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FIFTEEN CENTS

Group Studies Addition to LSAT



Vice Dean Toepfer

The Test Development Committee of the LSAT Policy Board is developing a series of tests to measure high-level reasoning ability, Vice Dean Louis A. Toepfer, chairman of the committee, disclosed this week. The new tests are designed to discriminate better between high-capacity students whose scores now tend to bunch together at the upper end of the scale.

The Dean cautioned against any presumption that the tests, which have been experimentally administered to students at law schools other than Harvard this fall, will be eventually incorporated into the Law School Admissions Test.

"Most of the things we try do not add information which is substantially different from that already available," he said. "We are conditioned to failure. It may be that the

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World Court:

Wider Jurisdiction?

Professor Louis B. Sohn is working on proposals for the extension of the jurisdiction of the International Court of Justice for submission to the International Law Association this spring.

Prof. Sohn, who is Reporter for the Committee on the Charter of the United Nations, is preparing this year's committee report on the "Gradual Extension of the Compulsory Jurisdiction of the International Court of Justice." He is assisted by two third year members of the *Law Review*.

At present there are three methods by
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WALLACE TRIAL POSTPONED

The Prince Edward County, Va., trial of Fred L. Wallace, 3L, scheduled for this week, has been postponed until November 20. The involvement of Wallace's lawyers, George E. Allen and Samuel W. Tucker, in other matters was the reason for the postponement. Wallace is charged with felonious assault.

In the meantime the fund raised at the Law School for Wallace's defense has continued to grow. The fund total is now nearly \$700.

Two Year Law Schools

In his article in the American Bar Association Journal last May, Professor David F. Cavers emphasized that his proposal for a two year law school is not a call for immediate action. It is merely an attempt to put into circulation an idea for possible implementation in four or five years. As such, we certainly think it merits serious consideration.

It is clear that the nation's law schools will have to expand their capacity to meet the increasing demands of the end of the decade. It is also clear that many students become bored and apathetic during their upperclass years. After 17 years of schooling or more, they would like to get out into the Big World they have heard about so often in Commencement speeches.

Under Prof. Cavers plan, students would not only begin earning dollars sooner, but the law schools would have more total resources available.

But we have some reservations about the two year plan. We would not want the law school to become a mere factory, without time for reflecting about the law and the legal system. We would not want to lose the time for legally-oriented extracurriculars which we feel can be such a valuable part of education. And we would not want the summer vacation so short that students could not serve as law clerks, an experience which changes the entire outlook of many students.

We wonder also whether some of the claims, such as freeing more faculty time for research, will actually materialize — particularly if the student body expands and vacations are shortened.

As Prof. Cavers says, for most faculties "it is a wrench even to consider departing from the slow-paced three year law course." But perhaps a few law schools will adopt a version of the two year plan and create a healthy national diversity. We think the wrench would be a worthwhile thing.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

Huff v. Brown et. al.

Plaintiff has for many years maintained undisputed control over a piece of land in Manhattan, New York, upon which is built a structure known as "Ruth's House." He alleges that on or about October 13 defendants J. Brown, L. Groza, F. Ryan, and others did viciously enter upon his land *vi et armis* (which, translated liberally, means gaining 204 yards rushing and 130 yards passing), causing untold damage and committing trespass, trespass on the case, and trespass on the helmets, shoulder pads and knee sox. Plaintiff seeks an injunction from further offenses.

Defendants individually and collectively set up a 7-2-2 defense.

The issues in this case come down to the question of the passing of Tittle. Plaintiff urges the court to give the New York Property statute a lateral reading. Plaintiff claims rightly that on October 13 Tittle did not pass to the Browns, though Tittle did pass 17 times in 31 tries, to plaintiff's friends, which sounds like a fraud of some sort.

Defendants throw doubt upon the previous invulnerability of Huff, citing 82 *Time* 15:50, which stated that Huff is "Indestructible — except when he shaves . . ." and that his razor's unnecessary roughness threw him for losses until he used new "Afta." These points would be well made if the cited case were not distinguishable. That case concerned Huff "and his hairs," and not the magic words "and his heirs."

Presently plaintiff and his friends do have a Tittle that is marketable. However there is some doubt whether this will remain the case. If, after Sunday afternoon, the "49ers" are willing to give up R. Guglielmi to get Tittle, Tittle will be marketable. The court hereby appoints D. Schofner receiver, and orders J. Brown to stand seized. If this action fails, plaintiff is advised to switch back to the self-help remedy of "Afta."

Budding Actress Sues Jeweler

By Michael Hampden

Last April 27 was a bad day for Erica Johanson, attractive young graduate of Thayer College and aspiring student of the Morgantown School of Drama. That was the day, she complains, her career was ruined.

Erica's problems began as she was examining rings in the jewelry store of Julius Neuhauser. Her glove dropped behind the counter and Julius courteously stooped to pick it up. But finding a ring missing from the tray when he stood up, he somewhat less courteously accused Erica of the theft, and insisted she remain in the store. She agreed, but in her nervous haste to produce a ready list of character witnesses' phone numbers, she unwittingly dropped a letter from her purse. While she was phoning for help, the irate Julius discovered from its contents Erica's shameful secret: her addiction to morphine, acquired innocently during hospital treatment.

The result of this disclosure, and the events following in the jeweler's office, are the subject of this year's Model Trial. The case of *Johanson v. Neuhauser* was brought in the Superior Court of the Commonwealth of Ames, and will be tried here November 7.

