

Johnson Picked in Law School Poll

Students Say LBJ By 7-1

President Lyndon B. Johnson captured the majority of the students' votes in the poll conducted in the Law School last week. Out of a total 705 ballots cast, Johnson received 603 or 85.7 per cent.

The Republican Presidential candidate, Barry M. Goldwater, tallied 89 votes for 12.5 per cent. While Goldwater's strongest support came from those students registered in their respective states as Republicans, he also received Democratic and Independent votes.

Of the 181 Republicans who voted, only 64

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Two Profs for Goldwater

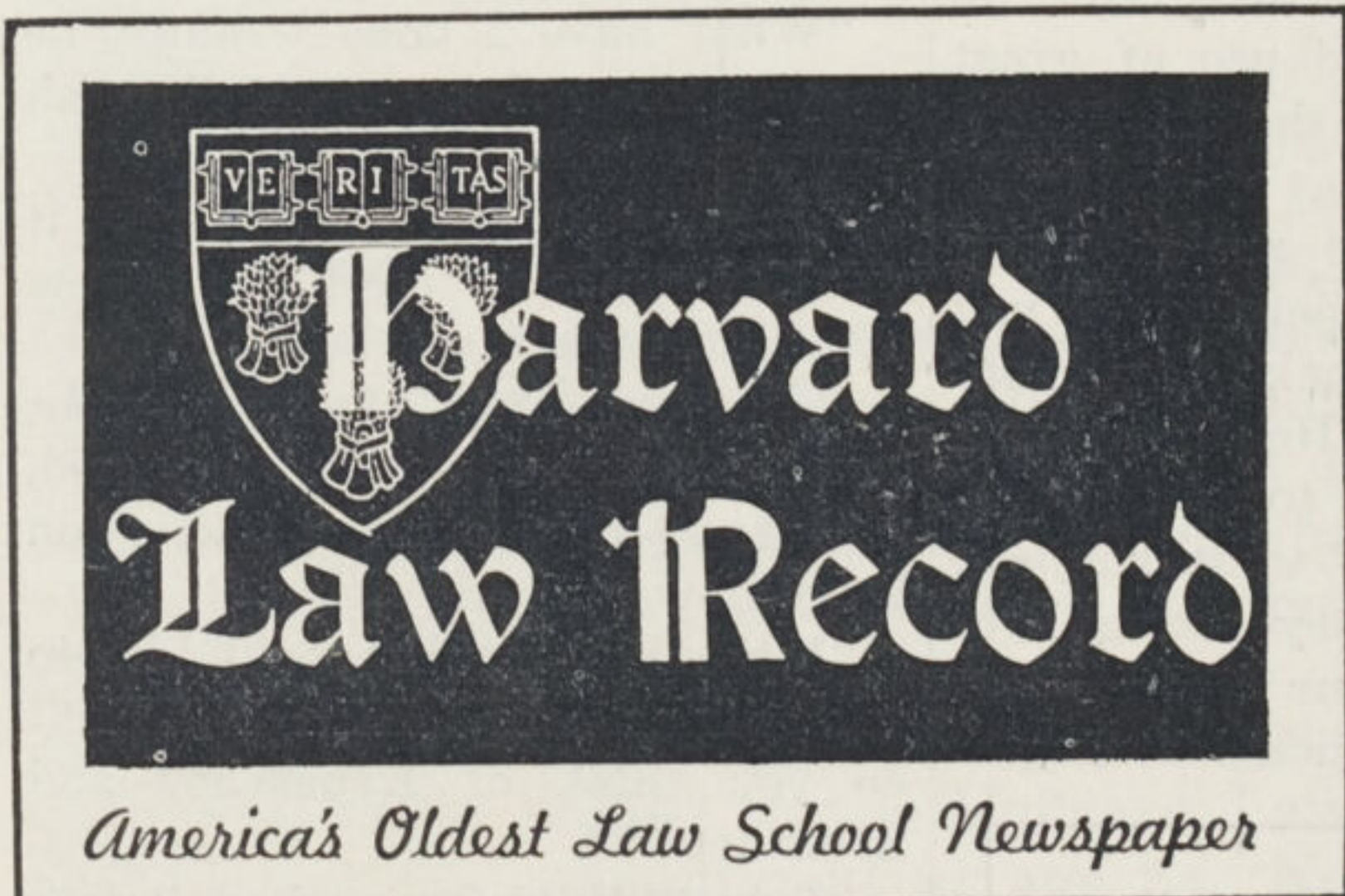
By Robert A. Grayson

The Harvard Law School faculty favored President Lyndon B. Johnson by a decisive majority in a special straw vote conducted by the RECORD last week. Senator Barry Goldwater only found two supporters while Johnson gathered 59 votes for a 95.2% to 3.2% split. One professor said he will not vote for President this year.

"It is a choice between the pragmatic politician who has no principles and the true believer who probably doesn't know the meaning of pragmatism," explained one Republican faculty member. "As has been said before I feel somewhat like a vegetarian locked in a meat market," he continued. "Luckily the interests of the pragmatic politician are likely to coincide with that of the Country."

The Republican crossover vote seemed to indicate that many others shared this belief, for Johnson captured 89.6 per cent of the GOP vote with 17 ballots. The Arizona Senator managed one vote. Another Republican professor gave credence to the theory that the results show more of an anti-Goldwater reaction than one pro-Johnson: "Every Re-

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Writing Program for 2L's Enlarged

By Myer J. Sankary

Enlarged plans for the 1965 second-year writing program were announced this week by Professor David R. Herwitz, chairman of the Faculty Committee on Writing.

The volunteer writing program will now accommodate thirty-five second-year students, an increase of eleven over last year. Prof. Herwitz explained that the additional number was made possible because of an increased staff of editors.

Six of the eight editors are third-year students who participated in the writing program last year; they are Lewis A. Burleigh, William A. Clark, Henry Q. Conley, Stephen D. Shawe, Mike J. Spector and Edward M. Stadum. Two of editors are third-

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Prof. Herwitz

A Broader Scope for Lawyers

The Boston District Office of the Internal Revenue Service will hold the last of its statewide series of Automatic Data Processing System on Nov. 9 in Boston, and it urges practicing lawyers to attend. Discussed will be history, purpose and need for the system and various problems which arise in processing tax returns by electronic equipment.

