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FIFTEEN CENTS

Support Given to Injunction of Selma March

By Bart S. Fisher

While the results of the recent courtroom drama in Selma, Alabama, continue to unfold, Law School professors and students have already begun to assess the performance of the mechanism of the federal court in this crisis. Professor Charles Alan Wright, Visiting Professor from the University of Texas and a national authority on civil procedure, was interviewed this week. The focal point of the analysis must be in the hearing held Tuesday,

Mar. 9, in which Frank M. Johnson Jr., United States District Judge for the Middle District of Alabama, denied the motion for an order temporarily restraining interference with a march from Selma to Montgomery, the state capital. Instead, under

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Less Dangerous Substitutes Urged for Addictive Drugs

By Leo J. Cass, M.D.

The medical consensus until 10 or 15 years ago was that a person receiving morphine for any reason over a period as short as two or three weeks would become dependent on the drug and addicted because of the pleasant effects resulting from its use. It was even felt that if it were taken unknowingly, addiction would follow.

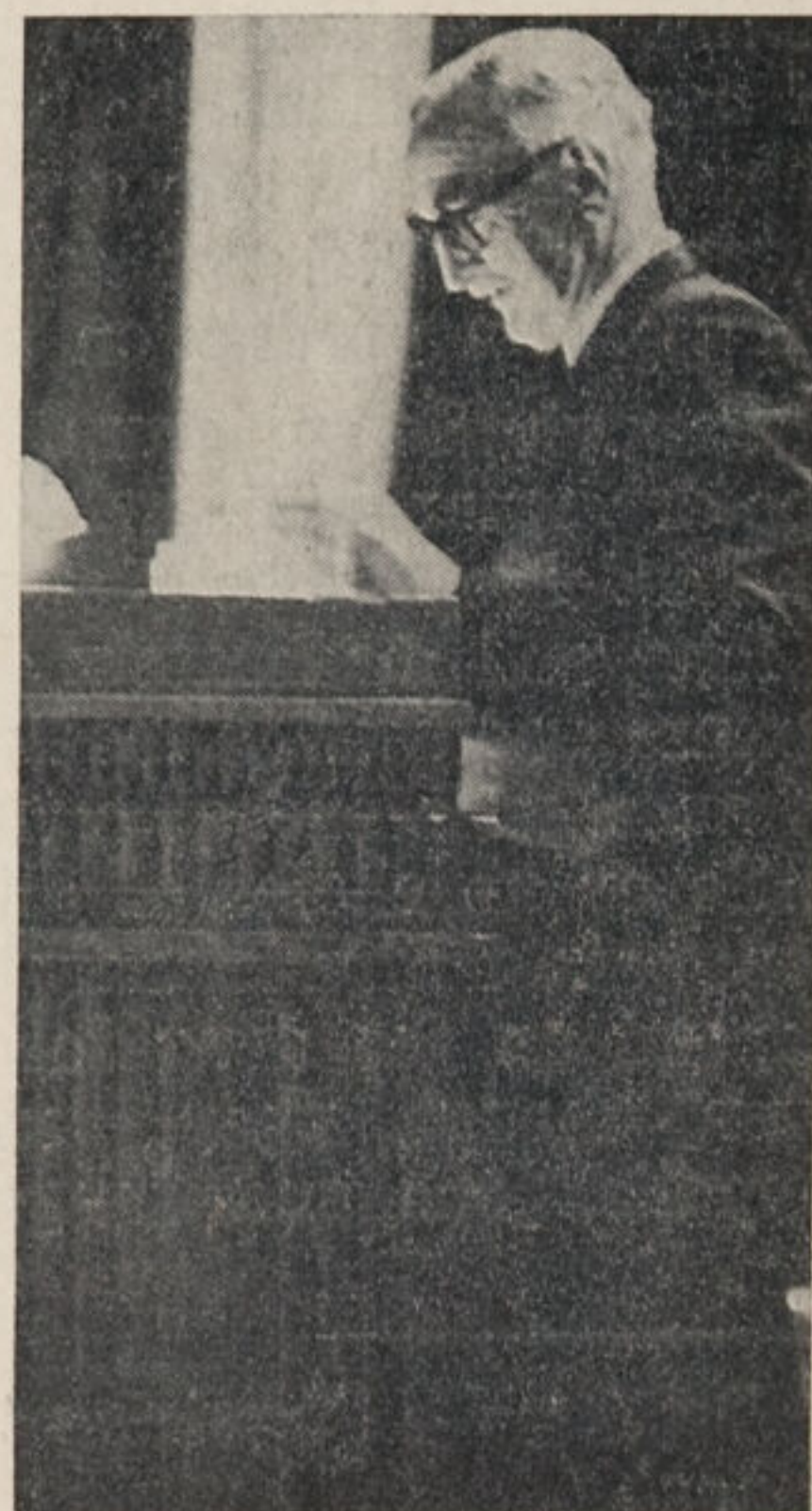
It is now recognized that only certain personalities are liable to easy addiction, and fortunately, exposure to the drug is not tantamount to addiction. While there are an estimated 40,000 to 50,000 confirmed addicts in the United States, the problem lies not in this group but rather in the large group of transient and experimental users of drugs that maintain the demand and feed the "industry." The juvenile and young adult addict is usually a member of a minority group, socially, economically and educationally deprived, and usually from a family of the same background. There is also a moderate incidence in the fringe areas of intellectual and artistic society, in which the

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'White Paper' is Criticized

Sen. Wayne Morse (D-Ore.) charged that the recent State Department White Paper on Vietnam is "an insult to the intelligence of the entire world" before a capacity crowd at Rindge Tech auditorium on Mar. 12.

He viewed the document as a harbinger of a "new war" in Southeast Asia and contended that "the pretense that we are in South Vietnam to help the people win a fight for freedom has been entirely dropped."



Senator Morse

Drugs and the Law

(Continued from page 1)

unstable individual resorts to the use of these drugs in an effort to free himself from responsibility for inadequacy and failure. In this group the use of drugs is condoned and encouraged and, unfortunately, is condoned or at least not recognized as a real crime by almost everyone.

