal. The company's offer also included hourly pay raises of 20-25 cents per hour this year and in 2005, along with lump-sum payments of \$300-\$500 in 2004 and 2006, and an increase in the number of full-time employees by 50 a year for four years, unless store closings or sales reductions make the plan unfeasible. After a strike, some stores may not reopen, Williams said. "I am not aware that any negotiating sessions are scheduled. ... We're always willing to talk," Fralin said.

Former law student indicted in shooting deaths

GRUNDTVY, Va. — A grand jury Monday indicted former law student Peter Odighizuwa on capital murder charges for allegedly killing his dean, a professor and another student in a shooting rampage last year. Odighizuwa, 45, who was deemed mentally competent to stand trial in September despite being diagnosed as a paranoid schizophrenic, will face three counts of capital murder, three counts of attempted capital murder, and six weapons charges in Buchanan County Circuit Court. No trial date has been set yet, according to the clerk's office. If convicted, prosecutor Sheila Tolliver has promised to seek the death penalty. Defense lawyer Jimmy Turk could not be immediately reached Monday. Last month, he would not say how Odighizuwa would plead, or whether Odighizuwa's mental state will continue to be an issue. Odighizuwa, a Nigerian native, came to Grundtv from Ohio to attend the Appalachian School of Law, has been in police custody since classmates tackled him in front of campus on Jan. 16, 2002. School officials said they had previously told him that he'd flunked out of school. Former classmates said in court that they saw Odighizuwa walk through school that day, firing from a small, shiny pistol. Law school Dean Anthony Sutin, professor Thomas Blackwell, and student Angela Dulles died in the attack. Three other students were wounded. While he was on the ground, students said in court they heard Odighizuwa muttering "I had to do it. I had no where else to go. I have nothing else to do." In preparation for his trial, Odighizuwa told court-appointed psychologists he thinks the federal government is engaged in a conspiracy against him and that he continues to be harassed by demonic spirits.

—COMPILED FROM STAFF AND WIRE REPORTS.

UF gets dynamic new president

ASSOCIATED PRESS

GAINESVILLE, Fla. — Just call him Bernie. James Bernard Machen, the new president of the University of Florida, has an uncharacteristic but personable style for a university administrator. He hates meetings, likes to mingle with students, rides a "Utah Red" Harley-Davidson motorcycle and prefers to be called Bernie over President Machen.

Machen, 59, who has spent the last six years as president of the University of Utah, was tapped Thursday by a unanimous vote of UF's Board of Trustees. He will become the 11th president of the state's flagship university when he takes office in January.

A pediatric dentist who also holds a Ph.D. in education psychology, Machen can easily fit in with some of the students on campus.

Students and faculty can expect to see him around campus, eating at the student union, dropping by a fraternity or sorority house, or walking to the office from the

president's home.

"Universities are the most exciting place to be in our society today," Machen said. "Even though it is a 24-7 commitment, a lot of it is just fun. Interacting with young people and the leaders of tomorrow, that is a real upper."

Despite his unassuming style for a university administrator, Machen is known as a man who gets things done and one who rarely backs down from a fight.

Earlier this year, contending state budget cuts were jeopardizing the University of Utah university's education mission, Machen moved to freeze enrollment.

Machen also fought legislators after Utah Attorney General Mark Shurtleff issued an opinion in 2001 saying state law allows only the Legislature to regulate guns — indicating the university's long-standing ban on firearms on campus was invalid.

Gun-rights advocates in the Legislature tried but failed to pass a law that would have financially pun-

ished state agencies that don't follow the Legislature's will. The measure was aimed at Machen for his defiance.

In 2002, the university asked the courts to uphold its gun ban. Machen said he had a responsibility and a right to ensure a safe learning environment.

A state court judge sided with Machen, saying state gun laws don't interfere with the school's right to regulate staff and student conduct on campus.

"Machen has a proven record of being a university president — making tough decisions and sticking with them," said UF student trustee Kyle Jones.

Before his arrival at Utah, he was provost and vice president for academic affairs at the University of Michigan and an administrator at the University of North Carolina at Chapel Hill.