It has become a fact that the law student who intends to become a superior attorney must be well-versed in many areas adjacent to and underlying the law, particularly the field of computers and computer theory. As Judge Henry J. Friendly, LL.B. '27, told the entering class at Chicago Law School earlier this month: "I am certain that the lawyer of the 1970's would do well to know a good deal about the theory and practice of computers, and the mathematics that underlies this."

Without a knowledgeable attorney to aid him, the civil or criminal client may be helpless before the tax or prosecuting authorities who confront him with computerized statistics. A research scientist from the nonprofit System Development Corporation reportedly warned: "There is not only the prospect of eroding away our right to privacy and uncommon behavior by the collecting and use of great quantities of data, but there also looms the prospect of the unbalanced criminal trial."

In his speech Judge Friendly also said: "There are so many related subjects about which you ought to know something if you are truly to understand the law—subjects which make law more meaningful and are made more meaningful by it." He listed such disciplines as history, philosophy, economics, psychology, social sciences, and political science. It is good to know that many of these subjects are being injected into the Harvard Law curriculum by young Professor Alan M. Dershowitz; no doubt, even with our liberal arts backgrounds, we could stand and benefit from more such learning.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

I had just finished fitting out my attache case for Halloween trick and/or treating and was on my way over to Langdell to pick up the cider I'd left to turn in my locker, when I suddenly decided to befriend a first-year student.

I went up to the library in search of a 1L with whom I might get acquainted. My attention was drawn to a walled fortress of ALR volumes topped by Corpus Juris Secundum towers. Inside it I found a rather intense young man draped in lined yellow paper.

"I've come to fraternize with you, first-year student," I said.

"What have I done wrong," he asked, his red eyes filled with terror.

"Nothing. I just thought it would be nice to meet you. How about a break for a beer?"

"Are you crazy, I've got moot court in three weeks," he said, noting a few curt citations on his yellow pad.

"I thought maybe you'd like to talk things over," I said. "What do you think of Krushchev and Brezhnev?"

"I don't think we've had it yet. What's it in?"

"The News of the Week in Review," I said coldly.

"Listen, I haven't got time to fool around with that stuff. I've got a *real* crisis to worry about, what with property and contracts to prepare for and group-work opinions to write and this moot court thing."

"Well, you must have some interest in politics," I said.

"I've got my absentee ballot and this Friday at two I'm going to fill it out," he said, chewing his pencil.

"What about Wellesley, Peter Sellers, the BSO and touch football?" I asked.

"Buddy, would you mind be-friending my opponent?" he said, pointing to a pile of Atlantic Reporters across the room, "He's got the law on his side."

The Psyche and The Law: the Twain Do Meet

By Thomas S. Johnson

Above him, high on the walls of Austin's west lecture room, hang portraits of the pioneers of our legal tradition. For them it must be a traumatic experience.

For Professor Alan M. Dershowitz, labeled by one of his senior colleagues as the "Boy Professor," is something of an anomaly in this room where for nearly a century the case method has reigned supreme.

His course in criminal law seems to some not to be a law course at all. For in place of abstracted appellate decisions, the would-be lawyers read pages by Margaret Mead. Where one would expect a capsule treatment of criminal procedure, he is apt to find a papal lecture on medical research and morality. Instead of listing categories of offences, the students skim Alfred Kinsey's report on the sex life of American males.

"I studied sociology and psychology in college," one discomfited student complained. "I came here to learn The Law."

"But there's no such thing as The Law," the 26-year-old Yale graduate explains. "Law is one of our many processes for ordering society. You can't view this process as a neatly compartmentalized entity. It must be viewed in its full perspective as an ongoing system."

Prof. Dershowitz, probably the youngest man ever to be named to the Harvard Law faculty, got his appointment at age 24. No one can remember a younger appointee. Graduating first among his entering class at Yale Law School, the former student body president from Brooklyn College served as editor-in-chief of the Yale Law Journal and following his graduation clerked for Chief Justice David L. Bazelon of the U.S. Court of Appeals and later for Supreme Court Justice Arthur J. Goldberg.

He is coauthor with two Yale professors of a comprehensive book on "Psychoanalysis, Psychiatry and the Law" soon to be released.

Prof. Dershowitz sees his job not as teaching "the specifics of law in any jurisdiction; anyone can find that on his own," but to teach his students how "to ask the right questions and bring to bear the right information for the right purpose." In short, he purports to teach his students how to think critically and teach themselves.

But you can't think without ideas, and so

(Continued on page 4)



Prof. Dershowitz

Sutherland to Discuss Court In Georgetown Lecture Series

Professor Arthur E. Sutherland will speak next week at the Georgetown University Law Center on the "Role of the Supreme Court in Contemporary Society."

He will be the first of four men to present lectures at the 1964-1965 Edward Douglass White Lecture Series to be held on Wednesday, Oct. 21. Justice William J. Brennan will complete the series with a lecture entitled "Role of the Court — The Challenge of the Future."

Public Image of the Court

Prof. Sutherland will give his observations on the American public's attitude toward the Court, analyzing why they criticize or praise the Court's decisions. In addition, the lecture will comment upon the reaction of the legislature, providing remedies in areas in which the Court has taken the lead.

Prof. Sutherland will also point up the necessary role of the Court as an institution independent of political forces and majoritarian views.

The Psyche and The Law

(Continued from page 3)

he assigns readings in anthropology, medicine, psychiatry, sociology, literature, and psychology.

"I can only present the problems," he explains. "In many instances there are no answers, and I don't particularly care what answers the students find. As long as they see the process in perspective and are equipped to ask the right questions, that's all that counts."

Is such a method practical in this age of specialization? "Well, it all depends on what you mean by practical," Prof. Dershowitz is apt to reply. "In one way the course is too practical. We deal with common day-to-day documents of the law — indictments, probation reports, transcripts — not merely sterile abstracts of appellate cases . . . Every major problem faced by the practicing lawyer will come up eventually. But the student will have to find them; they won't pop out at him . . . We don't play the logical, cute little game that often typifies criminal law courses. There are rarely pat answers and clear distinctions in this course; the student will have to make his own chapter titles."

Yes, the traditional legal scholars would be somewhat chagrined. But then perhaps Prof. Dershowitz is just in the wrong room. Perhaps he should teach under a portrait of Mr. Justice Holmes who saw law as "a great anthropological document," and asked, "Who here can give reasons of any different kind for believing that half the criminal law does

not do more harm than good?"

