

Fund Drive Sets \$15 Million Goal

New Chairs and Buildings Among HLS Objectives

By Michael Lowenberg

Harvard Law School has set a \$15,000,000 goal for its Sesquicentennial Fund, as the School's first general appeal for capital funds in more than fifteen years gathered momentum last week. The drive, which has been set to coincide with the 150th anniversary of the founding of the Law School, includes among its objectives new chairs in criminal law and urban legal studies, additional research personnel and facilities, an expanded financial aid and scholarship program, and two additional buildings.

Information concerning the fund drive was made public following discussions among members of the Law School's Visiting Committee, the Fund's National Committee, and the faculty, during the last weekend in February. The National Committee consists of 37 distinguished lawyers and businessmen, all Law School alumni, and is headed by Robert Amory Jr., LL.B. '38, as chairman. Professor Austin W. Scott, LL.B. '09, Dane Professor of Law, Emeritus, has been designated honorary chairman.

The stated objectives of the drive are based on the recent report of the Faculty's Committee on Planning and Development, which showed overall needs totalling \$29,000,000,

(Continued on following page)



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Faculty Plans to Weigh Reading Period Proposal

A reading period at Harvard Law will probably be considered by the Continuing Committee on Legal Education early next fall, according to the committee's head, Professor Derek C. Bok.

Although there is no great pressure for it on the part of the faculty, he said, "anything shown that degree of interest by students bears consideration." A poll by the RECORD

(Continued on page 4)

Norman Thomas:

Vietnam War Aids China

By John W. Losse

"Let's get down to business. I'm opposed," declared Norman Thomas at "Vietnam — A Dialogue," sponsored by the Law Forum.

The perennial candidate for President on the Socialist line was the principal speaker of the evening. The program also included talks by Prof. Morton Halperin of the Harvard Center for International Affairs and William Griffith of the Center for International Studies at MIT.

Thomas said that, "Our mistake is thinking that the main job is containment and that military action can do it. This mistake goes back to the first days of our China policy

(Continued on page 15)



Chairman Amory and Mass. Justice Paul C. Reardon,
Chairman of the Visiting Committee.

Chairs Planned for Urban and Criminal Law

(Continued from preceding page)

including \$15,000,000 representing immediate and urgent capital needs.

A total of \$4,000,000 of the Fund will be allocated to endow new faculty positions. These will consist of two new chairs each in criminal law, urban legal studies, and the research status program, plus research personnel. Another \$4,000,000 will go for financial aid to LL.B. candidates, graduate fellowships, and scholarships.

Expansion of the Law School's physical plant will require \$6,000,000 — \$5,000,000 for a new classroom, administrative and faculty offices building, and \$1,000,000 for an office wing. Finally, the library endowment will receive \$1,000,000.

Dean Griswold and Mr. Amory have emphasized that the Annual Giving Program, which through participation of half of the alumni provides some \$800,000 a year for the School, will continue during the Sesquicentennial Fund Drive. The annual giving provides the equivalent of income on \$18,000,000 of endowment, but according to Dean Griswold, "it does not enable us to take the strong forward steps which are the objecties of the Sesquicentennial Fund."

The stated objectives of the drive, said Assistant Dean Wesley E. Bevins, Director of the Harvard Law School Fund, represents those needs considered to be in the "fore-front, where the legal profession has some obligations." He added, however, that the School has many more needs not expressly covered in the drive.

Dean Bevins said that the new office wing has been tentatively planned to be constructed behind Langdell Hall, facing Austin and Hastings Halls and balancing the International Legal Studies building. Many of the faculty offices now half-hidden in obscure corners of the library stacks would be converted to meeting rooms and offices for graduate students and visiting scholars — their original uses.

The second, multi-purpose building, will probably be built on the land presently occupied by Kendall House, the Jarvis Street driveway, and the adjacent parking lot.

A "preliminary case statement" prepared by the School and circulated among the vari-

ous committees and governing boards outlines in greater detail the objectives of the Sesquicentennial Fund and the Law School's expansion plans.