Erica's counsel is Jerome P. Facher of the Boston firm of Hale and Dorr, and a Law School instructor in trial practice. Julius is defended by Robert E. Keeton, Harvard Law professor and veteran trial lawyer.

The presiding judge will be the Honorable Cornelius J. Moynihan of the Superior Court of Massachusetts, and former law professor at Boston College Law School.

The trial is being planned by the Teaching Fellows under the direction of Richard H. Seeburger. Mr. Seeburger commented that this year's trial may be more instructive than last year's since it involves a less complex and mysterious fact situation, and greater emphasis on the legal problems of the parties' intent. By comparison, it may provide more "long range value," he said, but possibly at the expense of "drama."

The specific counts in the case, which generally involves the extent of a shopkeeper's privileges on his premises, are false imprisonment, battery and invasion of privacy.

The trial will begin at 4 p.m. and will continue into the late evening, with a break for supper. Realism will be achieved, it is hoped, with a jury and well-rehearsed witnesses, mostly volunteers from the Cambridge area.

The purpose of the Model Trial is to give first-year students some direct exposure to preparing for a trial, to trial techniques, and to the procedural aspects. It is one of the few such opportunities in the three-year curriculum. As is the custom, the trial will be followed early in the winter by a Model Appeal. It is expected that both parties in the suit will receive at least one appealable setback to guarantee the occasion.

Average '48er Makes \$26,000

The average Harvard Law School graduate fifteen years out of school earns \$26,000 a year, according to a survey of the Class of 1948, the results of which were released at the Class Reunion here Oct. 18 and 19, attended by over 175. The highest salary reported was \$200,000, and 13% of the class report earnings of over \$50,000.

The '48 class includes the present Governor of Massachusetts and the recently appointed president of Yale University among its members. One member manages two heavyweight fighters.

Miscellaneous facts gleaned from the questionnaire were: that 32.9% have never changed jobs since graduation; that 66.1% would influence their sons to become lawyers, but only 17.5% would similarly influence their daughters; that one member's wife earns \$45,000 a year. (Coincidentally, one respondent listed himself as retired.)

93 Candles for Dean Pound

Dean Emeritus Roscoe Pound will celebrate his ninety-third birthday this Sunday. The famous green eyeshades accenting his keen mind, Dean Pound still works regularly in his Langdell Office. On his birthday last year, he said that the one thing he looks back on with satisfaction "is the wonderful group of students who listened to me during the 50-odd years that I have been teaching."

JAG Corps: How Worthwhile Is It?

By Charles M. Hamann

An Army major in the Judge Advocate General's Corps, better known as JAG, described the delights of a lawyer's life in the Army to about 100 Law School students last week. Foreign assignments, including skiing in Innsbruck and women in Saigon, figured prominently in his description of the advantages of this life.

A number of candid commentaries on file at the Placement Office from graduates of this school who have served in Army, Air Force, and Navy JAGs, reveal a different perspective. The fact is that for non-career JAG officers foreign assignments are exceptional, though bachelors have a better chance than married men.

What reasons are there for becoming a JAG officer as a means of fulfilling their service obligation? An obvious advantage is that those who are accepted (a degree from an accredited Law School and membership in the Bar of some state or federal court at time of *commissioning* are minimum requirements) are commissioned as first lieutenants or lieutenants j.g. and are almost assured of promotion to the rank of captain or lieutenant before the expiration of their term of service.

All services require a minimum of three years of service, but upon completion of this period the JAG officer faces no active reserve duty. In the case of the Navy, in addition to these three years, four months at Officer's Candidate School at enlisted pay are a prerequisite.

The Army requires JAG officers to spend eight weeks at Fort Benning, Ga., receiving an infantry officer's orientation. But in contrast to the Navy, commissioning occurs upon entry into the service. The Army and Navy both offer courses in military justice; the Army has an eleven-week course at the University of Virginia Law School and the Navy, a seven-week course at Newport. The Air Force has no similar orientation program.

The letters at the Placement Office present insights, not found in official pamphlets, as to the worth of three years in the JAG Corps. One letter written by an Army JAG officer describes his Army experience as "among the happiest of my life."

A more reserved point of view, expressed by a Navy JAG officer, is that while the practice of military law can be enjoyable, it can also be frustrating: "Military law can be an enjoyable experience. It is not overly demanding, and there is ample time for enjoying off-duty matters, and for doing professional reading, writing etc. On the other hand, it is my experience that many graduates of law school are ready to take the world by the tail, and the relaxed life just described can be frustrating to a degree."

JAG Value Debated

A difference of opinion exists as to the value of military legal work in later private practice. The most representative view, expressed by an Air Force JAG officer, is that while it has some value, it is "not anywhere near as valuable as three years in private practice." However, an Army JAG officer said that "the military trial experience should have a very direct carryover into civilian experience."

Other views are that military legal experience best qualifies one for other governmental legal work and, in the area of private practice, for a small-town practice rather than a Wall Street firm. A Navy lawyer reported: "For the first two years most of my work was dominated by public relations. This is legally irrelevant but practically irreplaceable." Private firms are apt to give one year's credit for three years in JAG, but some may give no credit at all.

The Placement Office correspondents are agreed that trial work, to which many junior JAG officers devote their time, is the most useful area of experience. This conclusion was most vehemently expressed by Army JAG officers

whose trial experience was limited to a role in general court martial cases, as either prosecutor or defense attorney.