Young people are often quite frank to admit that they have been approached and have attended group sessions where drugs were offered. They are proud to say they refused, but they talk about such sessions to their friends and even disclose where drug experiences are available. Each one of these young people becomes in fact a positive aid to the pusher. The law is lenient to these occasional users and early addicts. True, they are sick people. But it seems difficult to expect enforcement of a crime when 90 percent of those who break the law are immune from punishment. It is "Prohibition" all over again. A possible solution would be a strenuous attempt to isolate and treat these people as though they had a contagious disease, by legal authority if necessary. The seriousness of the crime of the use, and being an accessory to the use of narcotics should be brought forcefully to the attention of this group, accompanied by intense effort to eliminate the most addictive drugs from production and distribution.

Papavir Somniferum, the source plant of the drug morphine and its derivatives heroin and codeine, can be grown in any area where a long and moderately dry summer occurs. Opium was used in medicine before the days of anesthesia and at a time when there was little or no choice of alternate medications for pain. Physicians, therefore, came to depend on the drug for treatment of pain even though they recognized fully the complications and dangers inherent in its

use. If its use were confined to the medical sphere it would be no threat to society. Within the framework of legitimate medical use on proper patients, the addictive properties of morphine and its chief derivative, codeine, addiction is not a problem. However, the quantity of opium and its derivatives used in

the legitimate market is small compared to the quantity which is diverted into illicit channels. Unfortunately, the legitimate market offers a cloak of legality which serves as a protection for the drug until it actually enters the illicit market. This complicates the problem of control.

Is there, in fact, still a legitimate need for morphine and its derivative in medicine today? Drugs of analgesic potency of the level of morphine of even greater effectiveness are available.

While some of these newer compounds are also addictive, they are more readily controlled and do not have as high a degree of euphoric side-effects as do the morphine derivatives. For this reason there is little opposition by the medical profession to the banning of morphine as an analgesic agent. It is replaceable.

It is in the area of the most important derivative of morphine that resistance remains. Approximately 80 percent of the legitimate use of morphine lies in its conversion to codeine where it is used for relief of mild pain and for cough. In the last five to ten years even this use has diminished. There are pain and cough relievers which are nonaddictive, yet as effective as codeine.

It has been suggested that consideration be given to the establishment of an international agreement to eliminate morphine and its derivatives from the legitimate pharmaceutical and medical fields. While the opium poppy will grow in this country it has been effectively stamped out. The same measures applied throughout the world would go far toward eliminating the drug problem since, although many other drugs are of transient importance in this field, it is opium and its derivatives that provide the cornerstone of the industry.



Dr. Cass

Dr. Cass is Physician to the Harvard Law School.

Immigration Agency: Malaise and Rudeness

By Thomas E. Woodhouse

The ease with which a sensible program can be discredited by its administration is demonstrated daily in the Tremont Building offices of the Commonwealth's Division of Immigration and Americanization of the State Department of Education.

The statutory authorization for the bureau is found in *Mass. General Laws*, Ch. 15, sec. 12 and Ch. 69, sec. 11. Six members of the Board of Immigration and Americanization are appointed for staggered three-year terms by the Governor with the advice and consent of his council. They serve without pay, and must meet at least once a month as well as at the behest of any member. A Supervisor of Social Service, who is responsible to the Board, runs the Division. Employees are termed "social workers," and are assigned to individual cases. The purpose for which the agency was created is best described in *General Laws*, Ch. 69, sec. 11:

The Division of Immigration and Americanization shall employ such methods, consistent with law, as in its judgment will tend to bring into sympathetic and mutually helpful relations the Commonwealth and its residents of foreign origin, protect immigrants from exploitation and abuse, stimulate their acquisition and mastery of English, develop their understanding of American government, institutions and ideals, and generally promote their assimilation and naturalization.

Voluntary Services

The Division exists to render services to aliens in Massachusetts, and must be voluntarily approached by them. It has been active in its 45 years of operation, expanding the volume of its services with the expansion of the number of aliens in Massachusetts. At present there are over 130,000 aliens in Massachusetts, while persons of "foreign stock" (foreign born persons and natives born of foreign or mixed foreign and native parentage) comprise 40% of the population of the Commonwealth.

Unfortunately, the person who avails him-

self of the services of the Division is not likely to carry away a very favorable impression. It is unlikely that he will ever know that going to its offices has been by his own voluntary act. Rather, he will have been directed by officials at the Federal Immigration and Naturalization Service to report to the Massachusetts agency. There, in a dingy and unkempt office, he will join other aliens on a straight-back wooden bench, and wait until his assigned number is called.

A Brusque Greeting

The experience of an Italian student at the Harvard Medical School is probably not atypical, and accords with reports from others. He had difficulty acquiring residents' status, and was directed by the federal office to report to the Commonwealth agency. He did so with his wife, to be greeted by a curt "Yeah, what do you want?" Finally he was called to meet the acting supervisor. In her office he was made to sit at the opposite side of a table from his wife, and when she attempted to join him, she was brusquely told to sit down where she was. His tale was listened to, and at its conclusion he was dismissed. Going through the outer office, he saw the receptionist loudly commanding another person who had just come in, "Sit down, you make me nervous."

The student complains that his story was not listened to sympathetically. In spite of his denials, the acting supervisor persisted in her own preconception of what he wanted, a version not very flattering to himself. As a result, he was unable to get the help he required from the Massachusetts agency. He intends to obtain it elsewhere.

The Division of Immigration and Americanization appears to have developed a condition of administrative malaise, with attendant symptoms of crankiness and rude bearing. Unfortunately, aliens and the Commonwealth of Massachusetts are being made to suffer. The statutory scheme deserves sympathetic administration, but the Division, in extending gratuitous service, is possibly too remote from organs of review to ensure that it will always function responsibly.