It is presently contemplated that the new criminal law chairs will enable the School to further concentrate on criminal procedure, post-conviction processes, criminology and penology, court organization and organi-



Assistant Dean Wesley E. Bevins
HLS Fund Director

zation of the legal profession. The urban legal studies program will most likely consist mainly of land-use planning and related property law, state and local taxation, and state constitutional and administrative law.

The "preliminary statement" points out that the academic program is adversely affected by classroom shortage and that there is virtually no room for further growth of the faculty. It further states that at least four classrooms, two large enough for a first or second-year section, and two designed for classes of 75 students should be provided. In addition, more student study areas will relieve crowding in the library reading rooms.

Part of the funds allocable to the library are expected to be used to modernize and perhaps automate record-keeping and storage. A training program for law librarians may also be added, and new library services are to be developed and old ones expanded.

Multinational Ventures Have Much to Learn

By John Spitzer

Most "multinational" corporations, which have fueled the steady expansion of American investment abroad, are experiencing growing pains due to a shortage of management know-how and fears of sharp governmental interventions, Professor Detlev Vagts and Business School Prof. Raymond Vernon agreed before the International Law Club last week.

Noting that "American investment abroad accompanied by *de facto* control is now nearly \$44 billion," Prof. Vernon pointed to advances in communication and transportation and "homogenization of entrepreneurship" as the key factors in this burgeoning development.

Prof. Vagts cited foreign concern over absentee landlordism and mineral depletion as a possible block to future expansion of foreign investment. "It's the same psychological feeling of a man looking down his mine which has been mined out by a stranger," Prof. Vagts suggested.

"Often the foreign country looks upon an overseas corporation moving in as a strange body with stuffed ears," added Prof. Vernon. "The country doesn't know what to expect from this stranger unfamiliar with the local customs and business habits. The actions of the new corporation may be based on an entirely different strategy from that of the local corporations so these actions may appear irrational. This causes fear and even resentment among local competitors."

The problem is complicated by the lack of predictability of a foreign company's behavior to a government stimulus such as a tax cut. The business strategy of the 'multinational' corporation in one country is tied into a whole global strategy, according to Prof. Vernon, which means that its production may expand or contract in relation to factors out of control of the foreign country.

"The homogenization of entrepreneurship has been developing and may help out in this area," the brusque, stocky business professor explained. "All large companies may soon operate on a global strategy from an inflow of information all over the world."

Prof. Vagts suggested that foreign government response to American investment

abroad may be more acute. Nationalization of American corporations or legislative prohibition would be the most drastic of these responses, but the law professor added that these broad measures were not likely because desirable American investment would be deterred.

"Forced partnership" is another alternative, Prof. Vagts said. This involves giving 51 percent of the stock to native people in the hope they will promote national interest. He explained that sometimes this has a reverse effect, as "when the native stockholders want to take as much profit out in the shortest possible time as opposed to American interests who would like to see the corporation grow."

Regulation is a further possibility. Prof. Vagts emphasized that this path is the most flexible but that it is sometimes difficult to determine just what needs regulating. He hinted that application of some conflict of laws principles in this area might help to decide what could be controlled by the home



Professors Vernon and Vagts

country and what could be controlled by the investment country.

Prof. Vernon gave an amusing account of the development of American investment abroad which he said begins with a trickling of foreign orders for machinery, which leads to the appointment of an export man whom nobody pays any attention to and who is treated by other executives as an "irritating

(Continued on page 14)

Reading Period

(Continued from page 1)

last semester showed that of 307 students asked, 261 favored a reading period.

Associate Dean A. James Casner, who headed the committee's predecessor in 1960, which asked for many changes in the curriculum of the Law School, said that although there was some consideration given to a reading period at that time, the committee did not formally propose to the faculty that one be adopted. Through a system adopted by his committee, he noted, first-year students have the equivalent of a reading period, since they drop three hours a week of classes during the five weeks preceding final examinations.

