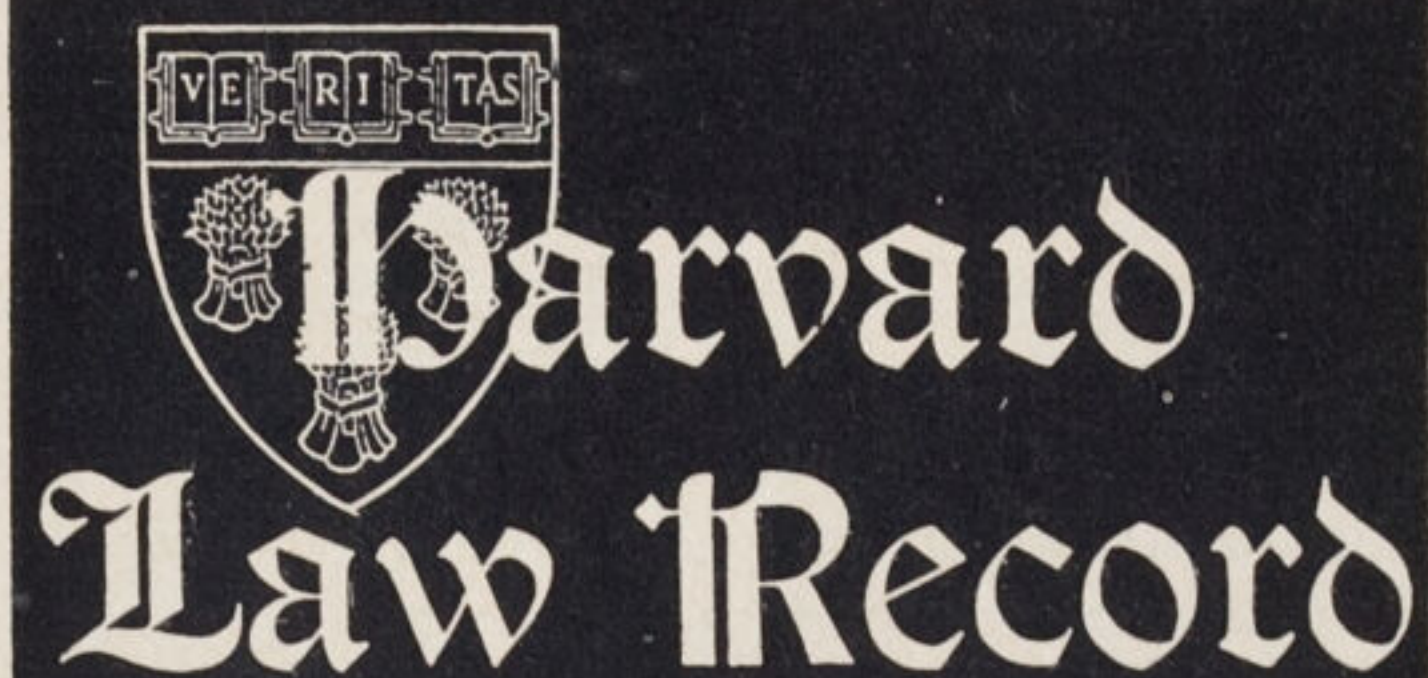




Harvard Law Record

America's Oldest Law School Newspaper

VOL. 41 NO. 9
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FIFTEEN CENTS
DEC. 9, 1965

Seven Profs to Ole Miss

By Keith S. Watson

The University of Mississippi will be the scene next semester of a unique course to be taught by seven Harvard Law School professors on a rotating basis.

The course, entitled "Problems in Public Law," will cover such areas as federal-state relations, commerce clause powers, and freedom of speech. It will be offered to second- and third-year students as a part of the regular curriculum of the University of Mississippi Law School.

(Continued on following page)

Howe Named to New Legal History Chair

Professor Mark DeWolfe Howe has been named the first Charles Warren Professor of the History of American Law.

The new professorship is one of four chairs in American history created in connection with the new Charles Warren Center to be established at Harvard to promote the study of American history. Charles Warren, a graduate of the Law School, was a Boston attorney and a Pulitzer Prize historian.

Prof. Howe said that he will remain a member of the Law School faculty. His new duties, while not defined precisely at present, will involve advising students interested in American legal studies. Prof. Howe stressed that he would "go on doing what I like to do — teach law, especially legal history."

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Sohn Sees U.N. Role Or War With China

By Murray S. Levin

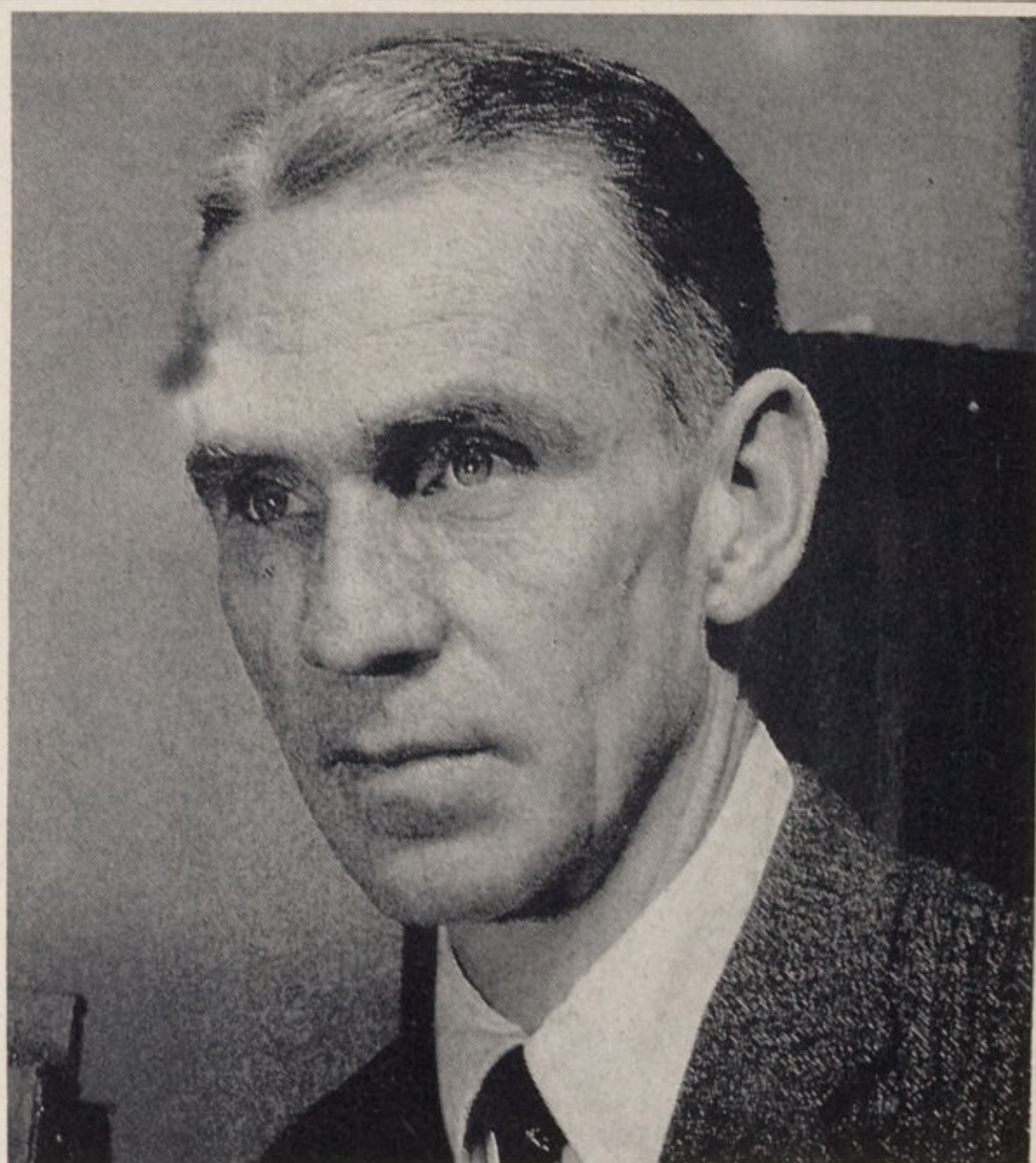
The United States will "most likely" be fighting a war with Communist China in six months if our current course is not halted, Professor Louis Sohn told a meeting of the Vietnam Study Committee last Monday.

Prof. Sohn teaches United Nations Law and Problems of World Order, and the seminar in international administration.

Though the United States government has shown "amazing control" in keeping down the scale of escalation until now, Prof. Sohn would not rule out the possibility of U. S. bombing raids on Haiphong and Hanoi and even the introduction of tactical nuclear weapons if the struggle continues in its present pattern. "Few people realize how close we have come to doomsday in the past and now we're slowly approaching that position again."