The Nuremberg War Trials as a Deterrent

A single official camera had been allowed into the courtroom of the International Military Tribunal of the Nuremberg War Crime Trials. Last week the International Law Club presented to a crowded Harkness audience the 75-minute documentary film made then. It offered a frontal view of the panel of judges, the bank of defendants in profile, and the backs of the heads of the prosecutors.

The German defendants may in fact have had their days in court, but in this movie their defenses are allowed only a minute or two of exposition. So much the worse for the law-student viewer, since the keen points of law, of which Nuremberg provided an abundance, were mostly those raised by the defense. The background music — like news-reel music recorded at 45 rpm's but replayed at 33 — was funereal in a way which left no doubt as to the ultimate verdict. To the extent, however, that the film is propagandistic, one can only speculate as to the precise aim, whether to persuade Germans of the fairness of the Trials, remind them vividly of their recent Nazi past, or confront them visibly — perhaps for the first time — with the concentration camps.

The film was translated into English and has apparently been used as an Army educational film for several years. Only recently, however, has it been made available to a civilian America. The American voice heard here of Justice Jackson (the United States prosecutor) is apparently only a dubbing into English, by someone other than Jackson, of the dubbed German version of the original Jacksonian oratory.

The film was introduced by Professor Richard R. Baxter, who himself had been introduced by John V. Surr, 3L, President of the ILC. Long after the film had ended, several students remained clustered around Prof. Baxter, fervidly discussing the implications, legal and otherwise, of the Trials. One student recalled that Senator John Kennedy had profiled the courage of Robert Taft, who had condemned as retroactive the substantive law of the Trials, established by the London Charter of 1945.

An enduringly perplexing question raised by the film is whether any proscription of aggressive war may reasonably be expected to deter future warmongers, or their subordinates. The film itself closed with a self-assured affirmation that Nuremberg will "secure the peace." Professor Herbert Wechsler, writing shortly after the Trials, was willing to concede "some deterrent efficacy."

Prof. Baxter concurs in that position, and Surr foresees deterrence "in marginal areas — which is all the law can ever do." Surr further suggests that, given the overwhelming and understandable Allied hostility towards Germany at the conclusion of the war, the Trials were far preferable to another Versailles, and that the symbolism of the Trials undoubtedly wrought a catharsis of that hostility which allowed for Germany's speedy and politically happy admission into the Western Alliance. He referred to Professor Max Rheinstein's appreciation of the Trials as "channelizing and taming the emotions of hatred and revenge."

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Scholars Weigh Kennedy's Place in History

Will the Kennedy years look like "a brief, glamorous and insubstantial moment between eight years of Eisenhower and nine years of Johnson," or "a time of great beginnings"? This was the question posed by Professor Richard Neustadt of Harvard, the opening speaker in a panel discussion on "Kennedy: Man In History" presented by

Prof. Konefsky dealt primarily with Kennedy's handling of civil rights and found little of note, particularly during his first two years in office, despite the high hopes for his presidency from Negro leaders. "In the 'Ole Miss' crisis Kennedy repeated tactics which ended in Eisenhower's failure at Little Rock," he noted. The consistent atti-



Left to right are Professors Beer, Neustadt, Konefsky and Morgenthau.

the Harvard Law School Forum last Friday.

Professors Samuel Konefsky of Brooklyn College and Hans Morgenthau of the University of Chicago joined Prof. Neustadt on the panel. Professor Samuel Beer of Harvard University acted as moderator.

Prof. Neustadt attempted to assess the "firsts" of Kennedy's years in office, seeing two of them as inherent in his election itself: a Catholic president and a vice president who would become the first political Southerner in the White House since the Civil War. Certain fixed commitments were made, not all of which can yet be fully assessed. Kennedy's Civil Rights speech of June, 1963, was followed by "the payment of the political cost while he was still in office." By taking the brunt of the reaction to such legislation, Kennedy helped clear the way for the passage of last year's bill under bipartisan leadership.

In foreign policy Kennedy committed the American society to "trying to get through the cold war in one piece," and tried at home to bring together the public and private economic decision-makers. In summation, Prof. Neustadt said that Kennedy's stewardship will be judged in great measure by the record of achievements of the Johnson Administration.

tude in the White House for the past three administrations has been that "the time is not yet ripe to act."

Prof. Morgenthau spoke of the late president's "style" and his speeches, which he characterized as "consummate literary products . . . which is not surprising in view of the quality of his speechwriters." However, he noted, these speeches did not precede or justify actions, but stood alone.

Kennedy did bring intellectuals back to the government for the first time since the New Deal, and tried to destroy the negative image of "businessmen in Washington." In foreign affairs, Prof. Morgenthau labeled the Bay of Pigs an obvious failure, the Cuba Missile Crisis a "tactical success and strategic failure" because the Russian military presence is still considerable, and the Nuclear Test Ban a "limited success." He said the Alliance for Progress, a failure in itself, did raise for the first time in an intelligent way the problem of judiciously using foreign aid.

Prof. Morgenthau closed with what seemed to be the prevailing sentiment of the panel, that "The great danger is that because of his tragic end there will grow up a Kennedy mythology which will exaggerate his accomplishments. No one can say whether he would have succeeded, but at least he started to move after eight years of immobility."

Injunction

(Continued from page 1)

Rule 65 (b) of the Federal Rules of Civil Procedure, Judge Johnson enjoined the proposed march pending final settlement at a later hearing.

For the petitioners to have prevailed, it would have been necessary for them to show that "immediate and irreparable injury, loss, or damage" (under Rule 65) would result unless the officials of the State of Alabama were restrained from interfering with the march. Many civil rights supporters thought that the civil rights movement would suffer "immediate and irreparable injury" as a result of freezing the situation at the *status quo*.

Prof. Wright, however, believes that the actions taken by Judge Johnson in that situation were "perfectly proper. A hearing was needed to bring out the facts in dispute. Courts should always be reluctant to issue injunctions *ex parte*," he said.

The position of the petitioners was circumscribed by Federal Rule 23 (c) which prevented them from taking a voluntary dismissal of the suit. The rule holds that

class actions "shall not be dismissed or compromised without the approval of the court." Moreover, Prof. Wright maintains that "it would have been outrageous for the petitioners to have thwarted the court's order by taking a voluntary dismissal."