The trial of general court martials apparently resembles the trial of criminal cases in any Federal Court except for the absence of a jury or grand jury and broader discovery procedures. In the Navy and Air Force, special court martials are still in wide use and JAG officers are assigned to defend and prosecute them. Because inexpert lay judges preside at these trials, the prosecutor has the awkward role of advising the judge on matters of law, a role which limits his function as an advocate. The carry-over value to civilian practice is consequently limited.

Legal assistance and claims work are other areas likely to consume much of the junior JAG officers' time. Advising on martial difficulties, writing wills, leases and conditional sales agreements are a few areas in which the JAG officer must be prepared to assist. Evaluation of the worth of this work varied with the aspirations of the lawyer involved. One officer, who hoped to develop a small town practice, thought this work ideal training; another described it as "frustrating."

Assignments are not always predictable. An Army lawyer, transferred to Korea at his own request, wrote a "110 page classified study of Korean criminal law in action since the military coup (of General Park, now constitutionally-elected President.)" A Navy correspondent was sent to Guam in the wake of a typhoon to brief legal and line officers on the claims adjusting procedures in the Navy.

Job location in the military depends in large part on "the needs of the service." However, one JAG officer in the Air Force reported an extraordinary effort to give everyone the assignment he desired. A Navy man, speaking from limited knowledge, speculated that "there

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Judd Praises "Limited Government"

By Myer J. Sankary

"That government is best, not which provides the most, but which provides opportunity for the individuals to achieve what they desire."

In his speech before the Harvard Republican club last Tuesday, Dr. Walter H. Judd, former representative from Minnesota, discussed the Republican philosophy of "limited government."

Dr. Judd challenged what he said was the theory of the present administration — that a complex society requires more direction from the central government. Such a theory is not provable, he said. "The more complicated the society, the less the central government is capable of controlling everything." The successful future of our country depends upon individual responsibility, stated Dr. Judd.

A key figure in shaping Republican policy, Dr. Judd sharply distinguished the Republican from the Democratic philosophy of government. "The Republican theory is stated in the saying of Jesus, 'Seek and ye shall find,' whereas the Democratic slogan is, 'Sit down and we'll bring it to you.'" The government's function, Judd said, is to maintain a peaceful society in which individuals are free to make their own choices. Of course a minimum of social needs must be insured by the central government so that no one becomes destitute and impoverished. "The Republican party advocates a floor or minimum beneath which no individual shall sink, whereas the Democratic party wishes to provide everyone with a bed."

The present administration, said Dr. Judd, is a "government by promise" — "it promises to give the people whatever they want." In the past two years President Kennedy has asked for twenty-seven grants of power not before given to the Federal government. Such requests indicate a tendency toward what Judd called, "führer government," and a corresponding decline in democratic procedures. "The executive has taken over too much of the legislative activity by planning and drafting legislation."

Turning his attention to the international scene, Dr. Judd asserted that the major threat to the United States is Communism.



Dr. Walter Judd

"Though Communism has not changed its objective of imposing its will upon the world," Dr. Judd feels that Communism is failing. He claimed it is not a good government at home, for it fails to use its human resources properly. He cited as evidence the fact that though they have plenty of land, the Communists still have a scarcity of food, and are forced to buy their food from the West. Dr. Judd advocated a stronger attitude in dealing with the Communists. For example, when the Russians ask to buy wheat, Dr. Judd claimed we should sell only on the condition that Russia give concessions as withdrawing from Cuba or tearing down the Berlin wall. If the Russians refuse, Dr. Judd said we should simply say "Nyet" to the wheat deal.

Before delivering his speech at Langdell Hall, Dr. Judd answered several questions about the present situation in Vietnam during a private reception given by the Republican club at Lincoln's Inn. He stated that Kennedy should support the Diem regime, but doubted that the administration is following its own policy. Having spent many years in southeast Asia, Judd said that his experience has taught him that Orientals refuse to be humiliated and to be told what to do. Dr. Judd suggested that we can improve our relations with Vietnam by dealing with Diem more on his terms. He said we should start by improving the choice of appointments. "We have many fine Catholics," Dr. Judd hinted.

International Court

(Continued from page 1)

which states may grant the International Court compulsory jurisdiction of a case, Prof. Sohn explained.

One method is by the filing of a declaration with the Court giving the Court jurisdiction as provided by a clause in its statute. Such a declaration may be, and frequently is, made subject to reservations, such as the Connally amendment denying the Court jurisdiction of cases involving the United States which the U. S. determined to be within its domestic jurisdiction. To date, 37 nations have filed such declarations.

Another is through the medium of an international agreement. Such agreements are generally bilateral or multilateral treaties by which the signatory states grant jurisdiction to the Court to decide controversies arising out of interpretation of the treaty.

A third method is by an "open-ended" agreement between two states that the Court will have jurisdiction over all disputes on a wide range of topics arising between the two states.

It is Prof. Sohn's intention to suggest additional and more flexible methods by which compulsory jurisdiction can be vested in the International Court. At present the report, in its preliminary form, embodies three suggestions.

The first is to make it possible for a state, by filing a declaration with the Court, to accept the Court's jurisdiction over all matters of treaty interpretation respecting any of the 5000 odd treaties which are registered with the United Nations. If even a few nations did this, the result would be a significant increase in both the number and variety of cases handled by the Court.