Characterizing himself as "sympathetic to the general government policy of opposing Communist expansion," Professor Sohn is rather disturbed by the fact that "at no time has the United States brought the Vietnam issue to the U. N." He feels strongly that "once the U. N. started dealing with the case,

(Continued on page 10)



Prof. Mark DeWolfe Howe

Mark DeWolfe Howe

(Continued from preceding page)

Prof. Howe has been a member of the Law School faculty for nearly twenty years. Before his appointment, he served as the Dean of Buffalo Law School.

Prof. Howe is nationally-known as the foremost biographer of Justice Oliver Wendell Holmes, for whom he served as secretary after his 1933 Law School graduation. Two volumes of the biography, "The Shaping Years, 1841-1870" and "The Proving Years, 1870-1882", have been published to date. He has also edited Holmes' Civil War letters and the Holmes-Laski correspondence.

Less well known are Prof. Howe's pre-legal activities. He graduated from Harvard College in 1928, but did not enter the Law School until two years later.

In the two year interim, investigation of 1946 issues of the RECORD reveals, Prof. Howe made a determined bid for Hollywood stardom. His ambition carried him as far as Long Island where he was an assistant director for Paramount Pictures. "Those were my glamorous years," Prof. Howe recalled.

At this time the "talkies" were just being introduced and the motion picture industry was still centered in New York where the stage actors were. According to Prof. Howe, he rubbed elbows with many future entertainment stars. "The Marx Brothers made their second picture while I was there. Claudette Colbert, Helen Morgan, Ginger Rogers were starting then. Fred Allen was a script writer, a great guy."

On the set, Prof. Howe's duties consisted principally of shouting at extras through a large megaphone. However, Paramount apparently thought his potential untapped because he soon appeared in a picture with Ginger Rogers.

"A horrible picture," Prof. Howe said. "I substituted for Charlie Ruggles in one scene. The audience got a beautiful view of the back of my head and ears."

"Late Show" television fans may well have seen this film classic. Prof. Howe's memory did not serve him well on the point, but he believes the title of the picture was *Queen High*.

Prof. Howe teaches Constitutional Law and Development of Legal Institutions.

Mississippi

(Continued from preceding page)

Each of the seven professors involved will teach the course for two weeks. Associate Dean A. James Casner said that few Harvard classes would be missed because most professors would fly to Ole Miss, teach a week of classes, and return to Cambridge. However, Dean Casner said that some of the professors might remain there for the full two-week period and make up their classes here at another time.

The rotating system of exchange professors, reportedly unique in American legal education, was devised as a stop-gap measure. Originally, a full-year course was to be taught by a member of the Yale Law faculty under a foundation grant given to the University of Mississippi.

Illness forced the Yale professor to withdraw and the course was manned during the first semester by other Eli professors. As a result of discussions between Dean Casner and the Dean of the Ole Miss Law School, Harvard agreed to supply the instruction for the second semester. The choice of subject matter and professors was left to Harvard.

In order to provide for continuity, a law professor at Mississippi will sit in on all of the lectures. Thus, it is not contemplated that Harvard professors will write or grade the course examination. According to present estimates, about 40 students will be enrolled in the course.

However, if the experience of the Yale professors prevails, the lectures will be attended by many more Mississippi students than those enrolled. The first semester course covered such topics as civil rights, school segregation, and foreign affairs. Among the Yale professors who participated are Dean Louis Pollock and former Dean Eugene Rostow.

Dean Casner said that the grant for the course was not established because there was a lack of competent personnel at Ole Miss to teach the course. Rather, he said, it was thought that the subjects could be handled better by an outsider, not subject to environmental pressures of the area.

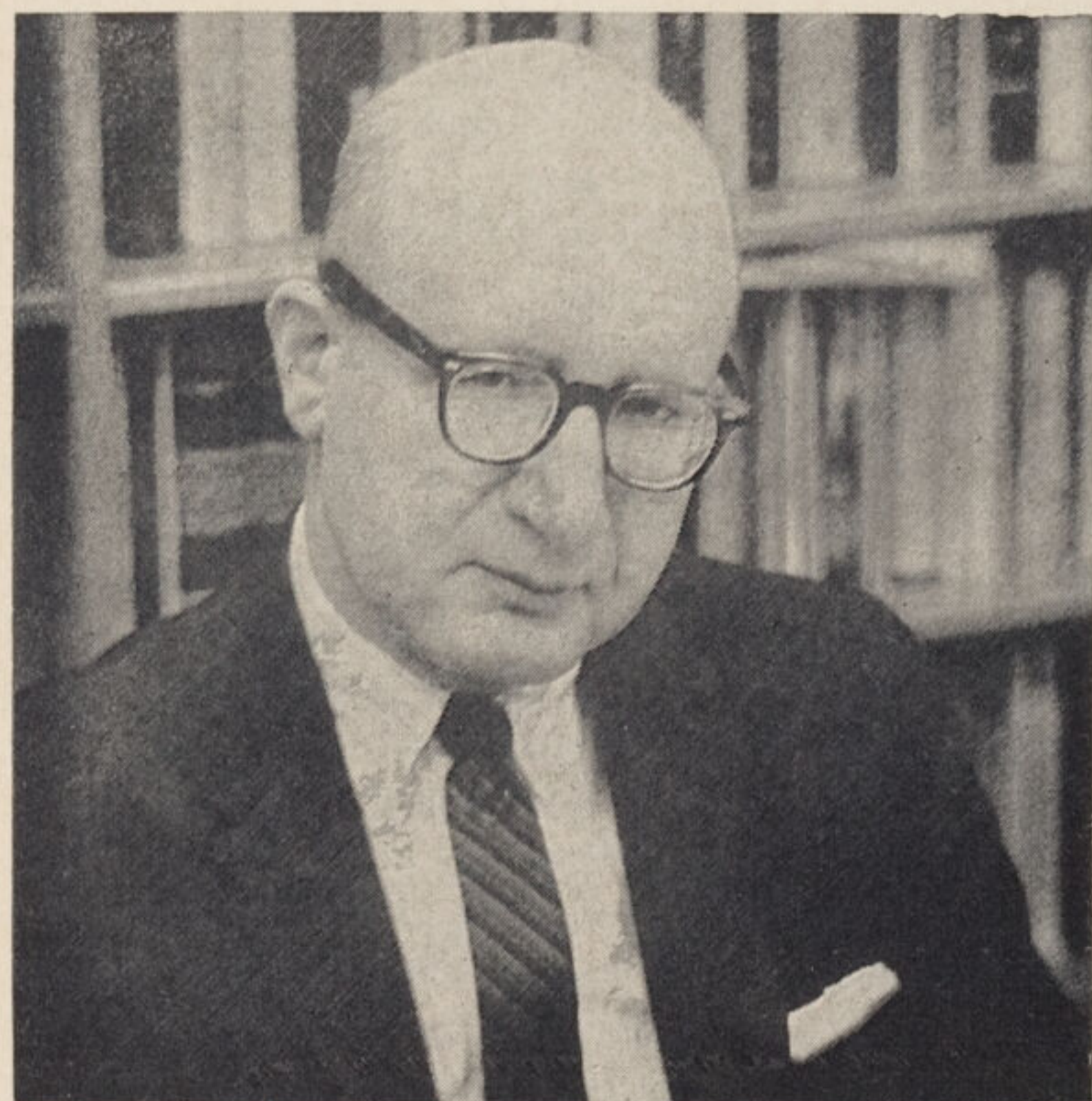
The Law School professors participating include Paul M. Bator, Ernest J. Brown, Clark Byse, Archibald Cox, Paul A. Freund, Frank I. Michelman, and Albert M. Sacks.

Sohn Reports On White House Conference

By C. Richard D'Amato

Professor Louis B. Sohn has just returned from the special White House Conference on International Cooperation which was held from November 28 to December 1. He was Chairman of the Committee on Human Rights.

"Most of the reports," he said, "were highly pragmatic and had no illusions of presenting a 'Grand Design'. They were working papers suggesting the next steps in



Prof. Louis B. Sohn

a variety of fields and as such were just what the President was looking for." The State Department and especially Dean Rusk, "was very active, as was the delegation from Congress. Everyone took it seriously, and the group of reports as a whole is very impressive."

Prof. Sohn was generally satisfied with the report of the Human Rights committee. The 14 members of his committee represented a wide range of political sympathies, but adopted the final report unanimously.

The committee recommended, among other things:

1. Prompt ratification of the conventions on slavery, forced labor and the political rights of women, which President Kennedy sent to the Senate on July 22, 1963.