If the petitioners had little freedom of movement, the same could not be said of Judge Johnson, who exercised his judicial discretion with dispatch by combining the denial of the restraining order and the injunction against the marchers in one terse opinion. Judge Johnson "has an outstanding record on civil rights cases, and is among the best district judges in the South," said Prof. Wright.

He remarked that Judge Johnson is no stranger to confrontations with Gov. Wallace, his close friend and former classmate at the University of Alabama Law School. In 1958, he countermanded the Governor's refusal to turn over voter lists to the U.S. Civil Rights Commission, which was then investigating alleged discrimination by Alabama officials against Negro voters.

Prof. Wright noted that the Wallace pattern of unyielding resistance when feder-

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Editing, Publishing 3L Also Attends Classes

By Michael Lowenberg

For most Harvard Law students, the world of business and law still seems vaguely remote. But Robert A. Farmer, 3L, is impatient.

Since his return to the Law School this past fall after a two-year absence, Farmer has organized a large and growing research and writing organization and established his own publishing company.

Farmer entered the Law School in 1960, and completed two years. He participated in the Internal Revenue Service Honors Program, served in the army, and worked for a Cleveland law firm. Last year he was hired by an accounting firm to research and write on international tax and business law. Returning to Harvard with freelance writing contracts and a substantial loan from his family, Farmer hired five research assistants and began his operation. At present he has about 45 persons working for him at Harvard, including two full-time secretaries.

Farmer's first major project was a thousand-page book on international family law, which he describes as "a compendium of statutes relating to marriage, divorce, adoption, and guardianship." After discovering that established publishing houses would pay him only a 15 percent royalty for the soon-to-be-completed book, Farmer decided to strike out on his own. He hired several students at the Business School to investigate the marketing problems involved, and personally obtained several hundred purchase commitments from libraries and government agencies. He will finance the printing himself, and by supplementing personal salesmanship with direct-mail advertising, hopes eventually to sell nearly two thousand copies.

His extensive business activities have required travels to New York, Miami, Chicago and Baltimore. But Farmer received a B average at midyear and has "tried to be present at all my classes."

Farmer, a Dartmouth graduate and native of Cleveland, Ohio is "presently negotiating with a well-known publisher of state and federal tax information to publish translations of the tax codes and regulations of from 25 to 30 countries." He has research assistants working on "a pilot project to publish an investment letter for the bond departments of banks which, if acceptable, will be published by another company. I



Bob Farmer

hope, too," he said, "that I can work out an entrepreneurial relationship with the law professors." Most recently, Farmer has been working on a plan to offer freelance writing, editing, and research services of a technical nature, either business or legally oriented. This would involve direct mailing of brochures advertising the Farmer organization's services.

No longer content with just a group of law, business and graduate students, Farmer has formed the "Lancaster Publishing Co., Inc. to carry on his own publishing activities, with offices at 45 Rutland Square in Boston.

Farmer admits that he is "risking something if these activities fall through, but I feel it's worth it." At present, he is looking for equity capital to finance his activities, and is considering attending the Harvard Business School next year while continuing his projects.

The expansion of the Farmer organization has been felt among the Law School faculty. One professor was heard to complain that he and other of his colleagues lately have found a "mysterious shortage" of student research assistants.

Farmer is becoming legendary among his student associates. Circulating this week at the Law School is the rumor that Dean Griswold has sold Langdell Hall and leased it back to Farmer.

A Countervailing Force

To the Negroes of central Alabama the recent outrages that have resulted in two deaths and have shocked us all are but more overt manifestations of a continuing campaign of terror designed to deprive them of full citizenship.

In Dallas County, where Alabama White Citizens Councils were born, Negroes have now been subjected to the full spectrum of atrocities and reprisals. Mass meetings have been harassed by the 300-man "Sheriff's Posse"; voter registration workers have been beaten both by officials and hoodlums; there has been a secondary boycott of Negro retailers by white wholesalers and distributors; and numerous potential voters have been threatened or fired for attempting to register.

Those who have power in Alabama realize that the goals of the civil rights movement are not limited to voting rights, but are directed ultimately to a radical reconstruction of Southern society. The Negro residents of the state are looking for places on Southern school boards, juries, legislatures, and agricultural committees. Further, they intend to break the oppression of caste poverty. In Dallas County, for example, the fact that 78% of the farm land is owned by the white minority means that 70% of the non-white families have an annual income of less than \$2000.

Since the movement is challenging their privileged position, Southern whites will resist change by any available means, and there is little countervailing power to check violent excesses. This is particularly true in those areas where the inhibitions of manners, civilization, or business image are absent. In this context, for Northern whites to demand that the movement resort exclusively to the courts to achieve revolutionary change is to broach the absurd.

In many respects, this issue of countervailing power to protect Negroes and civil rights supporters in the South is a basic question to the social reform movement. Not only does a campaign of terror supplement civil rights deprivations achieved by the discriminatory application of state laws, but when those aids to Negro subjugation are voided, the incentive to use nonlegal means is increased. Thus, even new voting-rights legislation could prove ineffectual if Sheriff Jim Clark's campaign and Klan-type activity went on unchecked.

Experience has shown that the federal civil rights criminal statutes have had little deterrent value in the Deep South. In most cases, with all-white federal grand and petit juries, segregationist judges, and vulnerable witnesses, the risk of conviction for past acts is not great. Even with convictions, penalties are minimal. Indeed, the notoriety accruing from a federal trial, in some parts of the South, is a political asset. Because Deep South police officials know the Justice Department policy against arresting them except in extreme cases, they take advantage of a wide latitude in their choice of tactics.

