

## SAVING SPIKE TV

Spike Lee's claims to the word 'spike' wrongly deny Viacom channel launch

For those who were anxiously awaiting the premier of Viacom's new cable channel Spike TV, last week came as a bit of a shock. State Supreme Court Justice Walter Tolub granted an injunction, barring Viacom from using the name after entertainer Spike



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Lee filed suit, claiming that the word "spike" was indicative of his image, according to The Associated Press. Amazingly, not only did Lee — whose real name is Shelton Jackson Lee — win an injunction, but Viacom's appeal

last week to the New York State Supreme Court was denied. This is nothing short of an embarrassment for the U.S. legal system and a bad joke at the expense of Viacom — an expense currently estimated at around \$17 million in wasted ad revenues. Lee should have absolutely no legal right to the exclusive use of the common word "spike," and the New York state ruling claiming Viacom was trying to profit off of his name is groundless and only sets a negative legal precedent.

With all-star lawyer Johnnie Cochran calling the shots on Lee's behalf, the argument was simple: Viacom was planning on changing The National Network to Spike TV to capitalize off Lee's edgy, irreverent image. But apart from the loose and highly questionable connection to the word "spike," there is no actual proof that Viacom and TNN had such plans.

Think first about all the things associated with Spike Lee, the director and performer. His work consists of movies such as "Malcolm X," "He Got Game," "Do the Right Thing" and "Jungle Fever." There's no denying that Lee is a talented filmmaker, but his movies often deal with racial issues, specifically

those affecting the black community. Lee by no means exclusively makes race-related films, but the majority of his movies feature prominent black actors, such as Denzel Washington in "Malcolm X." Lee is a champion of civil rights to some degree, but the injunction against Viacom will do more to infringe upon civil liberties than to protect them. Besides, all of Lee's movies feature the prominent tag line, "A Spike Lee Joint." There is generally no confusion that if a program is created by Lee himself, one can easily tell.

Now, look at the history of Viacom's TNN, which was the channel to have become Spike TV before the injunction. TNN started out as The Nashville Network until Viacom's buyout in 2000, when it became The National Network. Spike TV's tag line was to be "The First Network For Men." And currently operating under the station name TNN, its programs consist of "WWE RAW," "Stripperella," "Most Extreme Challenge" and "Ren and Stimpy's Adult Cartoon Party." Do any of these programs bring Spike Lee the director to mind? Absolutely not.

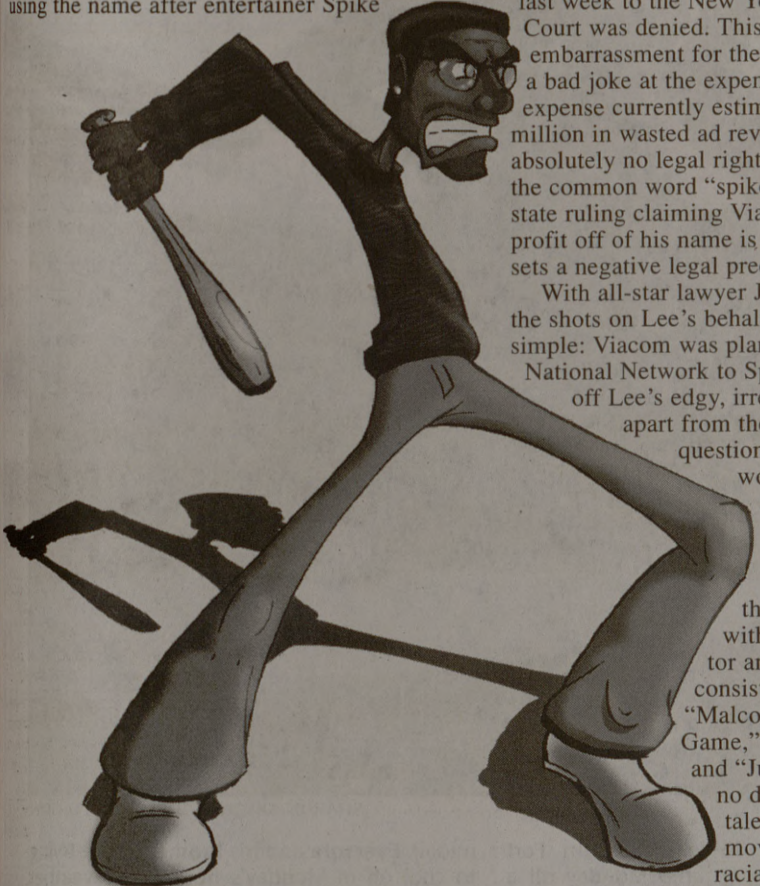
As Viacom has rightly pointed out, "spike" is a very common word. A quick look through Webster's New World College Dictionary will lend multiple definitions ranging from a type of nail to a football maneuver. Lee, however, is never mentioned. TNN would have to literally call itself "Spike Lee TV" or "Shelton Jackson Lee TV" to infringe on his name. Despite the