2. Revived consideration of the convention on genocide which has languished before the Senate since 1949.

3. After the ratification of the above, ratification of three conventions on discrimination in employment, education and women's salaries.

4. Support for the appointment of a United Nations High Commissioner for Human Rights and the enlargement of the United Nations machinery for guaranteeing human rights.

5. Initiation of new programs for the protection of human rights by regional organizations.

6. Appointment of a United States committee to prepare meaningfully for U. S. participation in 1968 International Human Rights Year, proclaimed by the UN General Assembly.

The chances are uncertain for ratification of the seven conventions mentioned in the first three recommendations. Much depends on the recommendation of the American Bar Association, which is deeply divided over the question. "The strongly conservative Association committee on 'Peace and Law through the United Nations' is likely to be opposed to ratification of all or some of these conventions," Prof. Sohn said. The position taken is that conventions such as these deal with questions properly in the realm of States' rights and are not a matter for international concern.

"Most often cited is the philosophy of the defeated Bricker amendment, which is broadly designed to prevent the U. S. from making treaties which would deprive the people of their constitutional rights or "prevent the states from exercising the powers reserved to them under the Constitution."

No one is sure of the Bar's position on the conventions, but until it does take a stand, it exerts a "dragging effect on Congress." The crucial question is "when and how the President will push the Senate Foreign Relations Committee to get these conventions to the Senate floor." The hope is that this particular White House report will stimulate the President into making such a push.

(Continued on following page)

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Human Rights

(Continued from preceding page)

"Of course," says Sohn, "it is an open question which of the 300 reports the President will favor. You can never tell. We think the State Department likes the report and it is possible that they will help bring it to the attention of the President for action soon."

"Periodic reports on the state of human rights in various parts of the world are now being made to the Assembly," the U.N. expert observed. "It is hoped that eventually the U.N. will find itself exerting pressure on individual countries to revamp parts of their legal systems."

The White House committee had two regional organizations in mind in making the fifth recommendation. First is the Inter-American Committee on Human Rights, which is currently working hard in the Dominican Republic to investigate abuses there. The U. S. should, according to Sohn, "let the Inter-American Committee conduct investigations in the U. S." This would make the organization more truly international and would promote the opening of further areas of investigation in the rest of Latin America. It would constitute a mutual reinforcement, lending enhanced prestige to the International Committee and thus more power in the hemispheric implementation of human rights.

The second is possible American adherence to European instruments, making European institutions into Atlantic institutions. The three important European arrangements which the White House Group suggests the U. S. participate in are the European Convention on Human Rights, the European Commission of Human Rights, and the European Court of Human Rights.

Prof. Sohn sees adherence to these institutions as a way in which to make the conception of "Atlantic Community" more real. Even if the U. S. were to make overtures along these lines, however, "Europeans would be very reluctant on the subject", according to Sohn, "because the U. S. would not accept strong obligations under these instruments. Until they are assured by our actions in other fields they are and will remain reluctant to have us come in." The "other fields" would be the seven conventions under the first three recommendations of the White House report.

Wives Learn of Shirts, Chinchillas, and Oil

By John Spitzer

Does the consumer have a "right to be a sucker" when confronted with false or misleading advertising? What is false or misleading advertising? What can or should the law do in this area?

These are a few of the issues raised by Professor Derek C. Bok in a Socratic discussion with the Harvard Law Wives on Wednesday evening, December 1, in Harkness.

"Consider the guy who sells shirts, men's shirts," posed the professor with his shoes squeaking softly as he paced back and forth. "One day he gets the idea that women just love sales. So without reducing his prices at all, he hangs out a sign saying, 'SALE — 10 percent off!' The women don't know that the shirts are selling at the same old price and they come in and buy lots of shirts."

The Wives quickly made it known that they were being "cheated."

"But wait a minute," continued the youthful professor with a devilish smile. "The people who buy these perfectly good shirts will never know. They will feel happy to have found a sale. The shirt salesman has just brought a little sunshine into the lives of these people."

There was some grumbling, but Prof. Bok had already launched into the "crankcase drippings" case now in hot litigation.

"Do you know that some enterprising fellow found he could produce a substance chemically indistinguishable from motor oil by reprocessing crankcase drippings?" he queried. "Now I don't where he got all these crankcase drippings, but he got them from somewhere, reprocessed them, put the stuff in cans and began selling it as 'oil.'"

Naturally the petroleum producers screamed "Unfair!" and loudly asserted via their lawyers' briefs that motor oil was something that had to come from the ground. Both sides agree that sales of the reprocessed substance will fall off drastically if the manufacturer is compelled to inform the consumer that his product did not come from the ground but was made from crankcase drippings.

The audience jumped to the defense of the new product (which would probably sell for

less) on the bold assertion that "oil was oil."

Always a jump ahead, Prof. Bok posed the "chinchilla" hypo in which an inventor found he could make artificial chinchilla coats that would feel the same, wear the same, and have



Prof. Derek C. Bok

the same amount of snob appeal as the real thing.

This was clearly another matter. One wife volunteered that oil was functional while a product like a chinchilla coat would be valuable because of its origin.

"But do you know what some of the best perfumes are made of?" bounced back the professor.

The girls listed certain "bases" with romantic-sounding names.

"Well, I'll tell you," he continued. "One of the best known of these bases is made from, well it's made from *whale vomit*."

It was quickly agreed that the origin of this product, for all its snob appeal, would have to lie obscured behind the mysterious names of the bases.

The professor concluded that the law cannot step in to protect consumers from irrational purchases, but will only come into play when some competitor yells "foul" and insists that he "not have to fight lies with lies."

But the greatest "sins" of advertising would have to go untouched by law, according to Prof. Bok. Slogans like "Drink the beer with the manly brew" or "Drink Pepsi... for those who think young" appeal to deep subconscious motivations and are beyond the present scope of the law.

'Purposive' Lady Law Students . . .

By John Spitzer

When law ceased to be a cranky old man, it was only a matter of time until bright young women would come knocking at the door of Harvard Law School. After some amount of resistance from the old guard, the Governing Board finally decided in 1950 that the restrictive covenant against the admission of females would have to be overturned.

"I was tired of being told I couldn't do something like go to law school," asserted a brunette now in her second year. "Everybody kept telling me it was the woman's place to settle down. I wasn't ready to settle down yet."

Another says she wanted "to be part of the man's world. There's more challenge than cooking mashed potatoes and pork chops."

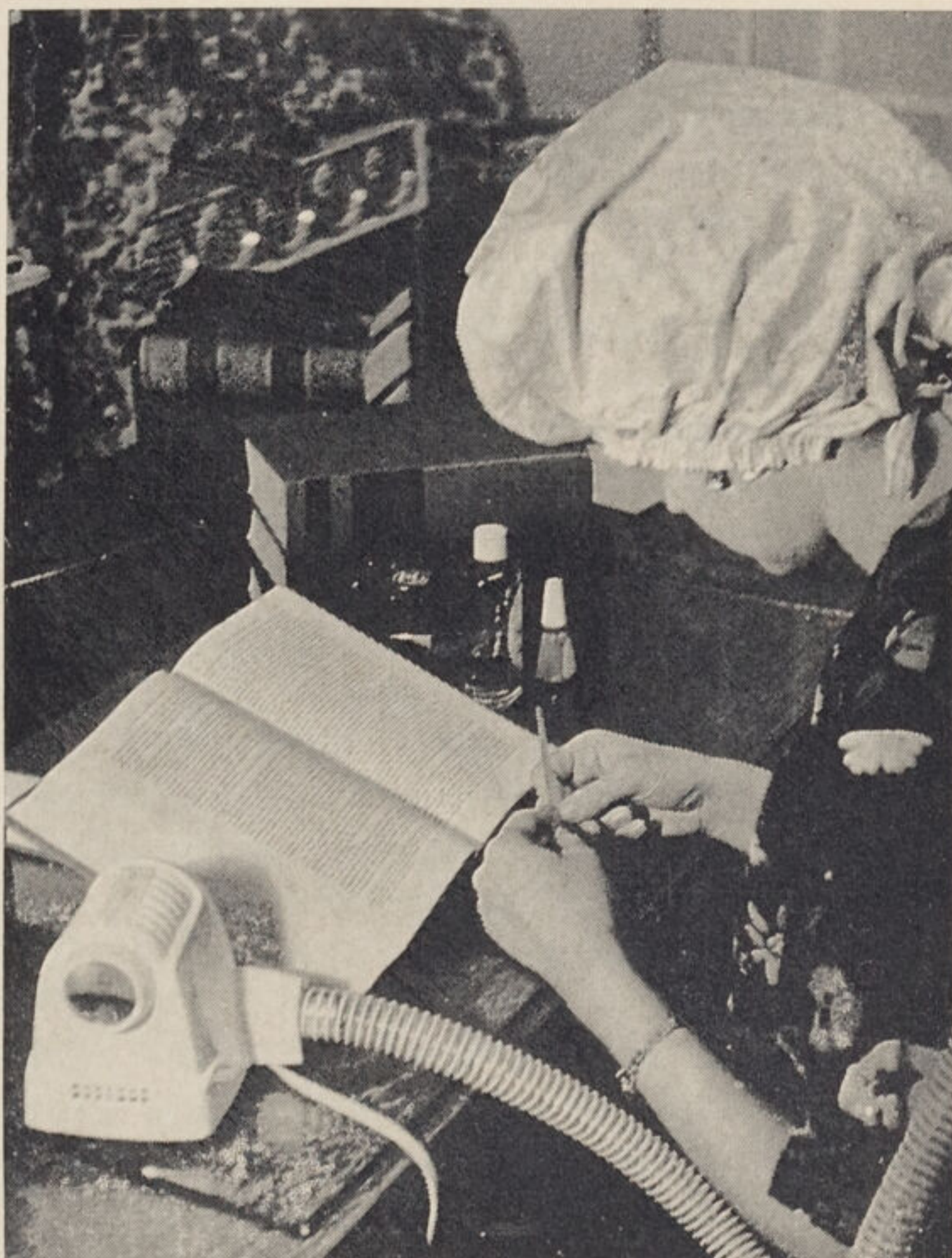
The less idealistic, on the other hand, point out that going to law school is certainly to be preferred to a couple of years behind the perfume counter at Macy's. "It's kind of like escaping the draft," explained a girl hurrying to civil procedure.