Or perhaps it should be Dean Erwin N. Griswolds' portrait, with an inscription of his observation that "law is not a separated, insulated structure, self-contained and independent of life about it."

Or perhaps Justice William J. Brennan's likeness might be substituted. "Judicial decision must be nourished by all the insights that scholarship can furnish," he said, "and legal scholarship must in turn be nourished by all the disciplines that comprehend the totality of human experience."

But then why go to all this trouble; for who in his class would dare take time to look at pictures anyway?

Female Footballers Fail

The 1964 Law School football league opened play Saturday with many players irate at the Dormitory Council ruling that a newly-formed team of graduate women from Wyeth Hall was not eligible to compete.

Hiding behind the fear of such a challenge to "the well-settled principle of masculine superiority," the Council's release held out to disappointed male students the possibility of arranging games with the Wyeth Wizards on an "informal basis." Already-formed teams or groups suddenly interested in athletics can contact the team captain, Elaine Kalenevitch, 2L, Wyeth 203.

Miss Kalenevitch stressed that this request was not a joke, and that 12 girls had signed up in response to initial queries. "I hope they'll let us use more than the regulation six players," she said, "since most of us have never even held a football."

The remaining 18 teams vary widely in degree of inventiveness in their names. These range from self-glorification of the captain (seven), to devotion to Boston (Scrods) and Pooh (Haffalumps). A racy element is injected by the Sheiks and Trojans, and even the Cosa Nostra has infiltrated the league. Once again the Law Review will attempt to prove that the life of the mind does not preclude the more strenuous pursuits.

The league is divided into three sections, which will conduct intra-section contests through November 14. The three winners will participate in a play-off for league champion the following week.

Afro-Asian Openings Announced

Third-year students interested in taking jobs in African and Asian countries next year may obtain interviews with Arthur M. Osteen, Executive Director of the Africa-Asia Public Service Fellowship Program of the Maxwell School, Syracuse University, on Nov. 10-11.

Joseph E. Leininger, Secretary of International Legal Studies at the Law School, said he will meet with interested students and furnish application forms at any time prior to Mr. Osteen's visit.

Kamisar Working on Right to Counsel

By Stewart D. Davis

Visiting Professor Yale Kamisar is a busy man. His desk is uncluttered, but stacks of manila folders in his office attest to his many current projects.

Right to counsel is the issue presently foremost in the mind of this pro-defendant criminal expert. He is working, for example, on a monograph which will be part of a commemoration of Magna Carta's 750th anniversary.

He will treat the "Lingering Problems of Right to Counsel" in a forward-looking fashion, jumping off from Chapter 40 of Magna Carta: "To no one will We sell, to none will We deny or delay, right or justice." He will present a version of the paper at the Charter Day Conference on Feb. 12, 1965, at the College of William & Mary. The effort is being sponsored by the Magna Carta Anniversary Commission of Virginia.

Shouldering the task of "speaking and writing my way into shape for this paper," Prof. Kamisar just completed a 15-page review-essay of Anthony Lewis's *Gideon's Trumpet* which will appear in the December *Harvard Law Review*.

Not only does the theme of the "unfinished business" of *Gideon* enter strongly into the review, but also it was in issue yesterday in Chicago where Prof. Kamisar had flown to take part in the filming for national edu-



Prof. Kamisar

Electronic Device Pilfered

Opposition to progress in the law can appear in many guises. A somewhat radical case occurred at the Law School earlier this month.

An attempt to update methods of class presentation by Professor David F. Cavers, Fessenden Professor of Law, was thwarted when his portable microphone "Chesty" was stolen from Langdell Hall.

Obstinacy in the face of reform is nothing new to Prof. Cavers. Some years ago he introduced the idea of attaching students' pictures to the seating charts. In his first attempt at using his new invention he found himself confronted by a class of masked students. The Lone Ranger-type masks rendered his carefully culled pictures useless.

The Law School has remained undaunted in the face of such devious opposition. Today picture-laden charts are commonplace, and last week a new microphone was delivered to Prof. Cavers' classroom. It is assumed that tighter security precautions will be taken with "Chesty II."

cational television of a discussion on, among other things, when the right to counsel begins. Also on the panel were Professor Fred Imbau of Northwestern Law School, who is pro-prosecutor and pro-police and Prof. Kamisar's frequent opponent in the law reviews and on the speakers' platform; Chief O. W. Wilson of the Chicago Police Department; and Alan Barth, editorial writer for the *Washington Post*.

The next panel discussion scheduled to occupy Prof. Kamisar's attention will be an all-day affair on the issue of "The U.S. Supreme Court and Criminal Law" to be held at Yale Law School on Dec. 5, sponsored by the Connecticut Bar Association. Among others appearing at that forum will be Mr. Lewis, who was a Nieman Fellow at Harvard Law School in 1957-58, and Yale Law Professor Alexander S. Bickel, LL.B. '49.

This past summer, with two colleagues at Minnesota Law School, Dean William B. Lockhart and Professor Jesse H. Choper, Prof. Kamisar published a series of Constitutional Law casebooks (for both law school and college use). The principal 1,400-page volume has already been adopted by 17 law schools, including N.Y.U., B.U., Texas, and Georgetown, in at least one Con Law section. A 250-page pamphlet dealing with materials

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Fund Garners Award

The Harvard Law School Fund was recently awarded first prize in the 1964 Alumni Giving Incentive Award competition sponsored by the American Alumni Council. The award is given to the professional school which shows the greatest improvement during the year in its alumni giving program.

The 1962-63 results of the Alumni Funds of eighty-four professional schools were compared in awarding the trophy to Harvard. The trophy is now on display in the Fund office in Hastings Hall.

The award was based on the 13th Fund Year. According to Dean Wesley E. Bevins Jr., Director of the Fund, the 14th year, just completed, was even more successful. A total of \$864,825.92 was contributed. Some statistics on the pattern of giving revealed: the New York City contingent was first in the number of alumni who participated (2,231) and in the total amount given (\$208,176.55); the Berkshire area of Massachusetts was highest in per capita gift with \$192.51; Alaska led the Union and the rest of the world with the highest percentage of participation, a 100 per cent participation from 55 alumni.

The figures do not include sums received after the close of fiscal year, 1963-64. A detailed report on the Fourteenth year of Annual Giving is scheduled to be issued shortly.

ILC to Hear Vallat

Sir Francis Vallat, legal adviser to the British Foreign Office, will be the principal speaker a week from today at a meeting of the International Law Club.