The second is that a list of subjects in the field of international law be prepared, and a state be allowed to accept the jurisdiction of the Court over whichever subjects it chose, to the exclusion of the others. This is patterned after a substantially similar suggestion made by the United States at the Hague Conference in 1907.

A final suggestion is that the United Nations General Assembly and Security Council be empowered to decide whether the Court will judge a given matter. The test would be

whether the matter presented a legal question, and whether it was sufficiently important for the U.N. to compel a member state to submit it to the Court for resolution. At present the Charter of the United Nations allows the Security Council to make such a recommendation, but it is without binding force.

The final report will be submitted to other members of the Committee for approval. If approved, it will be officially submitted to the 51st meeting of the International Law Association, to be held in Tokyo in August, 1964.

Cowen Talks on Malaysia

Discussing present and future Southeast Asian politics, visiting Australian professor Zelman Cowen expressed serious concern over the role Indonesia is playing, and serious regret that Australia has not done more to minimize Indonesian influence.

Prof. Cowen concentrated mainly on the creation of the Malaysian Federation, digging back into the origins of the world's newest nation, in a talk to the International Law Club last Thursday.

Prof. Cowen said it is not clear exactly why Sukarno, the Indonesian premier, has authorized recent rioting, such as the looting of the British embassy, in protest to the creation of Malaysia. Prof. Cowen regarded as outrageous any claim that Malaysia represents a threat to Indonesia, pointing out that Indonesia has a population of 100 million, ten times that of Malaysia.

More probably, according to Prof. Cowen, the Indonesian government still hopes to incorporate the two sections of the island of Borneo presently included in Malaysia. Also, Sukarno is said to fear the possibility that Malaysia will be ripe for a Chinese Communist takeover, since many Malaysians are of Chinese extraction, particularly those in Singapore.

The Indonesian take-over of West Irian, former Dutch New Guinea, was "a classic defeat of the rule of law," Prof. Cowen continued. "Sukarno got what he wanted by the threat of force."

Prof. Cowen faults Australian policy in letting Indonesia take over.

Found: Too Few Books on U.S. Law

By Neal W. Johnston

Seeking ways to facilitate international legal research, Harvard Law Librarian Earl C. Borgeson took a two-month tour of eight Asian centers of legal study this summer.

"Too many foreign collections of American legal materials consist of little more than out-dated gift volumes from the basements of American law school libraries," Mr. Borgeson points out.

The trip was made under the auspices of the American Bar Foundation and the Asia Foundation. Mr. Borgeson traveled with John C. Leary, Deputy Administrator/Librarian of the ABF. The tour was primarily fact-finding in nature — to discover what kinds of bibliographic materials are needed, and what ways American scholarship can be put at the disposal of the Asian legal profession.

They interviewed leading barristers and jurists from Tokyo to Colombo to discover the actual extent of research into American law now current in those areas and the possibility of extending the work of the ABF into joint research projects in this area. They also inspected law libraries to see how closely the holdings support the needs of the interest in American law in each locality.

A complete collection of the *Index To Legal Periodicals*, the *Index To Foreign Legal Periodicals*, and *Current Legal Bibliography* would reasonably satisfy the research needs of some of the areas visited, Mr. Borgeson explained. In other cities, a modest microfilm collection would be sufficient. In yet other cities, where the beginnings of solid collections can be found, there is a real need for a good working American law library.

Mr. Borgeson noted that in Taiwan, courses in American law are already offered in English, using specially prepared case books. Carefully selected readings relating to these courses would be particularly useful.

Although the purpose of the tour was to aid Asian research into our law, the two-man team was also alert for ways in which an easy reciprocity could be engineered. This initial trip paid off primarily in new personal contacts.

Later this month, the team will submit its



Librarian Borgeson

report to the ABF and the Asian Foundation, with specific recommendations as to what should be done.

The itinerary of the trip, which began July 2 and ended September 1, included Tokyo, Seoul, Taipei, Manila, Bacolad City, Cebu City, Singapore and the Malay Peninsula and Colombo.

While on the trip, Mr. Borgeson visited with several groups of Law School alumni and on each occasion found former students still much interested in the School.

The ABF hopes to make this just the first step in a continuing program of mutually valuable contacts and visits, exchange of ideas, legal literature and research personnel, and reciprocal and joint research studies and training programs.

HUAC Forum Postponed

Rep. Edwin E. Willis, chairman of the House Committee on Un-American Activities, has postponed his appearance at the Law School Forum which had been slated for tomorrow evening. He is now scheduled to speak later in the semester.

The postponement was necessitated because Rep. Willis is going to appear before the Senate Judiciary Committee, a Forum spokesman said.

LSAT Changes

(Continued from page 1)

results will not justify adding these tests to the LSAT." Although he did not describe the new tests, he added that these experiments were "the only way we can make progress."

The Committee is also conducting a study of law school drop-outs, the Dean said. While the number of drop-outs at Harvard is fairly small, across the country four out of ten who start law school never finish. Dean Toepfer acknowledged that the study "carries us beyond testing," but he said the universal interest of law school admissions personnel everywhere made it worthwhile.

Dean Toepfer noted that last year the intercorrelation between the writing and general background tests and the remainder of the LSAT had diminished from what it had been in the first year of their use. The increased divergence, he thought, indicated that the two recently instituted tests were measuring different things than the remainder of the tests, and the Committee plans to keep them in use, at least for the present time.

Everett St. De-Signed



The Everett Street sign had a fainting spell last week. Its indisposition was variously attributed to heat stroke resulting from unusually warm October weather and to acute thirst, the product of the current drought.