Prof. Frank E. A. Sander, a member of the President's Commission of the Status of Women, commented that a woman's decision to come to law school was like his own deliberate choice of a mathematics major in college. "At least it's purposive. It's not something you do just because everybody else is doing it. While men — well men just tend to drift here naturally."

Harvard Law women have attained some notable successes here. At last count four third-year girls had married men in their class, and at least one second year couple is now engaged. That bastion of Harvard tradition, the *Law Review*, once again has a female member, Joanne E. Clifford, 2L, and Barbara M. Jacobs, 3L, will be one of Griswold Equity's oralists in the final round of the Ames Competition.

Scholastically speaking, "women do just as well — and just as poorly — as the men," according to Dean Erwin N. Griswold. He does not yet have complete statistics for some 250 women graduates of the Law School, but he knows of many who are engaged in successful law careers.

Yet women do have a high drop-out rate at the Law School. Only 69 percent of those registering eventually receive degrees, as



Hair Dryer, Nail File and the Law

compared to 91 percent of the male registrants.

Numerous reasons for withdrawal are given. One girl withdrew in 1957 to accept a position with United Airlines. Another flunked after second year because, as she said in an answer to a Dean's office questionnaire, "I was jilted just before exams." In 1961 another girl failed on account of Cupid's wiles, but this time for happier reasons: "I fell in love."

The higher drop-out rate means that the admissions office can take more men to take up the spaces of the women who leave. "Half a man for every woman," cryptically stated Vice Dean Louis A. Toepfer, Director of Admissions.

Initially, there was some concern that so many talented girls would apply that the admissions office would have to turn down more highly qualified men than it would

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. . . Pigeonhole Domestic Doldrums

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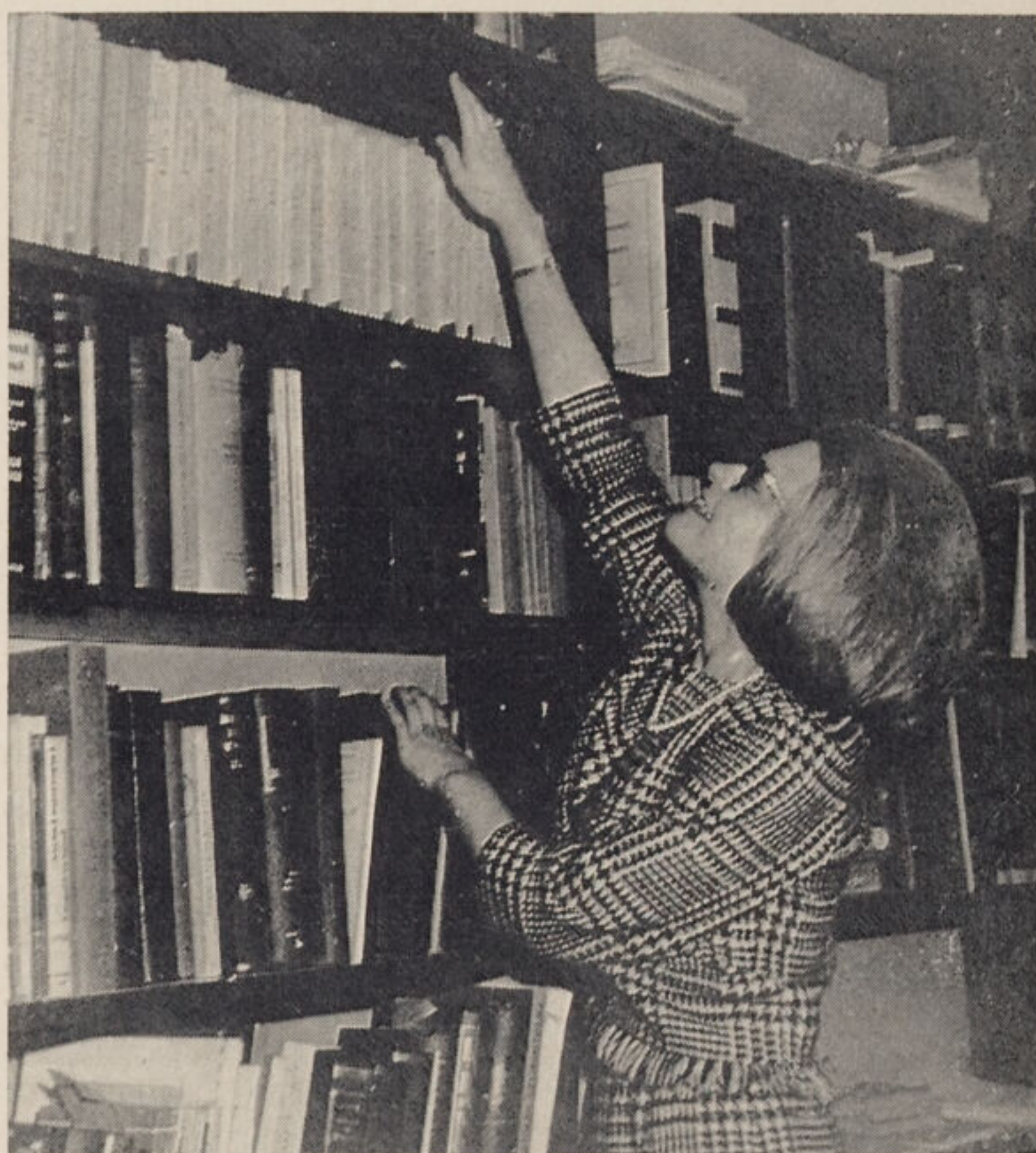
like to. But the level of girls in each class has stayed at about three to four percent even though applications have skyrocketed. In 1951, 36 applied and 19 were accepted and registered; in 1965, 139 applied and 22 were accepted and registered.

In a survey of women in law in the May, 1965, issue of *Mademoiselle*, the author stated that women prefer Yale to Harvard Law School because of its open-minded outlook, its "unstuffy atmosphere," and its "intouchness with aspects of life outside of law." The article went on to characterize law school girls as a "very well organized group of young women" who are not given to "brooding."

The girls at Harvard often find that there is much demand for their expertise in fields outside the traditional boundaries of the law.

"When we started reading all those torts cases about three-year-old boys kicking one another, a lot of guys kept asking me how much 'intention' a three-year-old could have," related a first-year student. "I'm afraid I wasn't very helpful."

During this flu season, many boys expect their female classmates to have all the Florence Nightingale remedies when they



Short Girl and High Stack

get colds, flu, and other miscellaneous ailments.

There is some amount of evidence that girls' notes are more in demand when classes have been missed. Because they're more perceptive? "Because they're neater," replied a regular absentee from the Development of Legal Institutions. The married women are, of course, much in demand for advice about a contemplated marriage.

The big question about women in law is, of course, how temperamentally and intellectually suited are women to practice law?

A quick answer was provided in 1871 by an Illinois court who declared as an "axiomatic truth" that "God designed the sexes to occupy different spheres of action, and it belongs to men to make, apply, and execute the laws."