Since students spend approximately two hours of outside work preparing for one classroom hour, the theory is that this amounts to 45 hours which can be used for review. Second- and third-year students may not need a reading period, since they have already acquired proper study habits, Dean Casner said.

Prof. Arthur von Mehren took issue with the notion that cutting down class hours for first-year students serves the same function as a reading period. Of course, he said, "if nothing of importance was contained in the last five weeks of class, then it would." As

he envisions it, such a period should not simply provide students more time to study their courses in a piecemeal manner. It should, instead, allow students to reflect on their courses and see the interconnections of their material, as well as giving them a chance to go beyond the classroom work and delve more deeply into outside sources such as law review articles.

Although second- and third-year students become more skilled in such syntheses, Prof. von Mehren still thinks that a reading period might serve a useful function for them as well.

The perfect system, he believes, would be to have a written exam the first week in May, and then to have a two-week-long reading period. Following this, the student would undergo an oral examination by his instructor. However, he admitted that this would be extremely time-consuming and would probably not be feasible.

Prof. Von Mehren, however, would like to see a week-long period instituted before exams, since there is an education problem when the student is asked to go from his last class to a testing of his understanding of the whole subject matter. "This fosters the attitude," he noted, that "it is not important to reflect on the subject as a whole."

Dean Casner agreed with the basic idea of a reading period, but saw a problem in

(Continued on page 16)



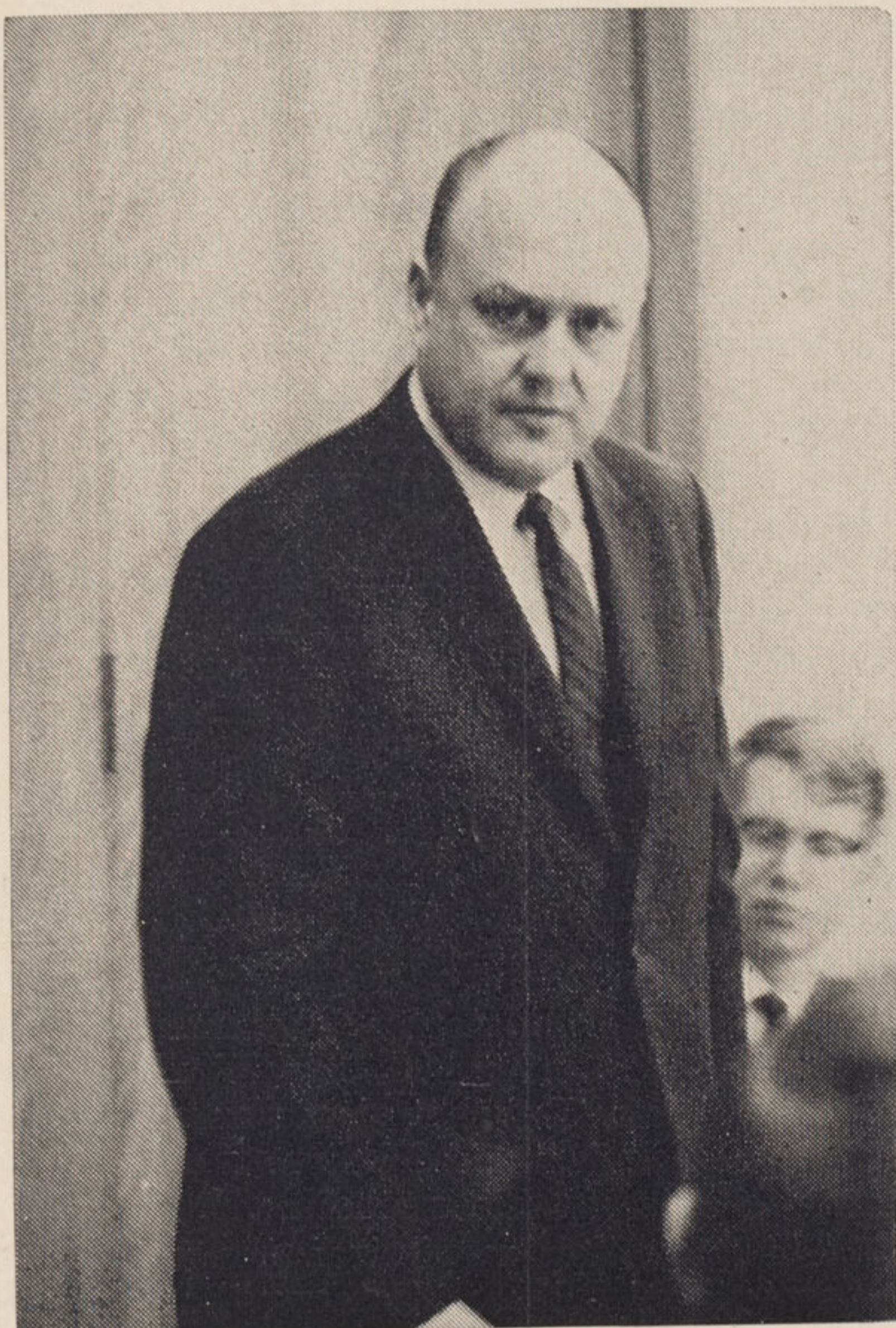
Back-benching and listening intently to Professor Steiner conducting his first-year Torts section, is Supreme Court Justice John M. Harlan. Justice Harlan was at the Law School over the weekend of February 26 as a member of the Visiting Committee of the Board of Overseers.