It will never recover. It is now gone and undoubtedly buried in some student's room.

Grads Gently Criticize School

At a reunion seminar, moderated by Prof. Albert M. Sacks, the class of '48 offered some gentle criticism of the Law School's weaknesses they recalled from their days here. One member of the class stressed the need for more problem solving practice on modern problems. Another complained that the school breeds an atmosphere of unreality, exemplified by students going over prior exams, and said he feels the student should not be taught to think as a law professor but as a lawyer.

A Southern drawl was added to the discussion with two major points. First, the school overemphasizes the future of being a clerk in a large New York City firm and doing one's all for the senior partner, when many students have no intention of going to the City at all.

“One great function of the school is to teach men to non-conform,” the voice went on. “There will be tremendous pressure over the next few years to conform. This school can continue to teach men to make up their own minds and stand by their ideas.”

Shelley's Rule

The Rule in Shelley's Case made a strong impression on the minds of the members of '48. Class member, Gordon F. Bloom, while talking of the value of real estate law to a businessman, stated that he "never ran into the Rule in Shelley's Case," and criticized the property law courses of his day as being "very deficient," needing more practical knowledge in the syllabi.

John T. McNaughton, General Counsel for the Defense Department, praising the Law School's teaching of a way of thinking, said, however, "The Rule in Shelley's Case is fine for learning the analytical approach."

Hotel President Speaks Tuesday

The president of the Sheraton Corporation of America, Ernest Henderson, III, will speak Tuesday at the first meeting of the Bull and Bear Club about the prospects of the hotel-motel industry.

The club will meet in the Wheeler Room of Holmes Hall at 1:45. This will be the last opportunity for members to obtain applications for the \$50,000 Investment Contest, club officer Howard S. Klotz, 3L, said.

Auto Claims System Studied

By Thomas E. Woodhouse

Dissatisfaction with present methods of satisfying claims arising from automobile accidents has nagged both lawyers and laymen for a great many years. A myriad of schemes has been advanced for better disposing of them.

Included among these are compulsory liability insurance plans patterned after Massachusetts legislation of 1925 requiring that vehicle owners show minimum financial responsibility, and compulsory accident insurance plans such as that adopted by Saskatchewan.

But there has not been a comprehensive study of these proposals, relating them to law, the insurance industry, labor organizations, medicine, and politics. Responding to that need, Professor Jeffrey O'Connell of the Iowa Law School came here in September to join Professor Robert E. Keeton as associate director of the *Study of Proposed Improvements in the Automobile Personal Injury Claims System*.

After graduation from the Harvard Law School in 1954, Prof. O'Connell took up practice in Boston for five years, interrupted by a two year hitch in the Air Force. Teaching won out over private practice, however, and Prof. O'Connell last year completed his fourth year teaching tort law at Iowa. He is currently on a year's leave of absence, and hopes to have advanced his study of automobile claims plans to the point where he will be able to issue a report before he departs next September.

The study had its origin as an idea of Prof. Keeton, and owes its viability to Prof. Keeton's efforts in initiating it. Its mandate is broad: to examine the effectiveness of our present automobile claims system, and to consider improvements. It will encompass legal and other aspects of present and proposed plans and, while primarily concerned with personal injury claims, will look to property damage claims as well.

This year's project, Prof. O'Connell explained, is supported by a grant from the Walter E. Meyer Research Institute of Law. It grows out of a very real dissatisfaction with how the present system works—a trivially injured person is often very prompt-



Directors O'Connell and Keeton

ly overpaid, while for a seriously injured person there is a long delay, after which only a fraction of his expenses are paid.

Although the Research Institute is New Haven based, the study will focus in particular upon the situation in Massachusetts. In part this is because Massachusetts has long been a pioneer in automobile claims plans, and in part it is a credit to Governor Peabody's ambitious program of highway safety.

Not all the work of the study is to be done by Profs. Keeton and O'Connell. Besides research assistants, the two will have the assistance of members of Governor Peabody's staff. On tap for ready advice will be a consultative panel of members of the law faculties of Boston College, Boston University, Suffolk University, and Harvard.

Afro-Asia Slots Open

Ten American law or public administration school graduates will be selected to hold administrative positions in African or Asian governments during the 1964-65 year, as part of the Africa-Asia Public Service Fellowship program.

Dean Stephen K. Bailey of the Maxwell School of Syracuse University will be in Cambridge Friday, Nov. 1 to discuss this program, and while here will interview candidates. Interested students should contact Mr. Leininger in the International Legal Studies Wing.

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Recent Book

Belli on Law in Japan

By Thomas E. Woodhouse

BELLI LOOKS AT LIFE AND
LAW IN JAPAN. By Melvin M.
Belli and Danny R. Jones. Indian-
apolis: Bobbs-Merrill Co., 1960.
Pp. 320. illus. \$3.95.

The reader with the stomach to sustain him through the bad taste of a foreword by Errol Flynn and the strained, sometimes vulgar similes of Mr. Belli ("This shrinking world, like unsanforized underwear . . ."), will find titbits both of life and of law in Japan, with just enough of the patently false to make enjoyment of the rest seem disingenuous. Nevertheless, moments of pleasure may be culled from the jumble of paragraphs which constitutes this book, and if Mr. Belli's understanding of Japanese law and society is superficial, his fondness for the Japanese people is communicable.