Then in 1906 the author of an article in *MacMillan Magazine* came to the same conclusion but in stronger language: "I cannot think of any profession (than the law) for which women are less suited except the military."

The author went on to decree that "Women do not have legal minds, they would rely on feminine intuition rather than the

(Continued on page 10)



3L Couple Takes Respite

Freedom to Dissent

Across the land, from Ohio to North Carolina and from New Jersey to California, academic freedom is once again an issue. The controversy has not only become a critical issue in the politics of several states but has also become inescapably intertwined with the broader question of freedom to dissent in our society.

In North Carolina, a "speaker-ban" law was hurriedly pushed through the state legislature in the closing hours of the 1963 session. This unique law prohibited "any known member" of the Communist Party, or anyone who has invoked the fifth amendment's protection against self-incrimination in loyalty investigations, from speaking on state-supported college and university campuses.

The proponents of the law were motivated by diverse concerns, ranging from anger over civil rights demonstrations in which University of North Carolina faculty members participated to general unrest over the "liberal" teaching at the state university. One of the chief backers of the law, State Senator Thomas White, has commented: "I don't believe there's a Communist . . . over there [Chapel Hill], but there might as well be as long as the people think there is. They need to reassure people along this line." The "speaker-ban" law was changed recently, but the substitute is far from satisfactory.

The most heartening recent development on this question is the failure of the Republican candidate for the governorship of New Jersey, State Senator Wayne Dumont, to defeat Governor Richard J. Hughes in the November 2 election.

Dumont's main issue was Hughes' failure to demand the dismissal of a Viet Cong sympathizer on the faculty of Rutgers, a state university. Governor Hughes made it clear that he disagreed strongly with the views of Professor Genovese, but that he also believed in freedom of speech and a university free of political interference.

What is at stake in these battles is whether or not the forces of reaction will be able to fetter the speakers and faculty members who, whether right or wrong, have enough guts to say things which must necessarily anger those who would rather not rock the proverbial boat.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

Last Saturday night I was fortunate enough to spend several hours prowling the Law School ghetto in a Harvard University Police car.

I was assigned to the patrol car of Officers Himmler, Goering, and Goebbels (the names have, of course, been changed). Officers on the Law School beat always patrol in threes because the complete lack of respect for law and order among the law students makes the life of a policeman quite dangerous.

We had parked in front of Bence's Drug Store to drink a cup of coffee when our number was called over the police radio. Suspicious characters were reported loitering under the World Tree.

There was no hesitation. Goebbels slammed the car into gear, and we tore off toward the danger spot. Maximum security was in effect immediately. As soon as we were within range of Harkness, Himmler began lobbing tear gas grenades into the area. Goering opened up with his machine gun. These men are really keen on their jobs.

When the gas had cleared we counted sixteen bodies on the lawn. I questioned Goering about allegations of police brutality.

"Not a word of truth in it," he replied. "We have to shoot first to protect ourselves. When the moon is out these law students get restless, and there is no telling what they might do. You have to stop trouble before it gets started. Besides, we were only following orders."

And so it went. We investigated a knifing in Shaw, broke up three illicit monopoly games in Dane, caught a group of Vietcong terrorists trying to assassinate the proctor in Holmes, and arrested six couples for breaking the parietal regulations. (Unfortunately, several of these parietal violators tried to resist and had to be shot).

Later, as I crawled into bed, I knew I would sleep better with these stalwart men on guard.

Letters to the Editor

'Hawks' Are Really 'Doves,' Real Moral Issues Posed

To the Editor:

As sponsors of the petition described in last week's *Harvard Law Record* as "appealing to the hawks" we find it necessary to clarify the purpose behind it.

Our petition was not designed to obtain recruits for the war in Vietnam; rather we hoped to confront people with the reality of a personal choice, and thus to force them to reconsider the very real moral issues involved in the support of a war.

It is interesting to note that the bi-partisan petition supporting the President's policies in Vietnam was signed by 375 deferred students, while a petition requesting signatures of those who could "accept the responsibility for their beliefs" was virtually unsigned.

Michael S. Sorgen 2L
Charles M. Blank
Brandeis University
Robert F. Berman
Harvard M.A.T. 1965

Republican Club Sponsored A Petition Sight Unseen

To the Editor:

The article in the December 2, 1965, edition of the *RECORD*, describing the petition duel over Vietnam, inaccurately stated that the petition supporting U.S. presence in Vietnam "to halt the spread of Communist terrorism and "to bring about self-determination of the South Vietnamese" was sponsored by three members of the Republican Club's executive committee. Instead, the Republican Club's executive committee unanimously approved the petition as a club project, and certain members of the committee representing the Republican Club then met with some members of the Democratic Club to agree on the wording of the petition.

Although the Democratic Club's

executive committee refused to support the petition many individual Democrats signed the petition and assisted in the drive to secure other signatures so this petition was of a "bi-partisan" nature.

Daniel M. Armstrong, 3L
President,
Republican Club

Southern Graduate Student Comes to the Rescue

To the Editor:

As a Southerner (my father having been born in Birmingham) present at Drayton Scott's address to the Southern Club, I can but attest for the essential veracity of Mr. Parker's original account [October 15]. Had Mr. Parker attempted a "masterpiece of satire," as his critics charge [November 4], the result would have been far more disastrous for the speaker since he indeed supplied an almost inexhaustible fund of material for such a caricature.

It is with little honor that one views the Southern soul in these times of tumult, but lest we of the South be counted among the faint-hearted, we should be the first to take stock of the calumny in our midst and speak with an unquivering voice against any travesties of justice committed in the name of the law.

Had those critics of Mr. Parker taken the privilege of hearing General Flowers, a true Southern gentleman and statesman, they could not help but concede the existence of two irreconcilable Southern approaches to the practice of law in Alabama.

Jefferson L. Adams
Graduate School of
Arts and Sciences

Editor's note: Mr. Adams' letter is directed at letters published on Nov. 4 which criticized Frank R. Parker's Oct. 15 story about Drayton Scott's speech to the Southern Club.