Seated next to the Justice, and looking equally intent, are George H. Clyde Jr. (left) and Martin L. Budd (right), both 1L.

Rep. Laird Warns GOP to Gain -- or Else; Cites Inflation, Lengthy War as '66 Issues

By Lowell R. Wedemyer

"The 1968 Republican nomination for the Presidency will not be worth the paper it's written on if the party doesn't find the strength to gain more than 30 additional congressional seats in the 1966 elections," Congressman Melvin Laird (R.-Wisc.), chairman of the House Republican Conference, warned the Law School GOP club last week.



Rep. Melvin Laird

If the Republican party fails to do well in the 1968 election, he said, "We are just that close to one-party rule and one-man rule in this country." He ascribed this to President Johnson's masterful understanding of the "the power of the Presidency."

The Republican party has been gaining

strength again following the defeat in 1964, he noted. In six weeks the party has achieved a 2% increase in the preference polls. "Recent polls indicate that we would pick up 31 seats in Congress if we had the election today," the Wisconsin representative stated.

He said that there are strong issues on which the party can challenge the present Administration, and the most powerful of these is fiscal. He accused the Democrats of a lack of regard for sound domestic fiscal policies. The cost of living index, he maintained, has risen many times faster under the Democrats than it did under Republicans.

The Republican Party must pin the responsibility squarely where it belongs, Congressman Laird counseled. "We must be on the offensive in 1966 rather than on the defensive as we were in 1964."

He blasted the Administration for its high rate of deficit spending in good times, and accused it of hiding the deficit in underestimations of defense requirements. He suggested that social security payments and the social security tax be tied to the cost-of-living index.

The fiscal issue is very strong, he believes, and points to Gallup polls of recent weeks, which show inflation is of more concern to U. S. women than is the war in Vietnam. "Unless we're willing to base the campaign in this area, we'll lose," he warned.

In answer to criticism that Republicans have not offered a constructive alternative for Vietnam, Laird said, "We have refrained from offering an alternative until the present Administration makes clear what its policies in Vietnam are." He added that the minority party is not in a position to refuse funds necessary to execute the Commander-in-Chief's decisions.

He expressed concern that the Administration's failures in policy formulation are "causing Russia and China to miscalculate the intentions of this Administration and is causing the war to be prolonged." He also cited the Democrats' division over the war as another prolonging factor.