Supreme Court justice's and Appellate Court's rulings, Lee's claims are baseless and flimsy. The only party being wronged is Viacom.

In this world, the bottom line is always dollars and cents. Lee's apparent cupidity and belief that Viacom and Spike TV would profit off his image is flawed and would be even if the name change went as planned. Spike TV was aimed at men, not at Lee's wallet. So far, the only group losing money is Viacom. The \$17 million already lost is predicted to increase to "the range of hundreds of millions of dollars" if the name change never takes place, according to documents filed by Viacom in the New York State Supreme Court Appellate Division. Viacom had made advertising commitments well into 2004, commitments now jeopardized by Lee. Viacom's next appeal is slated

for September, but until then, America deserves its Spike TV, regardless of Lee's exaggerated, money-driven claims. Lee told reporters at last week's hearing that he "(didn't) want to be associated with some 'Stripperella' crap." It is doubtful anyone was making such an association. No, now Spike Lee brings to mind new associations — like frivolous lawsuits.

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## From homemaker to corporate scapegoat

Claims against Martha Stewart exaggerated, others pose more serious threat

Martha Stewart is essentially no more dangerous than any other homemaker. The most offensive thing to come from her was the hilarious,



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"Martha Stewart Topless" parody on Saturday Night Live, where a topless Stewart character went about various homemaking activities ranging from making a Jack-O-Lantern to baking a turkey for Thanksgiving. But in the last six months, Stewart has gone from the high-powered definition of a stereotypical homemaker to another Michael Milken (the infamous junk bonds magnate who defrauded investors and was put in jail in the 1980s). But prosecuting her will be an empty charade of trying to restore investor confidence, a charade that will not work.

Clearly, Stewart — the queen of perfection — is in some hot water. In fact, she might say she's in a Teflon coated, 10-gauge steel, nine-quart

stockpot full of boiling water. That pretension is the very reason Stewart is now preparing to face a long expensive trial for insider trading. From

Richard Nixon to Bill Clinton, Americans love seeing people at the top of their game come tumbling down. Stewart was perfect; women emulated her and men wanted a wife who would take the role of homemaker with such ease and precision.

Before this debacle, Stewart was running a successful corporation, Martha Stewart Living Omnimedia, which included magazines, television shows, a contract as spokeswoman for a major retailer and many home product lines. Now Stewart stands accused of using insider information to time her sell off of stock in ImClone, a company whose CEO, Sam Waksal, is a close friend of Stewart's. Waksal has since been prosecuted.

Claiming no expertise as a prose-

curator, a judge, a securities fraud investigator or by any means an expert on this case, but speaking as a concerned citizen, there had to be a scapegoat for the corporate looting, and there is: it's Stewart, the woman who likes pastels at Easter.

Since the turn of the century, the United States has experienced the biggest bankruptcies in its history. In fact, according to the L.A. Times, five of the top 10 bankruptcies of all time occurred in 2001. These staggering numbers have led to a large depletion of money that individuals had invested in the stock market. There has been a public outcry to do something about the blatant assault of the blue-collar investors by management and major investors.

If justice is served, history will record what the White House, Congress and the Department of Justice have done to solve this problem — jailed a homemaker.

Some might dismiss such a concept as ignorant, but think about how

preposterous it is that Ken Lay is not in prison while those who worked for him and trusted him have lost their retirement and their livelihood. Lay might be a bad example, considering he obviously has friends in high places, or maybe this is just a clear illustration of reality. CEOs and executives of Tyco, World Com, Global Crossing and Enron ruined people's lives with their lying and deceptive business practices, but the Department of Justice refuses to use the full extent of the law to make sure all the criminals involved pay for looting America's retirement.