Rather than rely upon the chance that state authorities who transgress civil rights will eventually be brought to justice, the federal government should direct itself to taking preventive measures to head off tragedies such as the recent ones. Statewide injunctions against police brutality and civil rights deprivations should be immediately obtained. Better, a protective force of marshals or troops should be created to guard against state-sanctioned violence and to make on-the-spot arrests when federal violations threaten. Such a force would not "occupy" the South, or take prime responsibility for local order, but would supplement authorities and assert the supremacy of federal rights. In this more distinguished role, the federal government would be less a consoler of widows and more a guardian of freedoms.

F.R.P.

TONGUE 'N CHEEK

By Fenno

"When March 21 comes can spring be far behind?" I thought as I wandered aimlessly through the ILS stacks.

"Who'll come out in the air with me?" I shouted whilst sprinkling rose petals amid the carrels.

"Not I," came a third-year voice. "I still have to dig up 37 more footnotes for my seminar paper."

"Not I," responded a 2L. "I'm much too busy compiling the first illustrated tax and commercial code ever assembled on parchment."

"Not I," cried a first-year student weakly. "I'm too involved in worrying to fritter away my time enjoying anything."

"Why don't you go over to see the people at the Harvard Law Participation Bureau," suggested a fellow sitting on a bookshelf.

"What's that?" I asked.

"It's a group of enterprising third-year students who have finished their papers. For a small fee a subscriber can hire them to participate in events in his name," my informant replied.

"For what kinds of activities do they hold proxies?" I inquired.

"Anything a person wants his name associated with, from civil rights demonstrations and letters to the *Times* to attendance at art shows, cocktail parties and concerts. They even play squash under assumed names."

"What do I have to do to get company for a walk?" I asked suspiciously.

"You merely promise to tell five of the subscriber's classmates about how you and X took the afternoon off to enjoy spring. The Bureau reports to its client on how he enjoyed the trip and everyone is happy," he said.

"How's that?"

"You get a companion, X gets a reputation for being well-rounded without ever having to leave the library," he explained, "and the rest of the Law School is relieved of the sight of smiling 3L's with nothing to do."

Letters to the Editor

War and Politics

To the Editor:

I thought the editorial in your Feb. 18 issue, "A Time for a Precedent," was a visceral reaction to the unpleasant but necessary choices which have to be made in deciding foreign policy.

First, the writer attacked the use of military means to achieve political ends. Elementary civics tells us that the president is not only the highest political officer, but the commander in chief of the armed forces as well. If we accept that the objectives of government are political ends, then it is difficult for me to see how the military would not be used for political ends. I had always thought that we fought World War II with certain political objectives in mind—like a stable peace, and that our forces were directed accordingly. Political decisions unenforced by military means would have done little to deter the Axis powers; and I doubt that the editor would condone military operations without political guidance.

World War II brings us to the central topic of the editorial—that the U.S. is morally guilty for the bombings of Hiroshima and Nagasaki. The editor even tries to draw an analogy between these bombings and the brutalities of the Nazis. Most authorities believe that an invasion of Japan would have cost millions of Japanese and American lives. It was also apparent that Japan would not surrender without an invasion, unless shocked into the realization of its devastating futility. I personally would have been willing to have subjected Germany to the same decision if it would have ultimately saved the lives of millions of Germans, Russians, and senselessly slaughtered minorities. War is never pleasant, but no one has shown that it is more pleasant to die by conventional means than nuclear. Certainly it is better that thousands should die by the latter to spare millions from death by the

former.

The writer also suggested that the United States should allow law suits by victims of the bombings. I can see some justification for allowing law suits from those born with hereditary congenital defects attributable to radiation, since future generations would not have been affected by conventional warfare. But I see no more reason for allowing suits by those wounded in the blast than suits by civilians wounded by conventional means.

The above is not to say that I favor the use of nuclear weapons today. But at the time and under the circumstances it was probably the more humane decision. I think our post war policies toward Japan were such as to satisfy the great majority of Japanese that genocide was not the purpose of the bombings. To express moral guilt would be to admit that the decision was not a moral one. This would not only be a false admission, but in my opinion would hurt, rather than help, our relations with the Japanese.

C. Wayne Huffman, 1L

Fallacy of German Reparations Corrected

To the Editor:

. . . . I read with a great deal of interest the [Editorial] in your issue of February 18th, 1965 and my attention became focused on a portion of the last paragraph, particularly the sentence "That country (Germany) has made payments to many families of victims." Somehow, I assumed, when I read it, that this had reference to the Jewish victims of Nazi Hitlerism. If this assumption is correct, then I take the liberty of pointing out a commonly accepted fallacy. The huge millions paid out by post-Hitler Germany was not given nor received as compensation for the loss of lives, for the spilling of blood, for the breaking of bones, for indescribable pain and suffering of innocent humans. There is no measuring rod that can produce a computation resulting in a dollar-and-cents evaluation of such damages. The reparation payments made by West Germany was in-

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Events of Note at the Law School

The Dormitory Council will sponsor a mixer tomorrow, Mar. 19, at 8 p.m. in Harkness Commons.

* * * *

The Bull & Bear Club will sponsor a panel discussion — "Whither SEC Reform?" — on Friday, Mar. 19 in the Ames Court Room at 8:30 p.m. Panelists will be Byron D. Woodside, Commissioner, Securities and Exchange Commission; Edwin D. Etherington, President, American Stock Exchange; and Robert W. Haack, President, National Association of Securities Dealers, Inc.

The panel will be moderated by Professor Louis Loss. The proceedings will include a short talk by each participant on a particular phase of SEC reform, including the Securities Acts Amendments of 1964.

Commissioner Woodside has been with the SEC from its inception. From 1952 to 1960, he served as Director of the SEC's Division of Corporation Finance. In 1960, he was appointed a member of the Commission by President Eisenhower. Mr. Etherington has headed the American Stock Exchange since 1962. Mr. Haack, a 1940 graduate of the Harvard Business School, was associated with a Milwaukee securities firm prior to assuming the presidency of the NASD in 1964.

* * * *

Alan Cameron of the Fletcher School of Law and Diplomacy will

lead a discussion, "The Continuing Crisis in Vietnam," at 8 p.m. on Wednesday, Mar. 24 at the International Student Association, 33 Garden Street, Cambridge.