He served on the Board of Trustees for the Salt Lake Olympic Organizing Committee. He inherited Utah's high-profile role in the 2002

Winter Games and saw don't follow the Legislature's will. The measure was aimed at Machen for his defiance.

At Utah, meeting with his vice presidents and deans were on his weekly calendar, but Machen said he gave them a "gold star" for deciding a meeting was not needed.

Machen will be paid a base yearly salary of \$575,000 and can earn a \$75,000 performance bonus, plus benefits and perks, including use of the president's home.

Machen and his wife, Chris, have three grown children.

The employment contract, which is still being drafted, calls for a five-year commitment, with an optional one-year extension.

He will be the highest paid university president in Florida. University of South Florida President Judy Genhaft is second with a base salary of \$325,000.

Interacting with young people and the leaders of tomorrow, that is a real upper."

— JAMES BERNARD MACHEN, PRESIDENT OF THE UNIVERSITY OF FLORIDA

RENOVATE

Continued from page 1

Research in the Dental Building, Bowman Hall and the Reynolds building.

Although some students are content with the general classrooms and renovations completed each year, others would like to see more results.

Bryan Reed, an unde-

PENALTY

Continued from page 1

Jan. 3, 2002, and now tours the country as part of Journey of Hope from Violence to Healing, an anti-death penalty organization.

"I was not saved by the system," said Melendez, 52. "I was saved in spite of the system. I was saved by the grace of God."

Melendez, a Puerto Rican "fruit picker," was arrested in 1984 in Polk County, Fla. He couldn't speak English very well and said he was sure he would be let off since he didn't commit the crime — the murder of a beauty salon owner, Del-

bert Baker.

Still, with no physical evidence linking him to the crime and testimony from questionable witnesses, Melendez was sent to death row in less than a week from the beginning of the proceedings.

"Monday, we pick the jury," he said. "Thursday, they found me guilty. Friday, they sentenced me to death."

Death row was stark and cold, he said.

"When it's cold, the rats want to get warm too," he said of the infestations. "It was a cold place. A lot of people, they think Florida is hot, but there are cold places in Florida."

Melendez spent a longer time on death row than most, said Roberta Harding, a professor of law. Ten to 12 years is

the average.

"If time hadn't been on Mr. Melendez's side, he would be dead," Harding said.

His attorneys found tape with a police informant, Vernon James, confessing to the crime. It had been in his file since before Melendez first appeared in court.

"In the case, the prosecutor knew a month before his trial he was innocent," said Abe Bonowitz, director of Citizens United for Alternatives to the Death Penalty. "To do justice means doing what's right, not what's expedient."

"When they were trying to convict me for something I didn't do, the real killer was still out there," Melendez said.

"Twenty years from now, what can they do if they kill an in-

nocent man? Dig him out and give him his life back?"

Harding agreed with Melendez and Bonowitz.

"It's an irrevocable penalty," she said. "Humans are fallible and make mistakes. Mistakes will be made and people will be spending many years on death row."

"While others said they haven't completely changed their minds on the death penalty, Melendez's story has made them think."

"To lose nearly a score of your life — it's mind boggling," said Greg Napier, first year law student. "I can't say I 100 percent agree with him, but what he said has made me think."

E-mail ehagedorn@kykernel.com

Multicultural and Academic Affairs' Learning Services Center and the University of Kentucky's Career Center Present:

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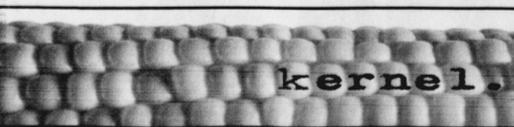
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11:00 AM - 3:00 PM
UNIVERSITY OF KENTUCKY STUDENT CENTER BALLROOM

Attention: Freshmen, Sophomores, Juniors, and Seniors - ALL ARE WELCOME!!!