The legal profession in Japan is severely hampered today by lack of precise professional definition and by the fact that the role of lawyer as advocate has no indigenous an-

cestor. The professional advocate is a conception which, though it exists in Japan, remains slightly outside the mainstream of Japanese society.

Mr. Belli's treatment of the history of the Japanese legal profession — from the "inns of kujishi" to the court which tried William Girard — does it justice, but there is little attempt to tie the history to the society of which it is a part. Such connections between the law and the life sides of his work as he attempts scarcely warrant a statement like "In the Orient, property is, in most instances, more valuable than life."

Practicing lawyers, especially trial lawyers, will quickly note Mr. Belli's fascination for the Japanese courtroom practice of encouraging the introduction of visual aids. The fascination will not surprise those who are aware that Mr. Belli has successfully used the same device in winning more than 100 personal injuries cases with awards exceeding \$100,000 in the last decade. (*Time*, Jan. 26, 1959, p. 23).

His evident proficiency in torts may atone for his observing that "The *stare decisis*, or case law system [?], is not used as a method of teaching in Japanese law schools." It may be an occupational disease that Mr. Belli shows greater interest in peculiarities of peoples than in differences between cultures.

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Dumaine Mourns G.O.P. Weaknesses

By Charles M. Hamann

Frederic C. Dumaine, Massachusetts Republican State Committee Chairman, criticized planning of the Goldwater fund-raising dinner held in Boston last week. About 3,000 faithful attended the \$100-a-plate dinner. A similar fete organized by the Democrats last Saturday at which President Kennedy was the featured speaker attracted a crowd of about 7,000.

Speaking to members of the Harvard Law and Graduate Republican Club Monday, Dumaine said, "I don't think we did as good a job as we could have on the Goldwater dinner. We didn't put enough pressure on enough people the way the Democrats did for their fund-raising dinner. The work was all done in the last 30 days. There just wasn't enough time. If we had put on a little more pressure and had had a little more time, we could have got another 1,000 people there."

He also attributed the disparity in turnout at the Republican and Democratic dinners to the facts that the Democrats had a President as their chief attraction and that Republicans are tired of contributing to a losing cause. The Republicans have been a minority party in Massachusetts for 30 years.

Dumaine described organization, "grass-roots effort," and unity of purpose as the primary ingredients necessary for a Republican resurgence in Massachusetts. He characterized the GOP's worst fault as an "I don't need to work until the campaign" attitude.

A lack of funds has been a plague to state Republicans, Dumaine said. Part of the problem, he said, was not an absence of available resources, but wealthy party members who are "too tight to put it on good candidates." He indicated that he thought it

might not be a bad idea if Republicans indulged in some of the arm-twisting tactics which he ascribed to the Democrats.

Dumaine also offered a number of quips on the national and local political picture.

- On corruption in Massachusetts: "Thank God, we've got a Crime Commission."

- On the Kennedys: "We're going to lick those guys some day. Give them enough rope and they will hang themselves eventually. They are all the wrong men in the wrong jobs — all three of them."

- On Republican primary fights: "Ordinarily the candidates tear themselves apart so badly that they can't come back after the primary. They are exhausted. Primary fights have hurt the Republican party because the losers have carried their bitterness to the grave."

- On Gov. Peabody: "The Democratic politicians were trying to divide the blue-blood vote and now that he is elected they don't know what to do with him."

Goldwater Group Gathers

A third year law student is heading up a university-wide Students for Goldwater organization, it was announced this week.

H. Woodruff Turner, a former chairman of Youth for Nixon in Pennsylvania and an active conservative, will lead the campus group, the first to back any of the likely Presidential candidates. The organization will "formalize and provide a structure for a movement which has been growing increasingly strong at Harvard," Turner said.

Its initial objective is a compilation and distribution of information about Goldwater to the Harvard community. Eric Jager, a College junior and group treasurer, said it is "important to correct the mis-representations of Senator Goldwater's views which are too prevalent at Harvard."

Other law students on the eight-man executive committee are Lawrence L. Bowles, 2L; Stephen Ellis, 3L; Richard R. Mainland, 3L; and Mark W. Murphy, 3L.

Ex-Student Found Dead

James F. Robinson, a first-year student at the Law School in 1962-63, was found dead last week. Robinson, Princeton '62 and a resident of Swarthmore, Pa., had not returned to the Law School this year.

Letters to the Editor

To the Editor:

It seems to me perhaps ten years since I've written a letter to the Law School RECORD. Your editorial, "Not By Books Alone," has struck a nerve, however, and warrants vigorous comment.

I did not find legal education at Harvard a comfortable process in 1949. Neither did my classmates. Neither did my father in 1913 and neither did his classmates. I doubt

anyone adequate to the learning task finds it comfortable in 1963.

One completes the preliminary aspects of a legal education when one is perhaps three years out of law school. The first half of this period, i.e. the three years in law school, are wasted if one does not spend them in varying states of confusion, bewilderment, resentment, insecurity and humility. A major function of the first three semesters at the Law School is to strip away the glib layers of the illusion of certainty with which recent undergraduates, especially *magna cum laude* types, approach the study of law. These layers, laminated in the golden light of undergraduate afternoons, adhere smoothly and tightly. They erode and peel only with difficulty, worry and intellectual pain. The half-educated law graduate will remember his education as "enjoyable" but will emerge from it with large patches of his intellectual skin coated still with this excrescence.