He will speak on friendly relations between states, one of the main topics currently before the U.N. Legal Committee.

Reservations for the luncheon meeting at the Faculty Club may be obtained by signing the list posted on the I.L.S. Bulletin Board.

Sir Francis, formerly a member of the British U.N. Delegation, is currently delivering the Schill Lectures at Manchester University and comes to Harvard as part of a speaking tour to America.

Student Poll

(Continued from page 1)

or 34.3 per cent indicated the Arizona Senator as their choice, leaving the Johnson-Humphrey ticket with 60.7 per cent (108) of the GOP vote. Nine persons or five per cent expressed no choice.

Democrats Loyal

The Democratic voters cast 315 of their 322 votes for President Johnson and gave Goldwater only seven, a victory of 97.8 per cent to 2.2 per cent.

STUDENT POLL				
	Rep.	Dem.	Ind.	Overall
Goldwater	64 (34.3%)	7 (2.2%)	18 (8.9%)	89 (8.9%)
Johnson	108 (60.7%)	315 (97.8%)	180 (89.1%)	603 (85.7%)
No Vote	9 (5%)	0	4 (2%)	13 (1.8%)
Total	181	322	202	705

Those voters who listed no party affiliation, or answered "none" or "Independent" also displayed a strong preference for Johnson and Humphrey. Of a total 202 Independent votes cast, the Democratic ticket collected 180 or 89.1 per cent. The Goldwater-Miller ticket received 18 votes or 8.9 per cent, and four students (2 per cent) voted for neither candidate.

Absentees Numerous

Only 16 of the 705 voters in the poll were not registered voters in their domicile states. Of the remaining 689 eligible voters, 573 have already made arrangements for absentee ballots, 76 plan to vote at their place of registration, and 55 do not plan to vote. Many students in the latter category noted on their ballots that their states do not permit voting by absentee ballot.

Faculty Poll

(Continued from page 1)

publican should vote against Goldwater and Miller, since their overwhelming defeat is important for the revitalization of the Republican Party."

Goldwater's single Republican vote was, however, matched with one from a professor who claimed to be a Democrat. Johnson received the other 35 Democratic votes for a 97.2% majority of his Party.

Seven members of the faculty registered as Independents, and all seven indicated President Johnson as their choice.

Painful Choice

While one Republican professor who voted for Johnson complained that this was "the most painful choice in my political lifetime," the majority of the faculty joined in a strong bi-partisan support of the Republican candidates for Massachusetts Constitutional offices.

Former Republican Governor John Volpe received 50 votes in his race for Governor against Lieutenant Governor Francis X. Bellotti's seven votes. The Republicans gave Volpe a 16-0 vote, the Democrats a 29-6 edge, and the Independents favored Volpe 5-1.

In the race for Lieutenant Governor, Elliot L. Richardson, LL.B. '44 ('47), amassed 55 votes to his Democratic opponent Costello's two. In addition to unanimous Republican and Independent support, Richardson carried the Democratic vote 33-2.

Attorney General Edward W. Brooke, a Republican, also picked up 55 votes with two Democrats and one Republican casting ballots for Hennigan, his Democratic opponent.

Sen. Kennedy Favored

In the Kennedy-Whitmore race for U.S. Senator, incumbent Edward M. Kennedy outpolled his Republican counterpart 37-16. While Whitmore carried the Republican Party 11 to 5, Kennedy captured the Democratic and Independent vote 28 to 3 and 4 to 2 respectively.

Seventy-three per cent or 62 of 85 of the faculty members returned the special ballot used in this election.

In a poll taken just before the elections in 1962, the faculty supported Endicott Peabody over the then-incumbent Governor Volpe 69 per cent to 31 per cent. The same faculty preference poll revealed a 98 per cent support for Brooke in his candidacy for Attorney General.

Lodge over Kennedy in '62

However Edward M. Kennedy then found much less enthusiasm for his nomination for the Senate. George Cabot Lodge, the Republican nominee, received 77 per cent of the faculty vote; H. Stuart Hughes, an Independent and a Harvard Professor, took 16

FACULTY POLL

	Rep.	Dem.	Ind.	Overall
Goldwater	1 (5.2%)	1 (2.8%)	0	2 (3.2%)
Johnson	17 (89.6%)	35 (97.2%)	7 (100%)	59 (95.2%)
No vote	1 (5.2%)	0	0	1 (1.6%)
Total	19	36	7	62
Volpe	16	29	5	50
Bellotti	0	6	1	7
Richardson	16	33	6	55
Costello	0	2	0	2
Brooke	15	33	7	55
Hennigan	1	2	0	3
Whitmore	11	3	2	16
Kennedy	5	28	4	37

per cent; and Kennedy could only manage seven per cent.

A RECORD headline read "Faculty 'Outraged'" on a story about Kennedy's candidacy. Most of the active Democratic professors either came out publically against the late President's brother or refused to take part in his election.

The major opposition to Kennedy's 1962 nomination was based on the candidate's inexperience and the possible conflict of interest because of his family ties to the administration.

Sen. Humphrey to Address Rally by Phone

Senator Hubert H. Humphrey, Democratic vice-presidential candidate, will speak via direct telephone to a Johnson-Humphrey Rally presented by the Harvard Law-Graduate Democratic Club in Sanders Theatre Saturday at 7:15 p.m.

An overflow crowd of college students from the Greater Boston Area is expected to take advantage of the free admission and to pack Sanders Theatre to hear the Senator's remarks, according to Robert J. Kafin, 2L.

Sharing the spotlight with the Senator will be Professors Mark DeWolfe Howe, Charles M. Haar, and David Fleming, and other commentators on the political scene who will provide humor and entertainment. Joan Kennedy, wife of Senator Edward M. Kennedy, will also appear if her schedule permits.

Distaff to Campaign

Preliminary plans announced by Peter F. Rousselot, 2L, rally chairman, include the distribution of campaign literature, bumper stickers and buttons, music by the Johnson-Humphrey Band and fifty usherettes from Wellesley College.

"This rally will be the culmination of our efforts in the Presidential Campaign," announced Edward M. Stadum, 3L, president of the Law-Graduate Democrats. "Our aim is to present an entertaining, humorous, and politically inspiring evening for the benefit of all — Democrats, Republicans and Independents alike — who have rallied to the support of the Johnson-Humphrey ticket in this crucial election. We expect that the enthusiasm produced by the rally will provide

momentum for our projects through the final week of the campaign."