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Fifth Third Bank	Humana Inc.	Hyatt Regency Lexington	Kroger Manufacturing	Kentucky Community & Technical College System	Levinson Herald Leader	National Security Agency
Lexington Theological Seminary	U.S. E & E Energy	Peace Corps	Personnel Cabinet	Plazer Inc.	Furman University Graduate School	Texas Southern Univ. School of Public Affairs
Northern Kentucky University	Selman O. Case College of Law	UK College of Nursing	UK Graduate School	UK Human Resources Employment	UK MBA	United States Army
UK School of Public Health	United States Marine Corps Officer Program	United States Marine Corps Officer Program	United States Marine Corps Officer Program	United States Army	Walgreens	Xavier University
University of Kentucky Clinical Laboratory Sciences	University of Kentucky College of Law	Yates Tarrig Financial				

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QUOTE OF THE DAY

I was not saved by the system. I was saved in spite of the system. I was saved by the grace of God" - Juan Melendez, exonerated after 18 years



IN THEIR OPINION

Bush rebuffs gays with Marriage Protection Week

During National Coming Out Week, thousands of Americans identify themselves as part of a community facing discrimination far too often.

President Bush's recent declaration that the week following Coming Out Week will be Marriage Protection Week does nothing to help curb this discrimination.

For many individuals, it takes tremendous courage to openly acknowledge their membership in — or support of — the lesbian, gay, bisexual and transgender community.

Sometimes members of the LGBT community must endure hurtful attitudes and misconceptions even from the people closest to them: their family, friends or co-workers.

Given the courage it often takes for people to openly celebrate during National Coming Out Week, the cowardly reaction so many express is all the more disheartening.

Coming Out Week, after all, is nothing to fear. Sadly, people across the United States — particularly this week — feel threatened by

the LGBT community and their reaction is to harbor prejudice against it.

During Coming Out Week, people celebrate with music, food and dance.

People remember the progress the LGBT community has made in this country and examine policies that still hurt this community — policies that disallow military personnel from openly expressing their sexual orientations, for example.

Of course, during this week, many reflect on why American society does not recognize love between two people of the same gender the way it recognizes love between a man and a woman.

On that issue, the discrimination against the LGBT community festers not just in isolated areas or backwater towns — but also in the halls of government, in many of the country's religious institutions, in its courts and even in the White House.

This editorial ran in the Daily Bruin (U. California-Los Angeles). It does not necessarily represent the views of the Kernel.

EDITORIAL WEEK IN REVIEW

Here's a look back at Kernel editorial board opinions from last week. If you want to sound off on any of these, e-mail the Dialogue desk at dialogue@kykernel.com

MONDAY

UK could be looking at a major tuition increase if Kentucky's economy doesn't improve, President Lee Todd announced last week. He said the cost of attending UK could rise 10 percent — or a few hundred dollars per student, starting next fall. That's sad news for students, but that really isn't much UK can do about it.

The increase comes on top of this year's 14.5 percent tuition jump. We still hope, in that case as well as in the current financial situation, an increase was the last option UK officials had to take.

But there are still options that UK can consider for alleviating some of the financial impact that the increase will have on students. One option would be a tuition contract — an agreement between the university and each student that tuition will remain constant within a certain amount of time, given certain conditions are met by the student. In other words, students shouldn't have to budget for an overall tuition increase of 25 percent within three years.

TUESDAY

A recent liberalization of UK's sick and funeral leave policies highlights the university's willingness to be flexible in human resources decision-making. But the changes, effective Oct. 1, also highlight a need for future improvements in employee-university relations.

The most noteworthy part of the changes is an expansion of the policy allowing time off for family illnesses. The previous definition of "family" in the policy only allowed for an employee's spouse or relations living at home; the new definition includes some relatives not living at home and "any legal dependent of the employee."

A positive implication of the policy change is that its vague wording includes unmarried domestic partners — straight or gay. This is hopefully indicative of a desire at UK to develop policies that attract and retain diversity in its work force.

One possible downside to the policy could be the cost, if more and more employees are taking more and more leave, Ferlan said.

"Any negative feedback that I have heard is the financial or fiscal responsibility of doing this," she said of responses to the policy.

THURSDAY

A new safety feature at UK residence halls may prove to be a mixed blessing. In order to gain access to their dorms, all students must now swipe their UK student IDs in a machine located outside of each hall. The IDs only work for the dorm where the student lives, so a student living in one dorm can not get into a different one without being properly signed in.

The measure is designed to keep non-residents from entering dorms without an escort, said Jim Wims, director of Residence Life.

UK is right to make an effort to protect students from random people entering dorms. Unfortunately, the new system contains some flaws making it easy to abuse.