* * * *

Law Wives: come sip champagne and "Wing Into Spring" with Peck & Peck fashions and maternity clothes by Storkline. The fashion show is on Wednesday, Mar. 24, at 8 p.m. in Harkness Commons. Tickets are \$1.50 at the door.

* * * *

N.B.C. News commentator David Brinkley will speak before the Harvard Law Forum on Friday, Mar. 26 at 8:30 p.m. in the Lowell Lecture Hall.

* * * *

The Hon. Robert C. Weaver, Administrator of the Housing and Home Finance Agency, will deliver the Godkin Lectures under the auspices of the Graduate School of Public Administration. He will speak about "Future Urban Development" at 8 p.m. in Sanders Theater on Mar. 29 ("New Communities"), Mar. 30 ("Urban Renewal"), and Mar. 31 ("Dilemmas In Racial Policy").

* * * *

Allen W. Dulles, former Director of the Central Intelligence Agency, will engage in a series of discussions with MBA students entitled "Reflections on a Life of Public Service," on Mar. 31 and Apr. 1 and 2, at 4 p.m. in Carey Cage.

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Recent Books

A Useful Collection on Copyright

Copyright and Related Topics. Edited by The Los Angeles Copyright Society and The UCLA School of Law. University of California Press. Berkeley and Los Angeles, 1964. Pp. 609. \$12.00.

By Alice P. Wegman

Copyright and Related Topics is subtitled "A Choice of Articles." It is just that. The editors have brought together in one volume 16 outstanding articles, nearly all from reviews, which range over a broad spectrum of issues in the areas of copyright law and the law of artistic property. Read as a whole, the articles provide an overview of the present law, its scope and its limitations.

The book is an unpretentious offering. It has no axe to grind—it is no plea for revision of the copyright law—nor does it introduce new contributions to the thinking in the field. Rather, it is intended as a reference tool for the practicing lawyer. Its tone is one of practicality, and its expressed aim is to bring together writings which were previously scattered in diverse publications. The format of the book reflects a journalistic orientation. Each author has appended a supplement to his article, providing up-to-date information about legal developments since its original publication.

Worthy of particular attention is the contribution of Zechariah Chafee, "Reflections on the Law of Copyright." Chafee explores the general principles of copyright law with a view toward defining its purposes and predicting its future course. He favors broad copyright coverage which will keep apace with new creative forms and new

methods of infringement. Chafee's view is that the law should provide financial incentive and security to the creative artist, but should not go "substantially beyond the purposes of protection" or place an undue financial burden on the public.

Also included is "The Right to Privacy," the now classic Warren and Brandeis article which appeared first in the 1890 Harvard Law Review. The authors argue for the legal recognition and protection of a right to privacy, a right to be "let alone." Their discussion illuminates fundamental principles which form the basis for copyright protection.

The other articles in the anthology were all written after 1950, and are more restricted in their scope. Among them is one by Professor Benjamin Kaplan, which presents an incisive analysis of *Capitol Records, Inc. v. Mercury Records Corp.*, a leading case on the rights of a performer in his rendition.

The decision to reproduce the articles by an offset process, without resetting them in a uniform type face, was a mistake. The editors hoped to justify their decision as an attempt to "lend historical interest" to the volume and to "save time," apparently seeking to create the impression that they were propelled to publication by the pressure of a rapidly changing law. One suspects, however, that it was money, not time, that they hoped to save. The book suffers somewhat from the resulting lack of uniformity.

But to emphasize the stopgap

temporary quality of the book would be to do it an injustice. It is a pleasure to read the easy, lucid prose of these essays, each of which bears evidence of thoughtful, careful scholarship. The editors have well achieved their aim, and the book provides an exceedingly useful tool.

Lawyers and Laymen

When You Need a Lawyer. By Kenneth and Irene Donelson. Garden City, New York. Doubleday & Co., 1964. Pp. 297. \$4.95.

By Priscilla Kirshbaum

Do you hear the sound of a siren behind you? Is there a policeman at your door? Then "... you need a lawyer by your side." This is the message of Kenneth and Irene Donelson in their book, *When You Need a Lawyer*.

Mr. Donelson is a Sacramento, California lawyer; his wife is a legal researcher in his office. Their purpose is to alert the layman to his "legal rights and liabilities as well as to the dangers of not consulting a lawyer" when he should. The authors have avoided technical jargon, outside of the few terms clearly defined. There is no attempt to give legal advice—only to point to the times when a lawyer is needed.

The authors have indeed undertaken a herculean task; to criticize such an effort may seem a disservice. After all, the title speaks for itself, the table of contents provides a handy guide for the inquisitive layman, and each chapter includes at least one gay cartoon to aid interpretation of the purposefully folksy text. Yet, as this don't-do-it-yourself kit purports to perform a service to the public, a precautionary note is in order.

Any attempt to discuss more than 120 topics in only 258 pages is destined to sacrifice depth of
(Continued on page 12)

The reviewer is the wife of Howard M. Kirshbaum, 3L.

Alice Wegman, a 1964 graduate of the Law School, is a research assistant for Professor Paul A. Freund.

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Ames Quarterfinals Underway This Week

The Board of Student Advisers has announced that judges from a Pennsylvania U.S. District Court, the U.S. Tax Court, and a Connecticut Superior Court will be among those sitting on Ames Competition benches in the spring Quarterfinals.

Morgan-Brown defeated Cardozo Law in the first argument, held on Monday, Mar. 15. Judges for the argument were Hon. Charles S. House of the Superior Court, Connecticut, Walter D. Malcolm of Bingham, Dana & Gould, Boston, and Robert L. Stern of Mayer, Friedlich, Spiess, Tierney, Brown & Platt, Chicago. Martin Kasindorf and Alan I. Baron were the oralists for Cardozo Law. The case concerned the constitutionality of a statute authorizing a store to enter into revolving charge accounts with its customers and to charge them a rate of interest in excess of the rate permitted by usury laws.