New Hampshire Stormed

Stadum explained that the Law-Graduate Democrats expect to enlist some 500 election-day workers. He said that the club's efforts thus far have been directed to sending carloads of campaigners to New Hampshire where the going is rough for Johnson, to doing research and writing for campaign literature and speeches, to aiding the Senator "Ted" Kennedy signature drive, and to pounding the pavements for local Massachusetts candidates.

Gower to Give Holmes Talks

The annual Holmes Lectures will be presented this year by L.C.B. Gower, who is Sir Ernest Cassel Professor of Commercial Law at the London School of Economics and Political Science. He was Visiting Professor of Law at the Harvard Law School in 1954-55.

Since 1958, Prof. Gower has served as a member of several committees concerned with revisions of African law. He has been in Nigeria for two years as advisor on legal education in Africa to the British Institute of International and Comparative Law, and as advisor to the Nigerian Council of Education.

The lectures, tentatively entitled "Independent Africa — the Challenge to the Legal Profession," are scheduled for February 23, 24, and 25.

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Harkness Continues to Do a Booming Business

Dormitory applicants who signed the promise to take a contract for 21 meals at Harkness Commons if necessary for continued operation need have no fears; for the dining hall has shown a five per cent overall increase in business over last year in its first three weeks.

Warren Thompson, Harkness manager, noted that while the breakfast count remains static, from 175-200 more persons are being served per day for the other two meals than during the same period last year. This rise exists despite the continuing trend downward in the number of contracts signed.

Vice Dean Louis A. Toepfer, noting a loss of about \$3,000 last year out of a \$600,000 business volume, called Harkness an "extraordinary operation. I know of no other dining hall that does so well in providing service and flexibility of menus," he said.

Dean Toepfer called Harkness a "student service that should not make money." Its aim is only to reach a break-even point. The Law School makes up one-half of any loss, with the other half distributed among the other graduate schools using Harkness. Any profits are funnelled back into operating expenses.

Dorm Council Sparks Partying

A proposal to encourage individual dormitory floors to sponsor their own social events was ratified at the initial meeting of the Harvard Dormitory Council held Tuesday, Oct. 13, in the Pound Room. According to the new plan, individual floors may borrow up to \$15 in Council funds to finance their own social gatherings.

Appointed Chairmen of the Council's various committees were: Maynard Rabinowitz, 2L, Social Committee; Ronald W. Gilman, 1L, Theater Committee; Robert A. Shelton, 2L, Athletic Committee; and Andrew R. Willing, 3L, Buildings and Grounds Committee.

Dennis O. Cawthorne, 3L, is President of the Dormitory Council. Other officers are James P. McGranery, 3L, Vice-President; Robert L. Clarke, 2L, Secretary; and Frank E. Morris, 2L, Treasurer.

Harkness instituted its flexible, a la carte policy in the 1959-60 school year, losing \$57,000. Thompson and his staff, representing the Stouffer Food Corporation, were called in the following fall, and brought the operation to its present efficiency, said Dean Toepfer.

Afterthoughts

Growth of a Newspaper

By Michael Hampden

New RECORD staff members are always amused to discover the slight perversion in the masthead epithet "America's Oldest Law School Newspaper." Though still only a teenager, the RECORD gets mileage out of the presumption that any Harvard institution must be pushing its fifth centennial.

The RECORD's evolution since its appearance in 1946 suggests the question of what the legitimate scope and function of a law school newspaper should be.

In 1946 Harvard Law students were as a group older than today's, since many of their careers had been interrupted by the War. They took their jobs as law students seriously and thoughtfully, knowing that they were beginning their legal educations at an age when, in normal times, they would by then have had a good start into their professional careers. In that year, Dean Landis resigned to become chairman of the Civil Aeronautics Board, and Erwin N. Griswold was appointed to succeed him. Both men supported the RECORD from its inception. Dean Pound, then University Professor, strongly opposed the new institution. It reminded him, he said, of the Harvard College student who spent so much time practicing to be a drum major that he failed all his final exams.

But the RECORD's first editorial in Vol. 1, no. 1, made clear its founding purpose:

The RECORD is meant primarily to be a journal of opinion, but also a vehicle for the news of the School, the students, professors and alumni. It will strive to become a forum for the Law School, its topics ranging the gamut of public inter-

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Writing Program

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year law review members, Roger P. Craig, and George J. Grumbach, Jr.

The use of students who participated in the writing program as editors is a step in the long-range plan of eventually making the writing program available to all who want to participate.

Prof. Herwitz, encouraged by the success of last year's program, looks forward with enthusiasm to the second year of operation which begins the first week of the spring semester. He pointed out that now the writing program will not only benefit the second-year students, but will also give a number of the third-year men additional experience in editing and legal analysis.

According to Craig and Stadum, who are co-chairmen of the editorial staff, participants will be selected for the program at random from applications of interested second-year students. They emphasized that there are no grade requirements. Announcement of when applications may be submitted and selection of the participants will be made before the winter vacation, the co-chairmen said.

The writing program will be patterned along the line of last year's, the student editors revealed. Each student will be assigned three short memoranda to introduce them to the technique of legal analysis and writing. Topics for the memos will be current problems in areas of law taught in the second-year classes and suggested by members of the faculty. The student will then select a subject of individual interest and will

write a note of considerable depth and law review quality. A period of cross-editing, rewriting, and individual consultation with faculty members will round out the program. The completed works will then be published in the *Harvard Legal Commentary*.

The effects of last year's program are still being felt. Several participants of last year indicated that they were contacted by lawyers requesting copies of their articles for use in cases in which their firm was involved. Reference to the published articles has also evoked interest by firms interviewing students for future employment, according to last year's participants.

Faculty advisers in addition to Prof. Herwitz are Prof. James Vorenberg and Prof. Frank E. A. Sander.

Sweden Honors Martin Norr

Martin Norr, Research Associate in Law, recently received a congratulatory telegram from Sweden.

Sent by Tore Tallroth, Consul General of that country, it reads: "It gives me great pleasure to inform you that the Royal Order of Vasa First Class has been bestowed upon you in recognition of your fine work to make Swedish laws known to the English-speaking world and with thanks for your help to Swedish lawyers and civil servants."

Mr. Norr, who works at Kendall House, explained that the award arises out of his work on *Taxation in Sweden*, which was published for the Law School in 1959 as part of the School's World Tax Series, and subsequent articles.