With the Stewart debacle, the justice department has taken another wrong turn in its attempt at cleaning up crime in America. Outside of burning American's civil liberties at the stake, cracking down on people who sell pipes on the Internet and covering up naked statues with overpriced drapes, John Ashcroft has seemingly given corporate criminals a green light to pillage and plunder the hard

earned money of the American worker. Whatever the United States does, it cannot fool itself into thinking prosecuting Stewart is any real sign of the reform and justice needed to clean up American corporations.

Gratification will come when people — such as Lay, Dennis Kozlowski of Tyco and Bernie Ebbers of WorldCom — are behind bars for what they did to their employees. Americans have lost trust in the markets, and using Stewart as an example of corporate reform will not have the effect needed to restore confidence.

If Stewart is guilty of insider trading, then she should be punished. But it is a sad day when Americans blatantly turn a blind eye to those with illegally gained capital and personal connections while carefully selecting to indict those who pose only a minimal political risk.

Justin Hill is a junior management major.

## Healthy Forests Initiative hurts U.S. forests

Initiative would allow contractors to keep unspecified amounts of lumber

During the last few years, forests in the United States have increasingly become infernos that only endanger people, property and the forests themselves. The White House reports that "last year's fire season — among the worst in the past four decades — saw 88,458 fires burn 7.2 million acres." The reason that the fires in the last few seasons have been so extreme is because the underbrush in the forest has been allowed to grow, making the forests increasingly dense. The Bush administration has rightly identified these fires as a problem, but the president's Healthy Forests Initiative, which he urged Congress to act upon on last month, is the wrong way to go about solving the problem.

According to the White House, the Healthy Forests Initiative calls for "new procedures provided for under the National Environmental Policy Act." These new procedures "will enable priority fuels treatment and forest restoration projects to proceed quickly, amending the agencies' administrative appeal rules to expedite appeals of forest health projects, and expediting



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consultation by federal agencies on the impacts that fuels treatment projects may have on endangered species."

All of these plans look pretty great on paper. However, when one looks deeper, the truth is not

all that it seems. The Healthy Forests Initiative states that forests should be cleared in a short amount of time without Washington, D.C.-based agencies having to go through endless rolls of bureaucratic red tape. Wouldn't it be wonderful if these agencies could cut down whatever part of the forest they deem necessary whenever they want to without having to answer to anyone? Not hardly.

This provision would mean that almost all the decision making would be taken out of the hands of the people. Greateryellowstone.org claims that it would "severely limit or end citizens' ability to challenge poor management decisions on fuels treatment and so-called 'restoration' projects." The people who live in areas near the forests will have almost no avenues to question government

officials on the best ways to proceed with taking down the forests.

In a speech President George W. Bush made to Congress on May 20, he said "that not all the smarts exist in Washington, D.C.," and he is absolutely correct. There are many smart people who exist outside of Washington and these people should be allowed some say in what happens to their forests.

Furthermore, this initiative gives the job of thinning out the forests to private timber companies instead of government agencies. Why would the administration do this? So it does not have to raise taxes to pay for the clearing projects. If the administration is not going to pay for thinning projects with taxpayer money, then how is it going to be paid for? They won't have to pay for it because the Healthy Forests Initiative passes this off to private timber companies.

These companies are not wholly magnanimous groups, though, that will simply do the work for free. This is why, as the White House states, this initiative will "allow contractors to keep wood products in exchange for the service of thinning trees and brush and removing dead

wood." For the timber companies to take the problematic underbrush out, they will be able to take an unspecified amount of healthy lumber that only burns in the hottest forest fires.

This way of clearing the underbrush and dead trees that act as tinder in forest fires has been done before. According to the U.S. Department of Agriculture Forest Service, more than 2.25 million acres were treated last year. However, Timothy Egan of The New York Times reports that areas that have already been developed or logged account for 90 percent of the acreage identified as most vulnerable to wildfire. This is likely to keep happening if logging companies are allowed to clean out America's forests unchecked.

While thinning the forests is the only way to prevent devastating long term effects on the forests of the United States, Bush's Healthy Forests Initiative will most likely hurt the forests more than it will help them.

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Tuesday, June 24, 2003

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