There is little or no "perspective with which to view the situation" in law school. The "situation" is the wonderful possibilities for accomplishment inherent in mind and ethic and drive of a well-honed legal graduate. The only people who need a "perspective" of this are the Law School faculty. That faculty is doing its job pretty well if the student body feels worried and confused.

Law is the organization of people in a political and economic frame of reference where their interests simultaneously converge and conflict. There is nothing comfortable or clear, algebraic or certain in such an organizational effort. By the same token there is nothing about the process of learning the law which a psychiatrist would recommend as a rest cure.

There's no harm in "extracurricular activities." Enjoyable or not, there's no help in them either. If I had been writing your editorial it would have been brief: relax and be miserable—it can't last forever.

William Q. Keenan LL.B. '49
Law Dept. REA Express
New York, N. Y.

To the Editor:

In regard to the letter to the Editor in the Oct. 17 issue of the RECORD—one question. How in the name of Rosco Pound, Oliver Wendell Holmes, Felix Frankfurter, *et al*, did Mr. Albert L. Hodge '34 ever receive an LL.B. from Harvard Law School?

Robert D. Douglass, 1L

We don't know. Perhaps they put more weight on spelling then.
—Eds.

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Marry, Harry! Beat the Draft!

By Stewart D. Davis

Soon they'll be saying the Harvard Law School is downright unpatriotic!

Patriotism, as expressed in going to war for one's country, is a high-ranking virtue when the enemy is threatening at the gates and flinging his missiles at one's homeland. But, in time of peace and her handmaiden, "cold war," one feels few qualms about letting another bear the unexciting burden of keeping the land's armies ready.

Who shall serve? Until recently non-fathers answered the draft boards' clarions to dress in khaki. Now patrimony is no longer the strict criterion for refusing to answer the call to arms; matrimony will serve.

Since 1956 the Law School has taken more and more men who planned to defer their military obligation, or avoid it altogether by post-graduate fellowships. Others came, deferred and uncommitted, and during their tenure here fell in love, married, and produced children. Except in the rarest instances, they were never drafted.

Whether or not the President's "Emancipation Proclamation" (the

order not to draft married men) will keep those young marrieds about-to-graduate from deciding to be fathers is a matter of speculations; but it can be said with some assurance that many young men contemplating marriage will be sure to pop the question and march down the aisle before marching to their diploma—all to prevent marching at Ft. Dix.

Statistically, 67 men in this year's entering class have served their obligations, as compared to 79 the previous year. And the class of '66 already boasts 77 married students as compared to 50 in the class of '65 upon entrance last fall.

At one time almost every student in the school had served in his country's armed forces. Just after World War II, in February of 1947, there were 1,778 veterans among the school's enrollment of 1,907. Of these, 635 were married. By September of that year enrollment had

hit 2,131, and this included 1,933 veterans and 694 married men.

By 1950 the number of veterans was down to 669 in a school of 1,524. There were 344 married students in that, the first year of women here (15).

The vets' number dropped to 333 in '53, then peaked in '56, following the Korean War, at 605. Since that year the number of veterans has dropped slowly to 430 in the fall of '59, 272 in the fall of '61, and a mere 212 this year. Marrieds, on the other hand, have increased very slowly, from 438 in '56 to 475 this fall.

Who, then, shall serve? Not those already wed. Not those who will wed before graduation. Not those who can reach 26 before finishing their education, here or elsewhere. Those left, poor lads, will think of the Judge Advocate's Corps, of the six-month plan, and, why not, of dodging the draft (legally) as long as they can.

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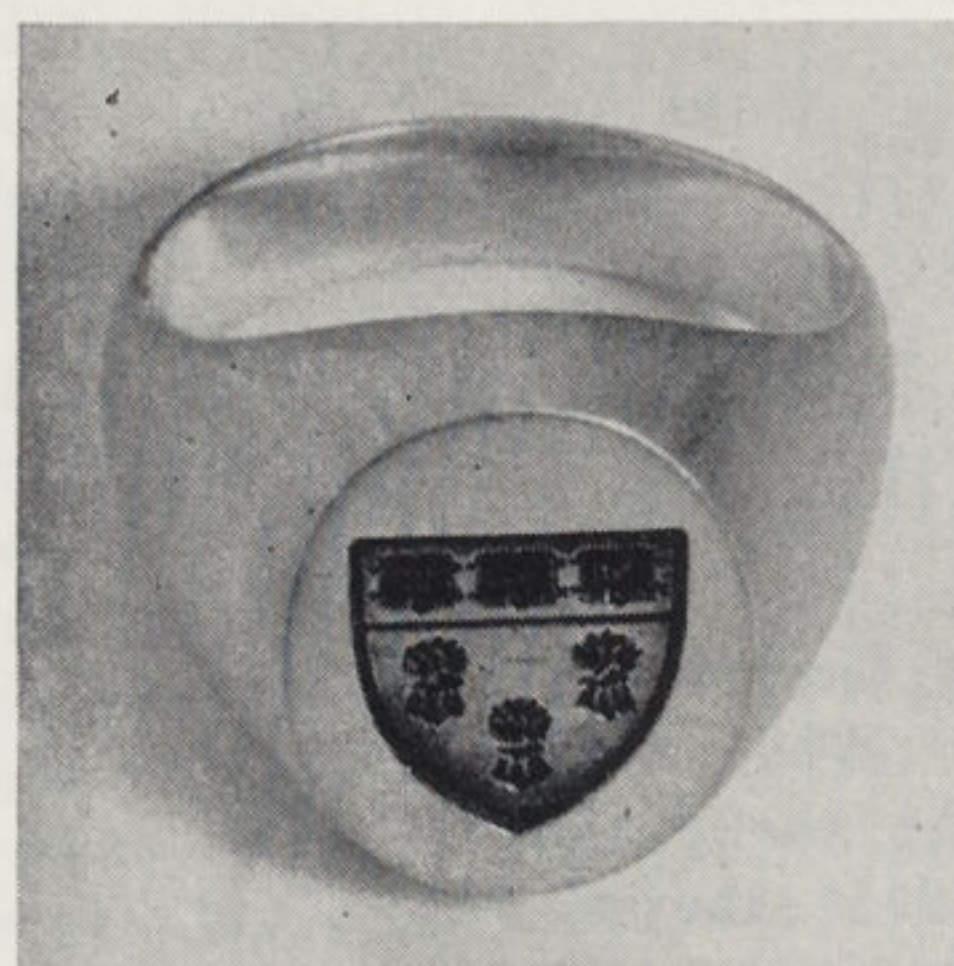