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Recent Book

Court Portrayed in Picture and Prose

The Warren Court. By John P. Frank, with photographs by Yousuf Karsh. Pp. 200, illus. New York: Macmillan Co. \$10.

by Thomas E. Woodhouse

"Photographs by Yousaf Krash" generally means that a book is worth acquiring. This book combines his photographs of the Warren Court with penetrating prose portraits by John Frank. A Karsh portrait is known for its lucid revelation of character, for ennoblement without sentimentality. The text by Frank displays the same virtues in expanding upon the character and personalities of the nine justices.

John Frank has known both the scholarly and the practical sides of the law. He was graduated from the Yale Law School, and served as law clerk to Justice Black. The association led to a book on the justice, entitled *Mr. Justice Black*, published in 1949. Subsequently, Mr. Frank taught Procedure, Constitutional Law and Legal History at Indiana and Yale. As teacher,

he edited two casebooks on Constitutional Law. Three recent books, *Marble Palace*, *Lincoln as a Lawyer*, and *Justice Daniel Dissenting*, have established Mr. Frank's reputation as a writer of high merit. Writing for Mr. Frank is only a spare-time activity, however; he is an active partner in a Phoenix law firm.

As a glance at the references section in the rear of the book will confirm, Mr. Frank has drawn upon a grand array of sources for the material in his portraits. His own acquaintances have led to the observation or recounting of incidents which now stand as personal anecdotes, making fleshy the sketches of the justices. Additionally, he has consulted scholarly works, including biographies and law review articles, documents, newspapers from the *Manchester Guardian* to the *Aspen Times*, magazines from the *ABA Journal* to *This Week* and the *Saturday Evening Post*, and, of course, cases (the book includes a "Table of Cases Cited" listing 68 cases).

Much of the material for the chapter on Justice Stewart came from the *Harvard Law Record* of October 29, 1959.

Through research, training, and experience, Mr. Frank is competent to say much about the Warren Court and its members. He also has the ability to say it very well. Mr. Frank's writing style is direct, very polished, and exciting to read. The first picture note opens with a geographical diatribe; pictures of Warren, he says, usually "bring out the bland Scandinavian kindness and leave out the Viking." This finds an echo when he says three pages later that Justice Clark "is the combination of Texas courtesy with Texas courage." His strokes can be quick and deft. I think it must be accurately said of Justice Harlan, "it goes to the whole fiber of his character that he is a gracious man."

There are ten chapters in the book, the first a short treatment of the Supreme Court, the remaining nine devoted each to a single justice. Each of these nine chapters opens with a formal photographic portrait of the justice, and closes with an informal portrait. All the pictures are excellent, and result from close personal study of each subject by Karsh. The printing of the book is on a very high quality paper, and the entire volume is a very commendable achievement.

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ILC Makes Offer Of Clerkships Abroad

Clerkships abroad, primarily for second- and third-year students, will be available through the Law Exchange Program of the International Law Club. In past years clerkships have been obtained in England, Wales, Mexico, Germany, Japan, Sweden, and Australia. It is hoped by the club that additional countries will be added this year.

Application may be made by filing a resume by Oct. 28 at Mr. Joseph E. Leininger's office in the International Legal Studies Building. The fee is two dollars for club members and five dollars for non-members. A further assessment of fifteen dollars is due upon placement. A sample resume is posted on the ILS bulletin board. Additional information may be obtained at ILS 205 or by contacting Robert M. Thomas, 2L.

Williston Memos In

Six teams of third-year students handed in solutions in the semi-final round of the Williston competition on Monday.

The teams asked to draft a proposal for inclusion in a proxy statement are George L. Damoose, Wallace H. Glendening, David A. Self and Gerald L. Jensen, opposed to Donald M. Feferman, David Hilburn and Lawrence W. Kanaga.

A second problem involved setting up a two-man corporation to publish a right-wing political magazine. Competing are James H. Bell, Noel E. Hanf, Philip C. Olsson and William Williams against Jerry B. Black, Joseph E. Irenas and Kenneth E. Warner.

The third problem involves drafting a statute to protect consumers from fast-talking salesmen. The teams are Ronald H. Alenstein, Caroline M. Simon, Richard M. Sharfman and Clarence A. Jacobson against Thomas S. Mansell, Sheldon H. Nahmod, Bruce A. McMillen and Marvin H. Pilchen.

Whitney M. Young Jr. Will Address Forum

"Civil Rights—1964" will be the subject of the second Harvard Law School Forum on Thursday, Oct. 29, at 7 p.m. in the Ames Court Room in Austin Hall. The featured speaker will be Whitney M. Young Jr., Executive Director of the National Urban League. Following his talk, panel comments and questions from the floor will be heard.

Mr. Young, one of the nation's most articulate Civil Rights leaders, was among the speakers at the Lincoln Memorial during the 1963 Civil Rights March. He is the author of four books, mostly on civil rights, and a member of the President's Committee on Youth Employment. In 1959 Mr. Young was the recipient of the Florina Lasker Award for outstanding achievement in the field of social work.

The Urban League, which he heads, is a bi-racial group founded in 1910. The league now counts over 5,000 members and a professional staff of 300.