Congressman Laird remarked that if
(Continued on page 15)

FREEDOM — WHEN?

by James Farmer

The National Director of CORE
answers the hard questions
facing the civil rights revolution

The civil rights movement has no more dramatic, authoritative leader than James Farmer. His face and his eloquence are known to millions of Americans. For more than two decades Mr. Farmer has been at the center of the civil rights battle, and in *Freedom — When?*, his first book, he tells of those tumultuous years and asks the crucial questions facing the civil rights revolution now:

4.95

VIETNAM: Between Two Truces

by Jean Lacouture

Introduction by Joseph Kraft
Translated from the French
by Konrad Kellen and Joel Carmichael

"... Jean Lacouture's new book on Vietnam will come as a kind of revelation. He announces his almost revolutionary theme in the opening sentence: 'Vietnam,' he writes, 'lives.' His book is about a particular place and a struggle for primacy there. It is, in other words, a political book. It deals with the elements and forces of the conflict, not as if they were apocalyptic and millennial events but as political phenomena. To read Lacouture after a dose of the official and even the journalistic literature which we get in this country is to pass from griffins and unicorns to Darwin and Mendel.

5.95



Ousted St. John's Prof Sees Catholic Educational Pitfalls

By Jack B. Jacobs

"If Catholic educators tend to escape from reality, Catholic education will be perverted into a ghetto." Dr. William O'Brien warned the St. Thomas More Society last Friday.

Afraid of such a consequence, Dr. O'Brien, one of the 21 faculty members fired in December from St. John's University (N.Y.), has launched a cross-country tour to explain to student and faculty groups his version of the issues which led to the mass firings.

As early as 1963, recalled Dr. O'Brien, a group of "reformers," constituting the "more intellectual members of the faculty," became concerned with the inferior academic quality of the undergraduate curriculum.

According to Dr. O'Brien these "reformers" proposed to the administration that a thorough study be made of the existing program, with a view toward complete overhaul. The administration, opposed to the idea, refused the reformers use of university facilities.

The following summer, nonetheless, the reformers did succeed in carrying out an exhaustive study of the curriculum, resulting in suggestions for long-needed changes. One of the important suggestions, the former St. John's professor noted, was to give each department autonomy in forming its own curriculum, rather than giving ultimate authority to the entire faculty. "At a place like Harvard, one would think it commonplace that the philosophy department would be better equipped to run its curriculum than the physicists. But that view was unacceptable at St. John's," said O'Brien. The administration rejected the proposals.

This rejection maximized the dissension among the faculty, and among the students, who later picketed the administration upon learning of its action.

The following December, 21 faculty members, all of the "reformer" group, received notice that their contracts would not be renewed, on vague grounds of "unprofessional conduct." No other explanations were offered. Among the 21 was Dr. O'Brien, who had received not only A.B., M.A., and

(Continued on page 13)

Braucher Birthday Merriest Day of Year

By Gregory R. Smith

Section III's favorite Contracts prof. — Professor Robert "Bobby" Braucher — celebrated his 50th birthday last February 23rd amidst the regal splendor devised for him as a surprise party by his Contracts class.

In the center of the Langdell North classroom was a huge paper birthday "cake." Banners were hung from the walls proclaiming such sage epigrams as: "I dreamt I was a contingent remainder and wouldn't vest in time." Chalked on the blackboard were wise 'Braucherisms': "The Lawyer's Business is Tragedy," "No Tragedy, No Fee," and "Freedom to be Foolish." A huge poster hung in the center of the room proclaiming "Happy Birthday Bobby." Containers that looked peculiarly like garbage cans were filled with tomato juice and vodka. And in the front row, somewhat less than solemn, sat Professors Field, Dawson, Michelman, and Fried.