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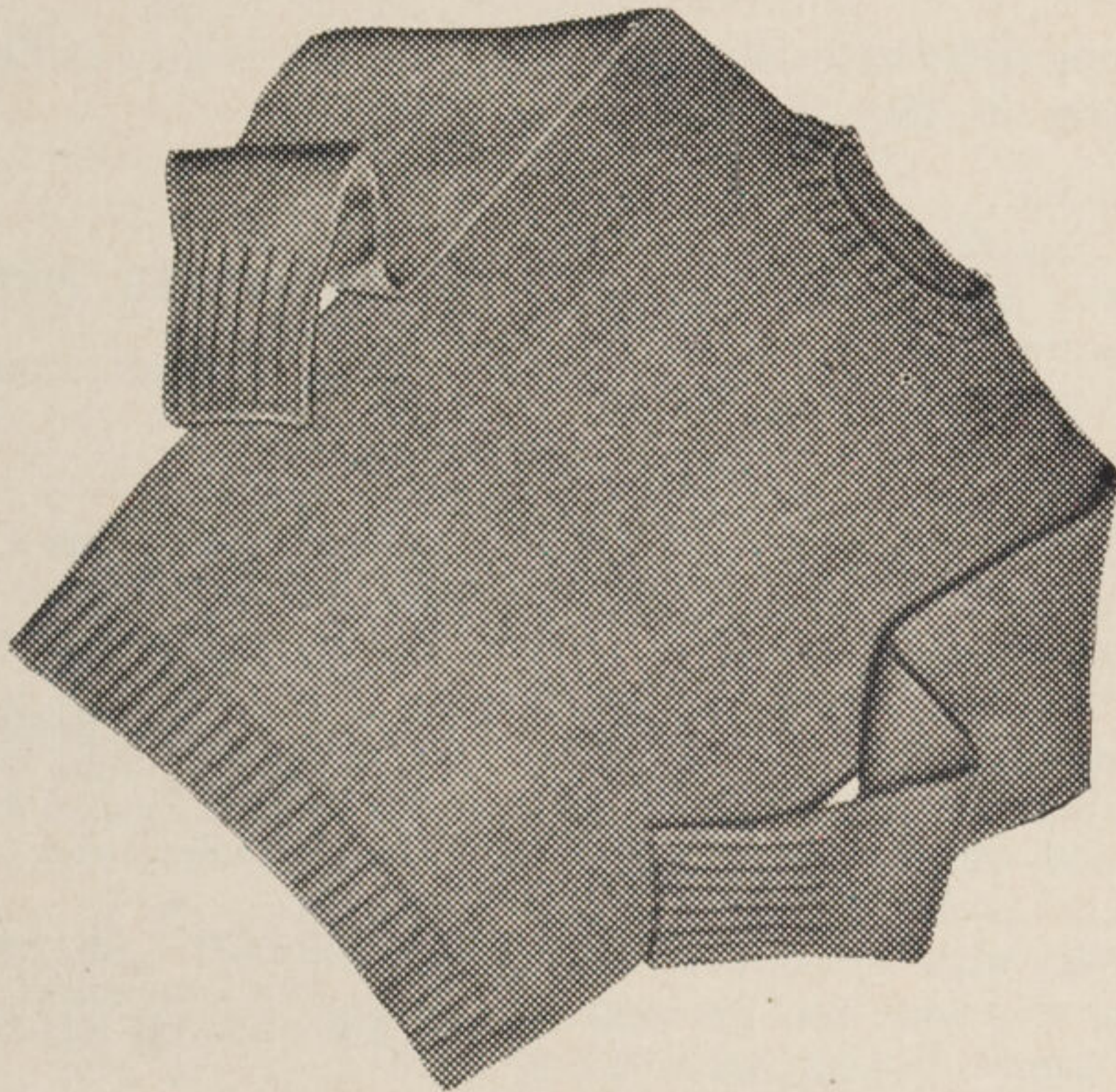
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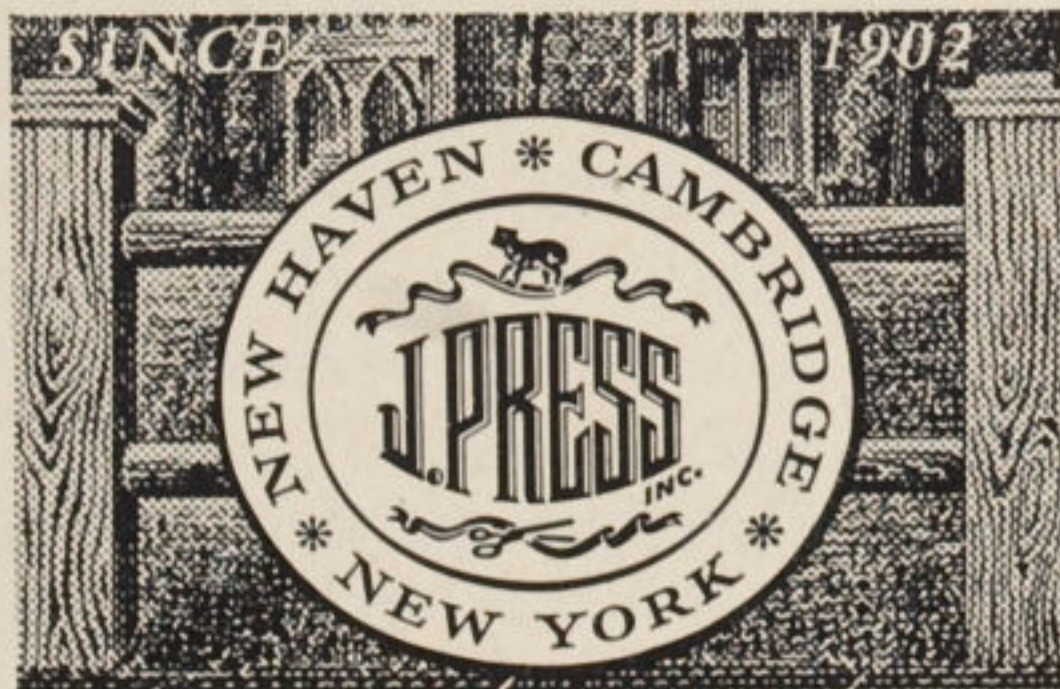
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Prof. Sohn

(Continued from page 1)

it would find it could handle it."

At stake is a problem even broader than the current Southeast Asian imbroglio: how can the U.N. solve issues similar to Vietnam? "This may well be the first of fifty such situations the U.N. will be called upon to solve."

American opposition to U.N. consideration of the Vietnamese problem is the more disappointing inasmuch as the U.N. Charter provides that military force is no longer a permissible means of settling international disputes. The U.S. position has been one of strong support for this principle so long as military actions by other nations were involved.

Prof. Sohn believes the Vietnamese question can be presented to the Security Council in the same way as was the Pakistani-Indian dispute over Kashmir. He would hope that an order for a cease-fire and the withdrawal of all troops from Vietnam would issue shortly.

This would not in itself be the end of the matter. Many problems would remain—which troops are to withdraw? from where? to where? But at the very least Prof. Sohn would expect Security Council action to indicate clearly which side is willing to stop the fighting. The moral force and perhaps the physical might of the United Nations could be brought to bear on the recalcitrant parties.

According to Prof. Sohn, North Vietnam has in the past refused absolutely to cooperate with the U.N. He seems impressed, however, by evidence brought back by a professorial mission to North Vietnam. High placed leaders in the North indicated that they would agree to an immediate cease-fire, the freezing of military positions, and a district-by-district determination of control by U.N. teams. The financing of such a scheme might have to come from a large U.S. subscription to an escrow fund.

(Continued on page 16)

Gilbert the Gadfly Discloses His Methods

By William P. Schwarz

Criticizing corporate management more than complimenting it, Lewis D. Gilbert, noted minority shareholder, told the Bull and Bear Club this past Monday what the shareholder should be on the watch for.

Mr. Gilbert and his family own stock in over 800 corporations. Each year he attends approximately 150 shareholder meetings,



Mr. Lewis D. Gilbert

and his brother attends 50 more. He has attended over 3,000 meetings over the past 30 years.

He has been booed, hissed, shoved, and last year he was thrown out of the Comsat meeting. Yet, he has succeeded in correcting many abuses.

The first question he asks about the proxy statement is the site of the next annual meeting. "If in Dover, Delaware, while a lovely place, not many people will be

there... What are they achieving? Wilma Sauce [another famous corporate gadfly] and myself will be there."

After finishing with the preliminary questioning, Mr. Gilbert will move on to the proposals. The test, he said, should be: "Is this something that I believe in."

Although he readily admitted that not all independent proposals are good, he praised the small independent shareholder and criti-

cized the institutions for not supporting independent proposals. "The institutions are violating their fiduciary duty," he said.

"Read the footnotes before you read anything else," was Mr. Gilbert's opening remark on the subject of annual reports. He recalled discovering a DuPont losing venture buried in a footnote to a co-partner's annual statement. His protests have resulted in significant reforms.

Events of Note at the Law School

An egg-nog party, sponsored by the Board of Student Advisers, will be held in the Harkness Meeting Room today from 5-7 p.m., for all 2L's interested in learning more about next semester's Williston Competition.

* * * *

Applications for the Second Year Writing Program are still available at the receptionist's desk in Langdell Hall. They must be submitted to Prof. Herwitz's secretary no later than 2 p.m. tomorrow. A description of this year's program is appended to the application.