Market Analysis to Be Discussed

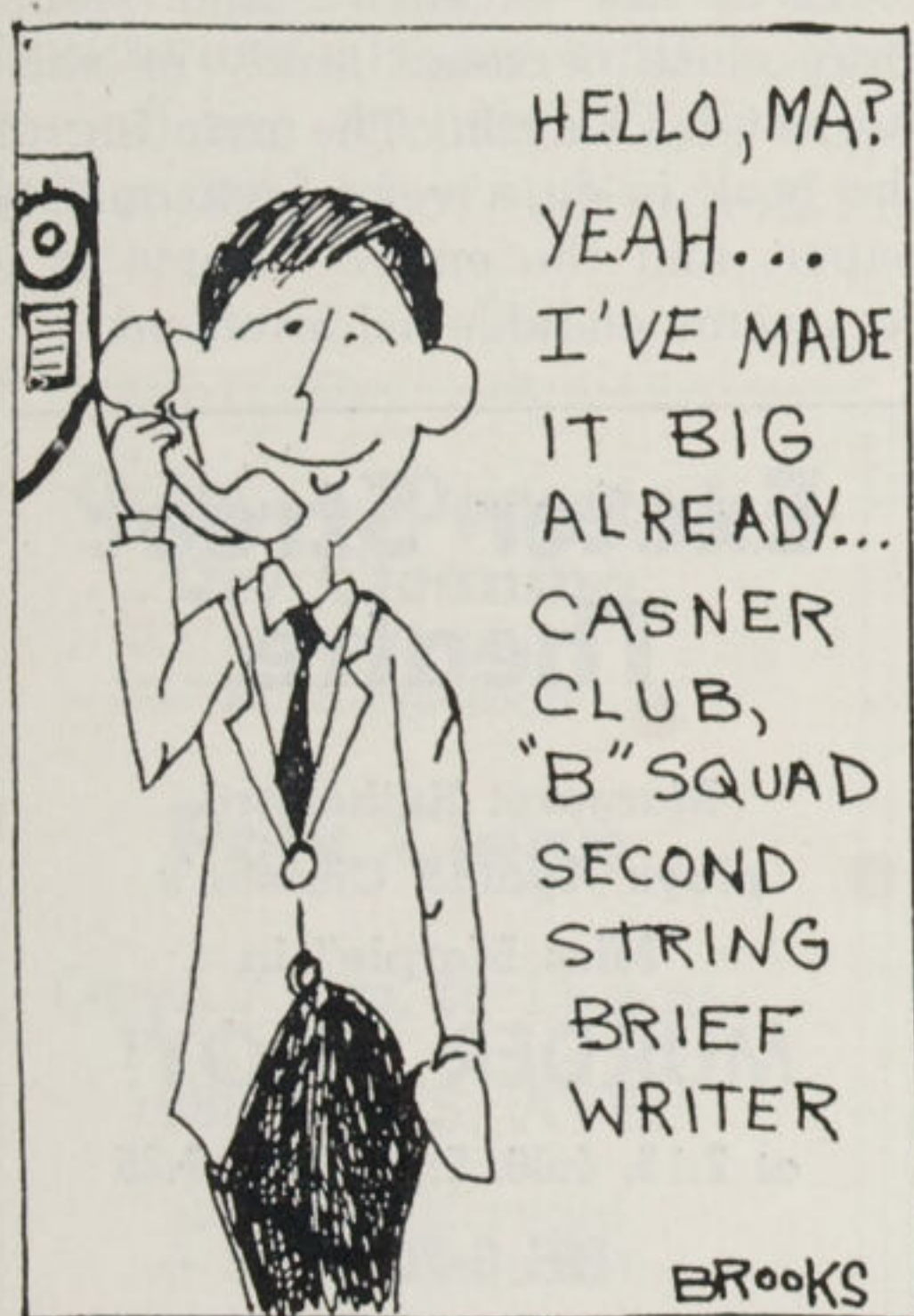
Bradbury K. Thurlow, Vice President of Winslow, Cohn and Stetson, Inc., will talk about "The Uses of Contrary Opinion in

Market Analysis" at a meeting of the Bull & Bear Club on Thursday, Oct. 29 at 4:15 p.m. in Harkness Commons.

Earlier this month the Club heard Leslie Pollack, Security Analyst for Reynolds & Co., on "The Fundamentals of Speculation."

Club President Richard Siegler expects several prominent businessmen to address the Club this year. Edwin Etherington, President of the American Stock Exchange, is slated to talk about recent S.E.C. regulations and investigations sometime next term.

Details of the annual "investment contest" will be announced at the Oct. 29 meeting. A prize will be awarded to the club member with the greatest appreciation in securities valued initially at \$50,000.



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Katz Revamping South American Education

By Brian Christaldi

Professor Milton Katz is currently participating in a pilot program directed to the reorganization of teaching and research in law, economics, and other social sciences at the University of Chile and the University of São Paulo, Brazil.

The program contemplates attention to possible common elements which might appropriately be incorporated in the training of lawyers, economists, political scientists, sociologists and other social scientists. Emphasis will be on the possibilities of interdisciplinary research in respect to problems of economic development and problems of long-term inter-American and international importance.

The pilot program is the result of recommendations submitted by Prof. Katz to the Council on Higher Education in the American Republics (CHEAR) after a two

month survey of educational institutions in Mexico, Colombia, Chile, Argentina, and Brazil. Rector Gomez Millas of the University of Chile and Rector Ulhoa Cintera of the University of São Paulo were particularly interested in exploring the possibilities of interdisciplinary educational programs relating to development. The project which ensued includes groups from Harvard, under the direction of Prof. Katz, the University of Chile and the University of São Paulo. The composition of the three groups reflects the interdisciplinary collaboration needed for work relating to development.

Native Learning Stressed

Prof. Katz feels that the objectives of this pilot program are of special significance to scholars at Harvard and elsewhere because they will expand the opportunities for effective research relating to development problems in Latin America. He explains that in order to adequately understand the processes of another society the scholar must draw upon the

knowledge accumulated and expounded by the people of that society. This is particularly true in respect to the institutional, social, political, legal and other "non-economic" factors which are increasingly important to the student of development since these factors reflect the attributes of particular societies. The more thoroughly the people of newly emerging societies come to understand their own situations, the greater will be the opportunities for effective research relating to these societies by scholars in the United States and elsewhere. For this reason, the interest in the reorganization of teaching and research in law, economics and other social sciences at the University of Chile and the University of São Paulo and other Latin American universities promises to expedite research and training in problems of development at Harvard.

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Afterthoughts

(Continued from page 9)

ests — sociological, governmental, economic, philosophical, political, moral, international, constitutional . . .

. . . News items and feature stories have their peculiar values, but the justification of the RECORD as a proper chore in the task of the law student must ever be found in bold, articulate essays based on brain-racking and belief.

The development of the RECORD has been otherwise. It is now primarily a chronicle of fact, not, as was intended, a journal of opinion and a forum for exchange of ideas on matters important to law students. It is debatable, looking through the old bound volumes, whether from the start the RECORD ever achieved its original purpose.

There are several tendencies which keep the reporting function the center of gravity of a school newspaper. At the Law School, the demands of time would only permit more hard discussion of issues if the thinking and writing chores were distributed beyond the immediate staff, which is small. Regrettably, there also seems to be a feeling among some that for students to put into print anything

more profound than primary sense data is pretentious. Thus the growth of the RECORD toward its present status has probably just followed the law of supply and demand.

An interesting thing is that the structure of the RECORD ideally suits it for either calling. The Alumni Association pays for the operation, but by means of an independent contract each year, and with neither express nor implied restrictions on content.