At 9:10 sharp the main character — "Bobby B." himself — entered the room, books in hand, ready to begin the usual 15 pages ahead of even the most swift student. The seven man band struck up "Hail to the Chief," and then a rousing "Happy Birthday



Prof. Braucher & Merry-makers

Dear Bobby," by 150 jubilant voices. Prof. Braucher, in the words of Prof. Dawson, "visibly touched," was guided to the place of honor by Allan Foster, one of the party's chief organizers, and seated in front of a large yard long glass of ale.

The real show then began. The moderator, Stanley Marcuss, rose and immediately

started off on the high level so characteristic of this class: "Good morning, boys and girls, it's Ding Dong School."

A very short but carefully detailed biography brought out such relevant information as that Prof. Braucher *was* born, was now 50 years old (audience applauds), and in the intervening years had gone to school, made Phi Beta Kappa (audience hisses) and Law Review (hisses again), and became a professor.

At the conclusion of this most "inciteful" introduction the Birthday cake began to move. Suddenly the side of the cake ripped open, and out stepped three vivacious and scantily clad Cliffies, to the rousing cheers of the solemnly assembled. They tripped gayly over to the professor's front row seat and each lightly planted a fresh young kiss on his aged cheek. The maidens made a quick once-around-the-room and then lodged themselves safely among the back-benchers.

After various toasts, including Mr. Fried's "To Bobby, who has found the fountain of youth," Mr. Michelman's "To Robert Braucher, who saves us from the obvious," and Mr. Field's "From now on Bob, it's down hill all the way," and a round of "For He's a Jolly Good Fellow," the serious matter of the long-awaited skit was finally begun.

The skit, written by Jeff Meldman and Marc Hayutin, was based upon the trial of Robert of Braucher, "indicted by a jury of his neighbors on 18 counts of meanness, cynicism, corruption of the pristine morals of youth." The Court was made up of three fictitious characters given the fictitious names of Dawson, C. J. (played by Ken Wolf), Fried, J. (Steve Schlesinger), and Michelman, J. (Richard Tufaro). The prosecutor was a fellow named Field (Bob Stoll), and the defendant was 'Rob't of Braucher' (Jim Bennett).

The skit over, the real Robert Braucher rose — those up close said they thought they saw the hint of a tear in his eye — and spoke a few quiet words of thanks to the assembled multitude. "Fifty years only comes every so often. It puts you in a weakened condition. The proceedings this morning have further weakened me."

Loud applause. Exit.

Vietnam and the ABA

Ever since Congress passed the Tonkin Bay Joint Resolution in August, 1964, President Johnson has been carrying in his coat pocket a copy of the resolution to show to anyone who would doubt the legality of American involvement in Vietnam. This is entirely understandable, since an almost paranoid concern for the legality of American operations in Vietnam is felt by a great many Americans. We like to feel that major elements of our foreign and military policy are "legal", and we gain satisfaction from declaring international acts of rival nations to be "illegal."

Last April Secretary of State Dean Rusk, speaking before the American Society of International Law, initiated the current debate by spelling out the Administration's rationale under international law for our involvement in Vietnam. Seven months later, a newly formed group called the Lawyers Committee on American Policy Towards Vietnam, supported by professors from Vanderbilt, Virginia, and Columbia Law School, issued a heavily-documented 26-page legal memorandum challenging Secretary Rusk's position.

The Lawyers Committee argued that in Vietnam the United States is violating its UN Charter obligation to renounce the unilateral use of force in international disputes without UN authorization, and that the Charter exceptions to this renunciation for self-defense and "regional arrangements" did not apply. The lawyers group also contended that our military actions could not be squared with the 1954 Geneva Accords nor with the express terms of Articles I and IV of the Southeast Asian Collective Defense Treaty (SEATO). Finally, the Committee urged that our intervention violated the U. S. Constitution, which reserves to the Congress exclusively the power to declare war.