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JAG Corps

(Continued from page 4)

are fewer undesirable locations to which Navy lawyers are assigned than in the other Services where there are large numbers of posts in the most distressing parts of this country and others."

Degree of responsibility varies with location and ambition. Opportunities for responsibility in the Washington area where a substantial proportion of JAG officers are stationed are naturally slighter than in the hinterlands. But, in the words of one Placement Office correspondent: "In deciding on JAG as a means of satisfying your military experience, you must realize that much will depend on luck."

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INTERVIEWS

Thursday, October 31, 1963

Chicago: McDermott, Will & Emery. 3L and 2L. (Also Friday, Nov. 1.)

Cincinnati: Paxton & Seasongood. 3L.

Hartford: Day, Berry & Howard. 3L and 2L.

Pittsburgh: Thorp, Reed & Armstrong. 3L.

San Francisco: Brobeck, Phleger & Harrison. 3L.

Washington, D. C.: Covington & Burling. 3L.

Friday, November 1, 1963

Bridgeport, Conn.: Marsh, Day & Calhoun. 3L and 2L.

Chicago: McDermott, Will & Emery. 3L and 2L. (Also Thursday, October 31.)

Los Angeles and Santa Ana, Calif.: Kindel & Anderson. 3L (Also Saturday, November 2.)

Manchester, N. H.: Booth, Wadleigh, Langdell, Starr & Peters. 3L.

New York: Stroock & Stroock & Lavan. 3L.

Philadelphia: Rawle & Henderson. 3L and 2L.

Providence, R. I.: Edwards & Angell. 3L and 2L.

Washington, D. C.: Department of State. 3L and 2L. (Also Saturday, November 2.)

THIRD YEAR OPPORTUNITIES

Boston: Maloney, Williams, Baer and Doukas. 80 Federal Street. Contact John M. Doukas, or Richard G. Maloney.

Honolulu: Anderson, Wrenn & Jenks. Bank of Hawaii Building.

Dallas: McCulloch, Ray, Trotti & Hemphill. 2525 Fidelity Union Tower. Contact George E. Ray.

Atlanta, Georgia: Gambrell & Mobley. 2046 Bank of Georgia Building. Contact David H. Gambrell, Esq.

Baltimore: Weinberg & Green. Twentieth Floor, 10 Light Street. Contact Milton S. Schiller, Esq.

Canton, Ohio: Law Offices of Ernest H. Cohen. First National Bank Building. Contact Ernest H. Cohen, Esq.

Cincinnati: The Procter & Gamble Company. P. O. Box 599. Contact Henry H. Wilson, Jr., Esq.

Cleveland: Benesch, Friedlander, Mendelson & Coplan. Citizens Building. Contact Robert C. Coplan, Esq.

Columbus: Schwartz, Gurevitz & Schwartz. 50 West Gay Street. Contact Stanley Schwartz, Jr., Esq.

Denver: Haskell, Helmick, Carpenter & Evans. Denver Club Building. Contact Willis Carpenter, Esq.

Des Moines: Herrick, Langdon, Sandblom & Belin. Iowa-Des Moines Bank Building. Contact David W. Belin, Esq.

Detroit: Bodman, Longley, Bogle, Armstrong & Dahling. 1400 Buhl

Building. Contact Richard D. Rohr, Esq.

Grand Rapids: Amberg, Law & Fallon. Michigan Trust Building. Contact Niel A. Weathers, Esq.

Greenwood, South Carolina: Mays & Mays. 804-811 The Grier Building, P. O. Box 457. Contact Marshall T. Mays, Esq.

Indianapolis: Krieg, DeVault, Alexander & Capehart. 111 Monument Circle, Suite 1200. Contact William H. Krieg, Esq.

Midland, Michigan: The Dow Chemical Company. Contact W. M. Yates, Esq.

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San Francisco: Howard, Prim & Smith. Suite 1421, 111 Sutter Street. Contact N. Richard Smith, Esq. 70 or higher.

Seattle: Bogle, Bogle & Gates. 14th Floor, Norton Building. Contact Ronald E. McKinstry, Esq.

Tulsa: Lupardus, Holliman & Huffman. Suite 510 Oklahoma Natural Building. Contact Joe M. Holliman, Esq. Top quarter.

SECOND AND THIRD YEAR OPPORTUNITIES

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