* * * *

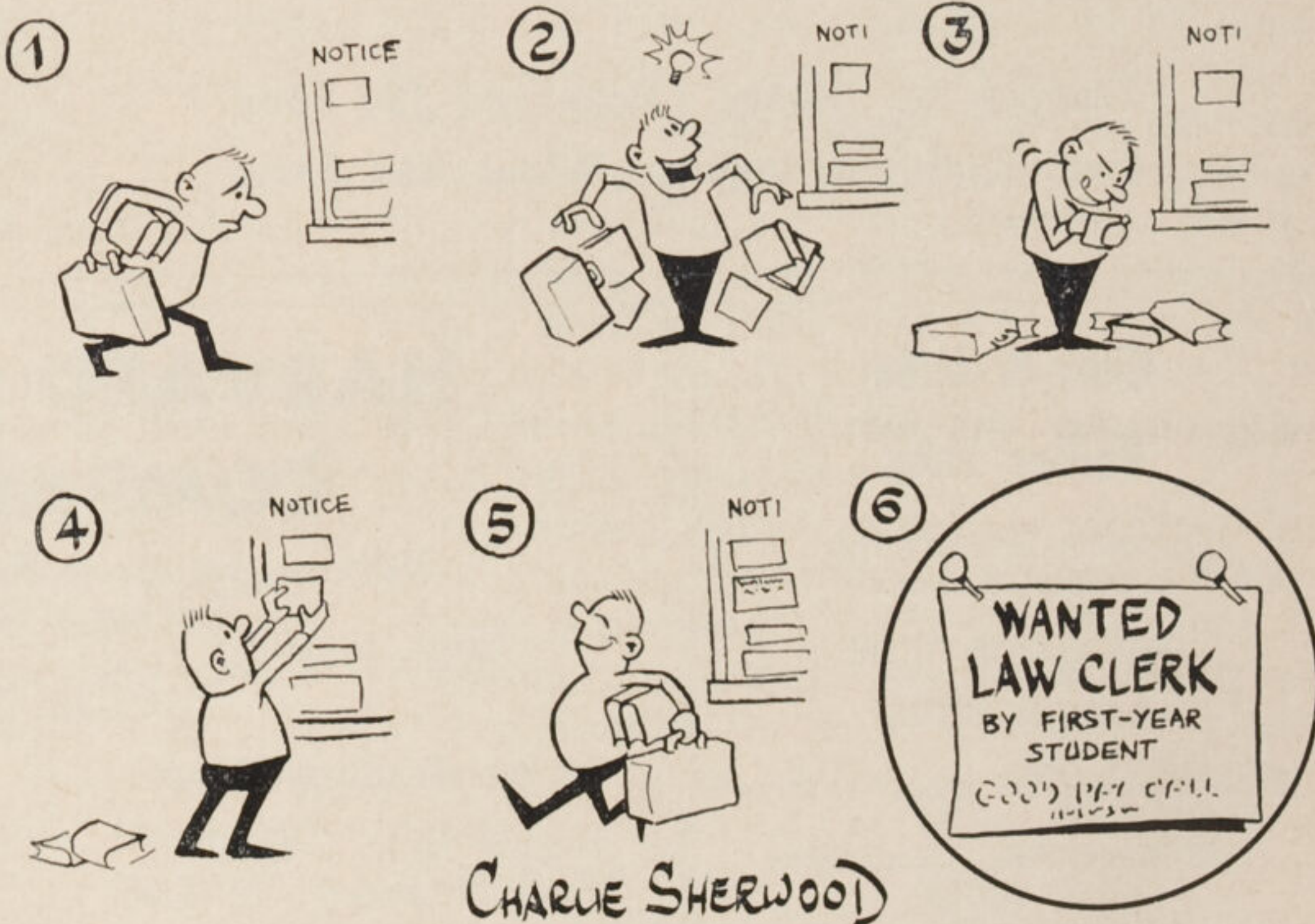
Sen. Ernest Gruening of Alaska will speak at a meeting of the Law-Grad. Democrats today at 7:30 p.m. in the Harkness Meeting Room. His topic will be: "Vietnam: What Next?"

* * * *

There will be a meeting today at 4:30 p.m. in the Wheeler Room of Holmes Hall for all students interested in a summer intern position with the Law Students Civil Rights Research Council.

Applications will be available at the meeting and at the receptionist's desk in Langdell Hall.

* * * *



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The Girls

(Continued from page 7)

law, they are not industrious and have no stick-to-it-iveness." The learned article finally came down heavily and rested on the point that "women would waste the court's time with endless arguments off the point."

Perhaps the magazine went out of business on account of this and similar articles, but the stark fact remains that there is still extensive prejudice against women practicing law.

This is especially true with firms, as revealed by a special survey of the RECORD in 1963. From the firm's point of view, according to the survey, being a woman is almost as bad as being in the lower third of the class.

Fortunately, the trend is away from these attitudes toward a more liberal outlook on woman's role in the law. Large New York law firms frequently hire well-qualified women and opportunities for women in government work are numerous.

Practicing or not, the letter below from

one of the first woman graduates of the Law School (in the December, 1956, issue of the Harvard Law School Bulletin) indicates that women are more serious about the study of law than men tend to give them credit for:

"My family will always be of prime importance, but I realize that one is a better wife and mother if one has interest apart from the home as well. Isn't it enough just to be a wife and mother? No, if you are capable of being more.

"As time passes, I feel even more capable of doing a good job in both. So when people ask me now, 'Why did you ever go to law school?' I tell them it was my way of developing to the fullest extent possible. I am grateful to Harvard for it helped give breadth to the vision of a person's possible achievement. And even if my training is not being used now, I feel confident it will at a later date."

A final hint for meeting that girl you've been eyeing across the way during a corporations class. Say anything, but whatever you do, don't casually remark that "I'm glad you're not aggressive and ambitious like all the rest of them."

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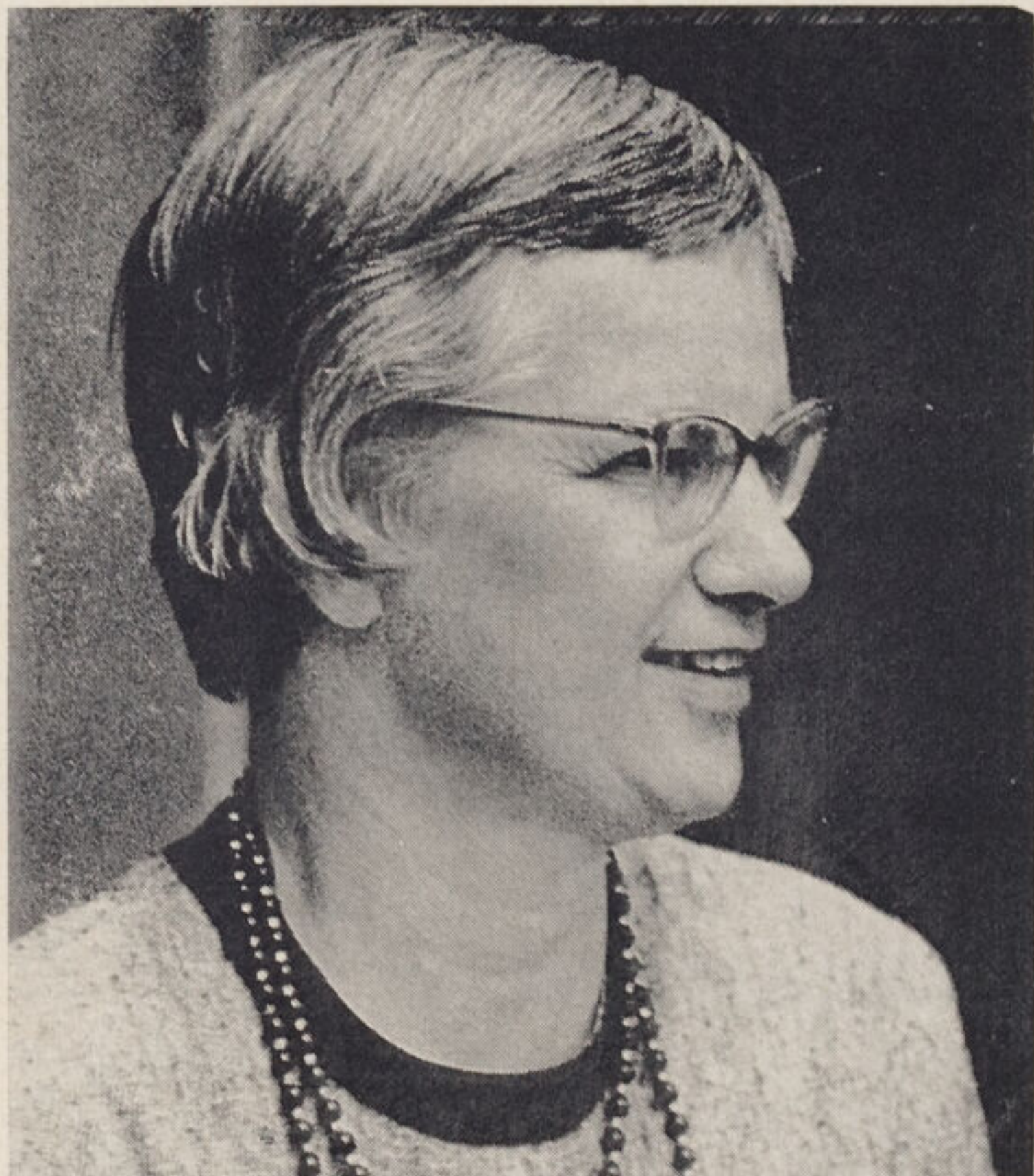
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When A Woman Tackles Atomic Energy . . .

By Paul M. Branzburg

On a Saturday morning in the spring of 1964, Dr. Mary Bunting, President of Radcliffe College, received a telephone call from Washington, D. C. The operator asked Dr. Bunting to hold the line a few seconds while the connection was made in Washington.

Dr. Bunting, who frequently receives calls from the nation's capital, surveyed her office



President Bunting of Radcliffe

while she waited. She noticed that her desk calendar incorrectly indicated that the date was April 1. The operator then said, "The President will now speak to you."

Voice: "Is this Mrs. Bunting?"

Bunting: "I'm not quite sure that I heard what the operator said."

Voice: "Ah think you did."

At this point Mrs. Bunting "almost got the giggles." In a speech to the Harvard Dames last Thursday evening in Harkness Commons, she said that the President "had done his homework amazingly well. He spoke to me about the importance of education for women and about the need of placing women in responsible government posts."

LBJ: "Ah've been trying to do something about women in government. Have you noticed?"