During the recent hearings of the Senate Foreign Relations Committee, Secretary Rusk relied heavily on the Tonkin Resolution and the SEATO Treaty as justifications for our commitment in Vietnam. As for the first, many Senators who had voted for the resolution said they had done so only for the limited purpose of supporting retaliation against attacks upon U. S. destroyers in the Tonkin Gulf and not to give the Administration a carte blanche. And regarding the SEATO rationale, even so conservative a writer as Arthur Krock, writing in last Sunday's *New York Times*, has concluded that SEATO is weak grounds since that treaty contemplates collective consultation and collective action against "a common danger", not substantially unilateral action as ours has been.

In the midst of this national debate, the American Bar Association, with little discussion and by voice vote, passed a five-paragraph resolution declaring "that the position of the United States in Vietnam is legal under international law, and is in accordance with the Charter of the United Nations and the Southeast Asia Treaty."

Viewed against the background of the sober and erudite Lawyers Committee brief and Arthur Krock's research, the A.B.A. resolution contributes little to the national dialogue on Vietnam. Moreover, the circumstances of its passage lead us to believe that its conclusion was dictated more by policy and patriotism than by a sober appraisal of the complex legal issues presented.

If the A.B.A. thinks it's good policy for us to be in Vietnam, and the absence of effective international peacekeeping machinery makes legality irrelevant, let them say so. As Professor Wolfgang Friedman has warned (1965 Proceedings, American Society of International Law, p. 75):

"The alternative attempt, which leads international lawyers to vindicate the actions of their governments, whatever they are, can only lead down the slippery path of intellectual subservience."

TONGUE 'N CHEEK

By Fenno

The world is swiftly discovering that Africa's Kwame Nkrumah is one of the genuine political phenomena of our time. Mr. Nkrumah topped a decade of playing the middle against both ends as President of Ghana by founding a new form of personal politics — Nkrumahism.

Overthrown by revolution in his own country, Mr. Nkrumah quickly moved four countries up the coast to become President of Guinea. What other politician in recent years, forced out of power in one country has immediately gained it in another?

Of course, West African politics being what they are, it could hardly be said that Mr. Nkrumah's present position is anything like secure. He may become the first President overthrown by coups in two different countries. (However, qualified sources indicate that if Mr. Nkrumah is forced out of Guinea, he will join SNCC and run for Governor of Alabama.)

Many statesmen are afraid Mr. Nkrumah's invention of the game of musical countries may have established a dangerous precedent. Can a prime minister, king, or president really be sure that, if his term of office suddenly ends, he will get a new job with another firm? Is de Gaulle really certain that, had he met defeat in the recent election, he could have taken over right away as Chancellor of Germany? Would Queen Elizabeth have abdicated in his favor?

Nor is the United States immune from the problems created by Nkrumahism. Why bother to overthrow Fidel Castro when a week later he may turn up as Governor of Puerto Rico? Will Barry Goldwater soon be appointed successor to Prime Minister Verwoerd?

Despite these uncertainties, Nkrumahism is surely destined to take its place beside communism, fascism, and capitalism as one of the great political systems of our time.

Letters to the Editor

J. D. Degree Spreading In U. S. Law Schools

To the Editor:

Your recent Editorial in "The Harvard Law RECORD," entitled "The Harvard J.D.: 19???" is in error in one minor respect, i.e. the William Mitchell College of Law in St. Paul, Minnesota has already changed to the J.D. degree.

The J.D. presently is conferred by the three law schools in Oklahoma (O.U., T.U., and O.C.U.), the two schools in Kansas (K.U. and Washburn), the four schools in Missouri (M.U., M.U. at K.C., Washington and St. Louis) and by all schools in Ohio except possibly Ohio State.

Did not the Law Faculty at Harvard recommend the change to the J.D. about 1906 or 1907 and was it not vetoed by the Board of Overseers? I recall that the late Professor Joe Beale was a strong advocate of the J.D. and I believe that he told me one time that Harvard compromised, at that time, by agreeing to permit the Harvard Law Graduates wear doctoral gowns in the academic procession.

The most recent change to the J.D. was made at the University of South Carolina. Could not Harvard, Yale, Columbia and other eastern schools change to the J.D. on the same date?