Some students living in dorms say it is easy to gain access by standing outside a door, and waiting for a resident with an ID to come along and open the door for them. Many residents will hold the door simply out of politeness. And it is also possible to steal or borrow an ID, and enter a dorm that way.

UK should do its best to protect students, but this new measure isn't sufficient alone.

MAKE YOUR VOICE HEARD

The Dialogue page is looking for submissions from all corners of campus. Are you a leader of a student organization searching for a way to reach citizens? The Kernel is read by thousands of people daily. Are you a student with a gripe about campus issues? The Dialogue page is a great way to discuss current events. Maybe you just need some extra cash to blow at the bars on Friday night. The Kernel offers paid positions to interested writers. Drop the Dialogue editor a line at jsullivan@kykernel.com.

U.S.-Iraq war fits UK professor's theory on ethnic wars



Ridvan Peshkopia
COLUMNIST

should at least provide the political identity of the attackers.

Media reporters tautologously repeat that these attacks have been committed by lingering Saddamist loyalists, but this is too simple. No one could label as Saddamists the Shi'a leaders when they declared several months ago their opposition, although peaceful, to the coalition forces. And, for the sake of truth, when we mention "coalition forces" we know that means a "subtle" way to refer to the U.S. troops.

Since the attackers usually do not take any public responsibility, it is a bit difficult to reach conclusions about what spurs this guerrilla warfare. It seems to be so ubiquitous that it is unrealistic to vest all of it to Saddam's loyalists.

Many examples show that the erstwhile dictatorship elites' behavior might not be happy; yet, it is not aggress-

sive toward the newly established democracies. This is true for post-war Germany, Italy and Japan and confirmed again in Central and Eastern Europe, including the former Soviet Union. In all of these countries, the former communist elites did not organize guerrillas.

Many members of these elites, despite the fact that they never directly blame themselves, still feel responsible or culpable for misdeeds, errors or crimes of their regime. I do not see any reason to exempt Iraqis.

What seems closer to reality is that the events have precipitated to the level of ethnic hatred. For many Americans enjoying their life in their prosperous country, the idea of hating a remote nation might sound weird; yet, let us try to analyze this in the light of an existing political science theory.

Recently I was reading the prize-winning book *Modern Hatreds* by Stuart Kaufman, a UK political science professor. He argues: "The necessary preconditions for ethnic war are ethnic myths and fears and the opportunity to act on them politically. Ethnic war occurs when the politics of ethnic symbolism goes to extremes, provoking hostile actions and leading to a security dilemma."

Although Kaufman refers just to the ethnic conflicts happening between nations living in adjacent territories, the ongoing U.S.-Iraq conflict fits thoroughly within the parameters of this theory. The only difference is that in Iraq's case it was the security dilemma that fueled myths and fears, rather than the contrary. Yet in this case, like in the examples referred to by Kaufman, it was the security dilemma that ushered in anarchy rather than

vice versa.

The growth of Iraq's military power led to an increasing concern from the US for the security of its interests and its allies. This caused the Gulf War of 1991 and the lingering military presence of the U.S. in the region. This presence spurred Saddam to continue his arming program that, in turn, provoked a U.S. military intervention early this year.

About myths, either side has been very creative: on one side are King Saladin, Heroic Commander Saddam and Osama bin Laden; for the other, Twin Towers, Black Hawk, Rambo, and a herd of schematic heroes provided generously from Hollywood. Fear, one of the elements Kaufman stresses, has been omnipresent. The Americans feared attacks of mass destruction; the Iraqis feared Americans sucking their oil dry.

Kaufman adds: "In some cases, the turn toward extremism is mass-led; in other cases, it is elite-led. Either way war results from a process in which extremist politics and insecurity mutually reinforce each other in an escalatory spiral." By all means, the U.S.-Iraq conflict is an elite-led one following the accurate forecast of Kaufman's theory.

In conclusion, Kaufman's theory of the symbolic politics of ethnic war can be generalized as a theory that might explain a broader range of international conflicts. In the U.S.-Iraq case, it sounds very appropriate.

Ridvan Peshkopia is a student at The Patterson School of Diplomacy and International Commerce. His views do not necessarily represent those of the Kernel.