This evening Hon. Arnold Raum, of the U.S. Tax Court, Harry K. Mansfield of Ropes & Gray, Boston, and M. Gordon Ehrlich of Bingham, Dana & Gould, Boston,

will hear the second argument, between the Sacks and Kaplan clubs. The case raises two questions: whether real property received by a testamentary trust and earning rental income while attempts are made to sell it is property used in a trade or business, and whether partial depreciation may be taken in the year of sale of real property sold at a price in excess of its adjusted basis.

The third argument, between Pow Wow-Kent and Story Law, concerns the efforts of a foreign country to avoid jurisdiction of an American state court in a case brought by an American seller seeking compliance of a waiver clause in the purchase agreement. The case also raises the question of a state court's obligation to accept suggestions of sovereign immunity by the State Department. Finally, there is a question of whether the acquisition by the purchase section of the foreign government of a piece of road-building machinery to be used in the construction of runways which will serve both military and civilian aircraft is a purely governmental function so as to render the sovereign immune from suit without its consent. The argument will be held on Tuesday, Mar. 30, before Hon. John F. Dooling Jr., U.S. District Court, Eastern District of New York, Carlyle E. Maw of Cravath, Swaine & Moore, New York City, and Abram J. Chayes of Ginsberg & Leventhal, Washington, D. C.

The last argument is to be between Braucher and Griswold Equity on Thursday, Apr. 1. The Court will include: Hon. Francis L. Van Dusen, U.S. District Court, Eastern District of Pennsylvania; Harry Kisloff, of Boston; and Hilmer B. Zobel, of Bingham, Dana and Gould, Boston.

The case raises the question of whether a longshoreman injured on shore because of the possible negligence of his co-workers may bring an action under the admiralty jurisdiction when the injury arose out of a faulty line running from the vessel's bow winch to a railroad car on the pier's siding. There is also the question of whether under such facts a cause of action exists against the vessel for unseaworthiness when the failure of the line was due to a hidden defect in the coupler of the railroad car.

ty jurisdiction when the injury arose out of a faulty line running from the vessel's bow winch to a railroad car on the pier's siding. There is also the question of whether under such facts a cause of action exists against the vessel for unseaworthiness when the failure of the line was due to a hidden defect in the coupler of the railroad car.

Recent Books

(Continued from page 11)

treatment in the attempt to be brief; the result here approaches superficiality. It is fair to point out that other authors with the same task have succeeded in being substantially more informative. The intentionally colloquial style introduces the danger of imprecise statement.

The chief value of the book lies in its table of contents, and in its consoling message that when in doubt, shout—for a lawyer. Be assured a Donelson cartoon anticipates your dilemma.

On Leave Next Year

Several members of the Harvard Law faculty will be on research status or sabbatical leave during the 1965-'66 academic year.

On research status will be Professors Derek C. Bok (second semester); Ernest J. Brown (first semester); Livingston Hall (half-time); and Henry M. Hart (half-time).

Faculty members who will be on sabbatical leave are Professors Harold J. Berman (first semester); Ernest J. Brown (second semester); Roger D. Fisher (first semester); Milton Katz (entire year); and Samuel E. Thorne (first semester).

Professor Paul M. Bator will teach at the University of California (Berkeley) during the second semester.

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A Hearty and Spirited 'Recline and Fall'

By Michael D. Hampden

The lusty, enthusiastic cast of "Trover in the Clover" fully met the expectations of its equally lusty and enthusiastic audience Saturday night. The fourth annual Law School Show, subtitled "The Recline and Fall of the Law Student," played to a standing-room-only crowd in Sanders Theater.

From the opening routine it was obvious that the cast was having fun; but the audience was not the kind that had to be warmed to the idea. The two groups reinforced each other across the footlights all evening.

The show was best when it was musical. Much of the dialogue suffered from an attempt to force too many quips, cracks and in-jokes into the bits, as though the technique could sustain a continuous, hysterical roar from the audience. There was little sense of modulation in the writing or directing.

The production might have shown a better appreciation of its talent by giving more room to composer Jim Friedlander and musical director Mark Pachman. The best numbers were those less filled with wit; which relaxed a little and let the music and the talent of the performers carry the humor. Sandy Rosenbloom deserved every moment of the prolonged applause for her "Maid Who Is in Love," one of the few moments of the show in which the music was not callously exploited as a vehicle to throw still more funnies into the crowd. Her quiet, sad song to her broom will be among



On The Harkness Cafeteria Line: Jim Friedlander, 2L, is served by Alice Sainer and Shelley Nemetz.

the last impressions of the show to be forgotten. Caryl Alterbaum was very nearly as good in her "100 Ways to Lose a Man," but again, because she was allowed to perform, and not forced by the lyrics to get the message across or die.

Choreography was generally fine, but the dance numbers could have been a shade faster. They did not quite meet the tempo of the skits, which were somewhat marred by choppy blackout transitions.

The expedient of using strings of legal terms of art as sexual allusions was for the second year running, far overdone in "A Necessary Party" and in the gates of heaven gambit ("You sought a right of entry but she wanted you to become a holder in due course.") But it is only fair to record that the longest laugh of the evening followed a ploy of this species: "You thought you were FIFO."

The lesson for next year seems to be this: pay more attention to the music—the Law School humor will take care of itself.



The Finale

Counsel Criticizes Campaign

"While we weren't successful in getting votes, we had phenomenal success in raising money." Fred C. Scribner Jr., LL.B. '33, and General Counsel for the Republican National Committee, made the remark at a luncheon meeting of the Law and Graduate Republican Club recently.

"One third of the \$18 million raised came from direct mail appeals," he explained. "And \$900,000 was received after Senator Goldwater's reply to the Johnson foreign policy speech."

Mr. Scribner attributed the Republican loss to a combination of factors. Voters, when they can, will re-elect a President during a time when the country is prosperous and at peace, he said. Republican strategists badly miscalculated the existence of a white backlash vote, once indicated by Governor Wallace's primary races. Finally, they overestimated the boost which Mr. Goldwater's candidacy was expected to bring to the campaigns of some state and local candidates.