Bunting: "Yes, I have."

LBJ: "Ah need women in top positions. If ah can't find them, it will not help the work you are doing."

Bunting: "Yes."

LBJ: "Now let me tell you what ah want you to do."

President Johnson then offered Mrs. Bunting the opportunity to head the Atomic Energy Commission for one year. The President seemed to want an immediate answer, but Mrs. Bunting needed a few days to clear the appointment with Radcliffe College. She then notified the President that she would take the job.

"If any of you know as little now as I knew 11½ years ago about atomic energy, you will realize what a learning experience it was.

"I had expected to deal with questions such as the use of radioactive isotopes for medical purposes. I had no idea of the amount of time I would be thinking of matters such as workmen's compensation and the private ownership of nuclear materials."

The AEC's annual budget consumes about \$2.5 billion, ninety per cent of which is spent in contracts with universities and industry. With this in mind, Mrs. Bunting noted that the AEC is responsible for promoting certain ideas; "you get worried that you are so interested in promoting something that you may not regulate it well."

Another facet of her work which she found particularly interesting was dealing with the joint congressional committee which serves as a watchdog over the Commission. "It at first seemed an advantage to go to one group, rather than to groups in both the House and the Senate. But later we sometimes felt that it was bad because if the joint committee took a position unfavorable to us, we had no place else to go. If, however, separate House and Senate groups differ, you can sometimes get a useful compromise."

A problem which occupied much of her time was the location of nuclear reactors. "There is no danger," said Mrs. Bunting, "of pollution of either the ground or atmosphere from a reactor. On the other hand, we always asked ourselves 'What if something goes wrong?' We played the 'What if' game quite often down there."

(Continued on following page)

Mrs. Bunting

(Continued from preceding page)

"The bigger the reactor someone proposed to build, the more economical it would be; but the bigger the reactor, the more ominous the 'What if.' Firms want to build reactors closer to cities because transmitting electricity is expensive, but the closer to the city, the bigger the potential hazard."

Mrs. Bunting made several interesting proposals while in Washington, one of which was to build nuclear-powered cargo ships. "The merchant marine in America is really in trouble," she said. "We can't compete because of high costs. We can only compete by superior service. A few nuclear-powered ships might make our ships more competitive."

The Radcliffe College president also proposed that "Operation Plowshare be put under the International Atomic Energy Agency." The Plowshare program is doing research in the use of nuclear devices for large-scale construction.

Mrs. Bunting thinks that "if the Vietnam thing hadn't gotten so much bigger, the peo-

ple in Washington would have taken more of an interest in these ideas."

During a question period, a Harvard Dame asked: "Off the record, what sort of man is Defense Secretary McNamara?"

"One thing I learned in Washington," said Mrs. Bunting, "is that absolutely nothing is off the record. McNamara is an enormously capable man, and a very nice one too."

Republican Club Elects

The Harvard Law and Graduate School Republican Club has elected the following officers for 1966:

President, Herbert C. Liebmann, 2L; Vice President, John D. Lien, 1L; Secretary, Michael J. Brady, 2L; and Treasurer, Richard S. Gallagher, 2L.

New members of the Executive Committee are George A. Vradenburg, 2L; Edward Jacobi, 2L; James E. Bennett, 1L; Berndt Lohr-Schmidt, 1L; and Alan N. Schlaifer, 1L.

Elections were held on Tuesday, December 7. Outgoing officers are President Daniel (Mack) Armstrong, 3L, and Vice-president Robert L. Clarke, 3L.

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Latecomers Appraise the Harvard Law Way

By John W. Losse

Is Harvard Law School all that it's reputed to be? It is probably true that everybody has an opinion, and it is probably equally true that practically nobody really knows much about it. Nobody, that is, except the student who has come to Harvard after beginning his law study elsewhere.

The transfer student is, above all else, a rarity at the Law School. Although over a hundred applied last year, only three were admitted, and only one was admitted the year before that. "When I wrote and told them I wanted to transfer," said one, "they wrote back and politely told me to forget it, but I ignored that and kept writing, and they finally let me in."

In addition to perseverance the successful transfer applicant is likely to possess very high qualifications. For example, most transfers had to turn down law review editorships, and so the decision to come here was not an easy one. None have regretted the decision, however.

Perry Kantner, 3L, has found that his transfer from Ohio State has been a popular subject of discussion in his third year interviews. "Most firms are faced each year with the problems of choosing between a Harvard man with a B or C average and a man who has done very well elsewhere. They tend to think the A student is a better prospect regardless of the school, but from my experience they are making a mistake." Kantner explained that this is because the class rank here varies drastically with a slight change in average, and because the class as a whole is very well qualified to begin with.

The transfers tend to discount the importance of Harvard's physical facilities and its well-known faculty. Said a recent veteran of the Ames competition: "The size of that library just makes it easier to go crazy in the place." With respect to the faculty, the general impression is that "there are good and not-so-good teachers everywhere, although the professors here tend to be somewhat better acquainted with the law outside their special field."

The primary difference is to be found, as one might expect, in the character of the Harvard student. Although his high LSAT

scores are a matter of common knowledge, there are other differences as well. Russel Munk, 2L, said that "Here, the students are either more sophisticated or more cynical. Last year we used to read a case six or seven times to figure out what the judge was trying to say. Here, if you don't understand the judge after a couple of readings, you decide he is either ignorant or prejudiced, and get on with the next case."

Michael Belknap, 2L, who spent two years studying law at Cambridge, reported that although most classes were taught by lecture, some professors who had taught in the U. S. had tried unsuccessfully to introduce the Socratic method. "The lecture method means that the role of Hornbook and casebook are interchanged," and, he added, "it means the students can spend a good deal more time down at the pub."

According to Belknap, the most typical English curriculum includes many courses in jurisprudence and legal history, at the expense of courses which we find indispensable, such as taxation, corporations, and civil procedure. "The difference is compensated by the fact that the prospective barrister spends at least a year preparing for his bar exams, and, after that, he works in an apprentice capacity for a few years, instead of marching right from law school into a courtroom."

However, Belknap was ready to concede, with the other transfer students, that the Harvard Way, if not always pleasant, is at least bearable, and certainly worth the effort.

New Professor Appointed

Charles R. Nesson, LL.B. '63, will become Assistant Professor of Law here next summer.

Mr. Nesson is currently with the Civil Rights Division of the Department of Justice. During the 1964-65 term of the U. S. Supreme Court, he was law clerk to Justice Harlan.

Now 26, he is a former member of the Harvard Law Review and graduated from the Law School *summa cum laude*. In 1963-64, he traveled abroad on a Sheldon Fellowship from Harvard.

Prof. Sohn

(Continued from page 10)

Present prospects for U.N. action in Vietnam are small, Prof. Sohn admits, but he argues that U.N. involvement is decidedly in our best interests. "I feel that U.N. Ambassador Goldberg would like the case brought before the U.N., but doesn't want to bring it himself."

It has been suggested that a nation like Roumania is well situated to bring the problem before the U.N. Another possibility is the Secretary-General, who is empowered by the Charter to bring threats to international peace to the attention of the Security Council.

American hesitance to bring a case before the United Nations may be traceable to the fact that "U.S. government departments and agencies have no real approach to the U.N." There is no tradition of

thinking in terms of a significant role for the U.N. in the settlement of disputes which engage the interests of the United States directly.

There are groups in Washington — Prof. Sohn mentioned a gathering at Senator Clark's home in Washington — who are aware of the possibilities of U.N. action on the Vietnamese problem. But there are many "veto groups" to get past before U.N. involvement can become U.S. policy.

In answer to a question about the moral issue of our time — how should young Americans react to the war? — Prof. Sohn expressed sympathy for the administration. He believes that those who demonstrate against our policy may unwittingly be responsible for the further escalation of the conflict. Their actions only serve to encourage that line of Chinese-North Vietnamese thought which holds that at a certain point American resolve will falter and leave the

way clear for a Viet Cong victory.

Prof. Sohn would welcome a change in the emphasis of the protest movement. Why not demonstrate for U.N. consideration of the problem? he asked.

Library Schedule

The library's holiday schedule is as follows: Sat., Dec. 18, 8:30 a.m. to 5 p.m.; closed on Saturdays and Sundays; Mondays through Thursdays, 9 a.m. to 5 p.m.; Friday, Dec. 24, 9 a.m. to 12 noon, and Friday, Dec. 31, 9 a.m. to 5 p.m.

On Mondays through Thursdays, the ILS Reading Room will be open from 5 p.m. to 11 p.m. Students with cubicle or room assignments will be admitted to those spaces during these hours. Page service will be available for materials in Langdell. During these hours the library may be entered through the front entrance to ILS.

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