D.C. sniper TV movie airs



Actor Charles S. Dutton portrays Police Chief Charles Moose in the USA cable movie, "D.C. Sniper: 23 Days of Fear." The movie airs at 9 p.m. Friday and again at 11 p.m.

PHOTOS FURNISHED

Film rushed to production to air while killings still fresh in nation's mind; suspect's trial starts Tuesday

ASSOCIATED PRESS

BALTIMORE — Less than a year after the arrests of John Allen Muhammad and Lee Boyd Malvo, the first movie about the shootings that terrorized the suburbs and exurbs of the nation's capital is here.

"D.C. Sniper: 23 Days of Fear," which premieres 9 p.m. EDT Friday on USA, was admittedly rushed through production to be finished while the shooting spree was still fresh in people's minds.

(Also keeping it fresh in their minds: Tuesday's scheduled start of Muhammad's trial.)

Following books about the sniper probe by Montgomery County Police Chief Charles Moose and two Washington Post reporters, this relatively even-handed docudrama doesn't reveal much.

And while it's nearly impossible to replicate the feeling of waking up every morning wondering if there's going to be another shooting, the movie does capture both the pervasive anxiety of the region and the stunning randomness of the attacks.

"The main question would be, 'Is it too early?' And my answer to that is, 'This is America. We move on very fast,'" says Charles S. Dutton, who stars as Moose. "I didn't want to do anything exploitative or disrespectful to the victims' families, and I don't think this is."

Not only does Dutton bear a passing resemblance to Moose, he also has ties to the area. A Baltimore native, he lives on a farm in Howard County, Montgomery's neighbor to the north.

"I was physically here during just about all the shootings, and those guys

were captured maybe 15 miles from my place," Dutton says by phone from his home. "So although I was maybe 30 miles north of where everything was happening, you could still really feel the anxiety in my area."

Director Tom McLoughlin and screenwriter Dave Erickson, who also collaborated on USA's "Murder in Greenwich," did as much research as they could in the time they had — speaking with investigators and Montgomery County Executive Doug Duncan, among others.



PHOTO FURNISHED

Actor Bobby Hosea (left) and Trent Cameron play the roles of John Allen Muhammad and John Lee Malvo in USA's made for TV movie.

But Moose, who was embroiled in a dispute with the county's ethics commission over whether he could write his book, was not involved with the project. And Dutton, who was performing on Broadway throughout preproduction, came to the set cold.

"I've never met Charles Moose. He wasn't on the set. I finished the play April 4, flew to Vancouver April 5 and we were shooting April 6. I had no rehearsal time," Dutton says. "So one thing I didn't try to do is try to capture his speech patterns or dialect because I really didn't have time to work on that."

Dutton did, however, study tapes of Moose's news conferences. "At the podium, he had a certain pensiveness. You

could see him thinking before he answered a question. That was really fun to play that introspection."

"D.C. Sniper" cuts quickly between the investigation and the alleged shooters, Muhammad (Bobby Hosea) and Malvo (Trent Cameron), as they pick out their targets, elude dragnets and try to initiate communication with investigators. While certain elements are exaggerated, it's still shocking to see their phone calls ignored and see them slip away from police because they didn't match what investigators were looking for.

Still, inaccuracies are likely to needle those who followed the case closely, particularly those who live in the region. A passer-by greets Doug Duncan (Jay O. Sanders) with "Good morning, Mayor Duncan" (he's not the mayor of anything); Moose pops up at crime scenes, even those out of his jurisdiction, just minutes after the shootings, when in reality he was holed up at police headquarters.

Ultimately, there are few surprises in "D.C. Sniper." While Dutton has some powerful moments, he plays Moose largely as the world saw him: at times steely and determined, at times bumbling and frustrated, at times overcome with emotion at the plight of the victims.

"When these cases are so known by the public and things have been painted in the light that they've been painted, I don't think this movie's going to surprise anybody," McLoughlin says. "I think they just get a little insight into how it happened."

But McLoughlin stands by the decision to get the movie out quickly: "There was still so much commotion attached to it that I could still feel the fear. Ten years later, you've got some distance, but the re-creation of it is not as valuable."



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