Professors to Teach in London

Six professors from the Harvard Law School will journey to London this summer to take part in a unique summer school for British lawyers and law professors on the subject of American Law. Sponsored jointly by Harvard and the University of London, the school will present a series of lectures at the University of London from July 12-23.

The aims of the program are twofold, according to Associate Dean A. James Casner. The school will give practicing British lawyers greater familiarity with American Law so that they may better advise their clients with American interests. It is also hoped that the interchange of ideas between the two systems will provide fruitful suggestions for adapting desirable features of one system for use in the other.

Headed by Dean Erwin N. Griswold, the Harvard delegation will include Professors Derek C. Bok, Louis Loss, Albert M. Sacks, Detlev F. Vagts and James Vorenberg.

The control of crime, conflicts of laws, and the problems of British companies doing business in the U.S. will be studied.

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Griswold Supports World Peace Through Law

By Keith S. Watson

Dean Erwin N. Griswold has expressed his support for a newly established international center where lawyers and legal scholars of many countries can meet to help solve the problems of a smaller and more complex world.

His remarks appeared in the recently published proceedings of the First World Conference on World Peace Through Law, held in Athens in July, 1963.

One of the major results of the Conference was the establishment of the World Peace Through Law Center, which has become the largest private international legal organization working for a world community of law and order. After one year of operation at its temporary headquarters in Washington, D.C., the Center's membership numbers nearly 2000 lawyers and jurists from 116 countries, including 300 members of high courts throughout the world.

In an address entitled "Legal Education and Research," Dean Griswold maintained that the Center will contribute to the development of better international understanding in the same way that national law schools such as Harvard contribute to the operation of 51 different rules of law in this

country's federal system. He noted that progress in the field of international legal research has been made since the late 19th century when the Harvard faculty proclaimed that international law was not a subject fit for teaching at the Law School. He cited the "great efforts" of Professor Louis B. Sohn, a consultant to the Conference.

Although national restrictions such as the Connally Amendment present obstacles to international law, Dean Griswold sees a "middle ground" in which the International Court of Justice can obtain jurisdiction over limited areas. As the jurisprudence of the Court develops, more nations would become accustomed to its decisions. The United States should adhere to the International Court "without reser-

vation of any sort," the Dean said.

The volume in which the address appears contains papers presented at each of the 12 working sessions of the 1963 Conference covering such topics as disarmament, international investments, international courts and space law.

Other American contributors include Chief Justice Earl Warren, Attorney General Nicholas B. Katzenbach, Henry Luce and former Harvard Law professor Abram Chayes.

The Athens Conference represented the culmination of worldwide efforts begun in 1958 by a committee of the American Bar Association headed by Thomas E. Dewey. The Conference was made possible by funds from the Association and the Ford Foundation.

Letters to the Editor

(Continued from page 9)

tended merely as reimbursement for material goods and assets taken and illegally appropriated, and nothing more.

If my premise be valid, then your equating the victims of Hiroshima and Nagasaki with the victims of Hitlerite Germany does not stand firm. . . .

Benjamin Neugeboren
New York City, New York

To the Editor:

I have long since learned never to ask what students are now learning at law schools—particularly in these days of "Open Houses". My heart isn't strong enough for the answers I get.

But this horde of law school students overrunning us now intent on "solving" our "civil rights problems" keep quoting to me the old couplet by Ella Wheeler Wilcox:

"No question is ever settled
Until it is settled right."

that I had assumed that they learned this at law school.

This makes your editorial on

"The Williston Reinstatement" [Feb. 25, 1965 issue] simply fascinating. You commended the Committee for reinstating the disqualified team, and added: "But the important thing now is that a solution acceptable to all the parties . . . has been found."

Have you learned in law school that there can be solutions which may not conform to everyone's ideas of "right"? And can "acceptable" solutions be a substitute for "right" solutions? And would the views of a majority make it "right"? In fact, is there a "right" solution to the Williston Committee's actions?

When you have "solved" these problems, could you communicate the solutions to your good Dean so that he would have them with him when he next is tempted to use his position on the Civil Rights Commission to act the smart aleck with an elected public official, even from Mississippi, who probably does not have a degree from Oxford University.

J. Edward Thornton, LL.B. '32
Mobile, Alabama

ILC Elects

The Harvard International Law Club Journal has elected the following to editorial positions: William E. Butler, 2L, Editor-in-Chief; Craig S. Bamberger, 2L, Notes and Comments Editor; Jeffrey M. Hertzfeld, 2L, Articles Editor; and Gerald Cook, 1L, Managing Editor.

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Injunction

(Continued from page 6)

al force is absent, but only token opposition when federal power stands ready to be used, can give us an indication of the Governor's likely reaction to the final adjudication of the temporary restraining order.

What will be the eventual outcome of the litigation? This raises at least three questions. If indeed the civil rights marchers are granted an order restraining Alabama state officials from interfering with the Selma-Montgomery trek, with what qualifications ought it to be granted? "Certainly the final order from the court should have some conditions," Prof. Wright stated. "There is not an absolute right to march anywhere, anytime. If it is possible to put restrictions on the use of sound trucks in a city, as the Supreme Court has held, then it would seem proper to put some restrictions

on the right of peaceful assembly."

There are also at least two trials growing out of the turbulent crisis in Selma — the prosecution for the murder of Rev. James J. Reeb of Boston, and the trial of the state officials and troopers who allegedly used undue force to disperse the demonstration on "Bloody Sunday," Mar. 7. As to jurisdiction over the Reeb murder case, Prof. Wright believes that it would be preferable for the state court of Alabama to handle the matter, despite the availability of a federal charge for conspiracy to deprive a citizen of his constitutional rights. With respect to prosecution of state officials for brutally interfering with the marchers, Prof. Wright concluded, "I would hate to see Sheriff Clark go to jail, as he has done a good deal for the cause of civil rights. Every time you get brutal you arouse the wrath of the nation and bring the problem closer to its eventual solution."

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