Letters to the editor are possibly the best device for making a journal a dialogue, and the RECORD welcomes these. Articles and suggestions for articles from students are also valuable. In the long run it is really a question of what function the readership expects its newspaper to perform, and how well the staff responds to that expectation.

Portian Workshop to Be Held

The Real Estate and Conveyancing Workshop of the Massachusetts Association of Women Lawyers will be held Saturday, Nov. 7, from 9:30 a.m. to 4 p.m. in the Ames Court Room. James S. Ballantyne, LL.B. '30, will be the featured speaker.

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AN INVITATION

You are invited to attend a discussion meeting in the Wheeler Room, Holmes Hall, at 7:30 p.m. on Monday, November 9, 1964.

McKinsey & Company, Inc., international management consulting firm, wants to add other Harvard Law School graduates to its professional staff. At this meeting we would like to have the opportunity to talk with you and to answer your questions about management consulting, our Firm, and the advantages of such a career for you.

Our invitation includes second-year men who are interested in jobs next summer with our Firm.

Interviews with our Firm, an equal opportunity employer, are scheduled for the following day. Notice of these interviews will be posted on the bulletin board in the Placement Office on October 27, 1964.

Prof. Kamisar

(Continued from page 5)

on the rights of the accused (based on chapters in the big book) is now being used at Harvard in Prof. Kamisar's Constitutional and Criminal Procedure seminar and will be used in two sections of the first-year Criminal Law course, Prof. Kamisar's and Prof. Livingston Hall's.

While at Harvard, Prof. Kamisar and Prof. Hall have agreed to join forces in producing a one- or two-volume casebook on criminal law and procedure.

In addition, Prof. Kamisar is the chairman of the newly reconstituted Committee on Selected Readings in Criminal Law of the Association of American Law Schools. This seven-man group, which includes Professor Charles Fried, will select, compile and edit what it considers the most thought-provoking articles and student notes in the area of Criminal Law to serve as collateral reading for courses in that subject.

Also, Prof. Kamisar is on Professor Vern Countryman's committee which is preparing memoranda which will provide the news media with background material on Supreme

Court cases as they are handed down. Prof. Kamisar's current project is "The Retroactive Effect of *Mapp v. Ohio*."

Still, Prof. Kamisar finds time to teach his Criminal Law class, his seminar, and a class in Evidence, and to sit behind his desk in his open-door office in Langdell and talk with those professors and students who drop in.

A constant pipe-smoker with a short crew-cut, Prof. Kamisar graduated only 10 years ago from Columbia Law School, where he was on the *Review*, and where he worked for Professor Herbert Wechsler as a student research assistant.

Upon graduating from law school, and until he joined the Minnesota law faculty in 1957, Prof. Kamisar practiced law with the Washington, D.C., firm of Covington & Burling. His special interests, his present students are always shocked to hear, were federal courts and anti-trust practice.

Interested in journalism, he served while an undergraduate at N.Y.U. as sports editor of the campus daily, and is at Minnesota the faculty adviser to both the *Law Review* and the *Law School News*.

The young professor's wife and three sons accompanied him to Cambridge for his year's sojourn.

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SLRB Plans Projects, Selects Members

The Student Legislative Research Bureau outlined its fall program and announced the election of a new officers and second-year members this week.

E. Stephen Derby, the Bureau's President, said that work was going forward on volume two of the Bureau's Journal, and that various projects had already been assigned to the legislative drafting committees. "The projects range from the very general to the very particular," he said. "For instance, in the municipal area, the Bureau is working on a model municipal procedure act suitable to meet the problems of the average town, but it also has a committee working on the revision of the Providence, R.I., charter."

He also pointed out two of the Fall projects as examples of the interesting work being done. One involves framing a statutory code of ethics for newspapers. This committee will have to find the middle way between freedom of the press and the protection of the individual defendant's right against what Derby termed "trial by newspaper."

The other project is the drafting of a State Ombudsman bill. Copying from the Scandinavian model, the committee, Derby said, will try to create a sort of super complaint bureau. Any citizen aggrieved by some governmental decision will be able to come to the ombudsman with his claims of prejudice or arbitrary and small minded treatment. With the growth of governmental bureaucracy holding great powers over the individual, Derby went on, the Scandinavians found that small injustices can result from the routine functioning of this bureaucratic machinery. The ombudsman in those coun-

tries has often been able to right many situations by the mere mention of a possible investigation.

The Bureau also announced the election of David H. Bradley, 3L, to the office of Director of Research to succeed Bruce D. Haims, 3L, who recently accepted an invitation to join the *Harvard Law Review*.

The new second-year members are: Sandra A. Bennett, Barnard, Brooklyn, N.Y.; Samuel A. Bleicher, Northwestern, Omaha, Neb.; Daniel L. Brocki, Georgetown, Erie, Pa.; Alan R. Chesler, Princeton, Jersey City, N.J.; Ira J. Dembrow, Cornell, Brooklyn, N.Y.; James M. Friedman, Dartmouth, Shaker Heights, O.; Ridgway M. Hall Jr., Yale, Southbury, Conn.; Roy A. Heimlich, N.Y.U., New Hyde Park, N.Y.; Edward J. Horowirz, U.C.L.A., Los Angeles, Calif.; Bernard J. Kabak, Columbia, Flushing, N.Y.; Perry M. Kantner, Ohio State, New Knoxville, O.; Martin A. Kasindorf, U.C.L.A., Los Angeles, Calif.; Martin J. Levitas, Harvard, Hillside, N.J.; Martin I. Lubaroff, Franklin & Marshall, Wyncote, Pa.; Edward M. Martin Jr., Harvard, Washington, D.C.; Howard D. Medwed, Princeton, Waterville, Me.; Thomas B. Merritt, Harvard, Toledo, O.; John E. Milem, Washington, Centralia, Wash.; George W. Miller, Princeton, Schenectady, N.Y.; Julian D. Rackow, Cornell, Cheltenham, Pa.; David H. Small, N.Y.U., Passaic, N.J.; George W. K. Snyder Jr., Harvard, Chicago, Ill.; Philip W. Stichter, Northwestern, Toledo, O.; John L. Thomas, Yale, Cleveland, O.

RECORD Elects to Loaf

In order to get out on the hustings for their favorite candidates, the RECORD editors have declared that there will be no issue next Thursday. But they will be up late on election eve, preparing the Nov. 5 issue.

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