With every good wish, I am
Sincerely yours,

John G. Hervey, Adviser to
ABA Section of Legal Educ.

Split-Infinitive Battle Maintains Its Fervor

To the Editor:

Since the split-infinitive controversy seems not yet to have breathed its last, I should like to add my two cents' worth. With Mr. Nelson's letter in your last issue, the dispute has reached the stage of italics and the words "rule," "wrong," and, inferentially, "right," in quotes — an ominous sign.

Despite Mr. Nelson's refreshingly pragmatic approach, the exchange seems to me to have been more amusing than enlightening and I should like to point out that there is good authority to be cited. *Fowler's English Usage* treats the matter at some length and, in view

of the continuing interest, the RECORD might do well to consult that august volume and reprint the pertinent entry in full.

The truth that will emerge, of course, is that except in the minds of a small but adamant group of diehard non-splitters there is no effective rule against the use of the split-infinitive. It emphatically does not follow, however, that the absence of a general prohibition implies the license for an indiscriminate use of a construction that is often inelegant and confusing.

I suggest that the split-infinitive, like the sesquipedalian term and the use of 'than' with 'different', is an occasionally necessary evil which might often be avoided in the interests of clarity, precision, and benevolence toward the sensitive ear.

Sincerely,

Jack Nordby, 2L

P.S. Lest Mr. Nelson's appealing citation of Churchill be granted more authority than its aptness alone deserves, it should be noted that the proper retort might have been "That is a proposition I will not tolerate!" rather than "That is a proposition I will not put up with!" (which latter the anecdote implies to be inevitable and thus correct).

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Michael Lowenberg President
Frank R. Parker Vice-President
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Photographers: Lionel Etra, J. Fred Simpson, Andrew Osyany, and Burt A. Solomon.

Cartoons by Charles Sherwood.

Staff: Theodore S. Curtis Jr., Keith S. Watson, Robert L. Clarke, Gregory R. Smith, James W. Eighmie, Jack B. Jacobs, Thomas J. Kelly, Brian Sweeney, H. Peter Young, John W. Losse, C. Richard D'Amato, Lowell R. Wedemyer, Murray S. Levin, Marco A. Rigau Jr., Amanda Hawes, Allan Freedman, and Fenno.

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RECORD Review Blasted By Commission Staffer

To the Editor:

As a member of the staff of the Warren Commission, it was with some interest and puzzlement that I read in the February 10 issue of the RECORD a review of a book calculated to discredit the Warren Commission Report.

No one claims that the Report is airtight in all respects. It is obvious to anyone that the difficulty in proving a negative renders such a claim impossible.

Had your reviewer read the Report carefully, however, I am sure that he would not have found Mr.

(Continued on following page)

Letters to the Editor

(Continued from preceding page)
Fox's analysis so "forceful and disturbing." Each of the points that the reviewer found to be loopholes in the Report are either refuted by the Report itself or are patently irrelevant.

Even more shocking is your reviewer's statement that the book raises "serious doubts as to whether the American people have learned the entire truth." The Warren Commission stated that its conclusions "represent the reasoned judgment of all of the Commission and are presented after an investigation which has satisfied the Commission that it has ascertained the truth concerning the assassination of President Kennedy to the extent that a prolonged and thorough search makes this possible." (Page 18 of the Report)

Surely people, after conducting their own investigations and after *thoroughly* digesting the Report may disagree. Unfortunately, however, many critics seem to imply

that those of us who participated in the work of the Warren Commission are all members of a grand conspiracy to deceive the American public. Before your reviewer endorses such critics, I would hope that he would at least have taken the time to study the Report and the accompanying transcripts and exhibits.

Sincerely,

Richard M. Mosk, LL.B. '63
Los Angeles, California

Kaplan to Give Lectures In NYC on Copyrighting

Professor Benjamin Kaplan will give the Carpentier lectures at Columbia University March 15, 17, and 19.

His subject is "An Unhurried View of Copyright," which will include a review of the first 350 years of copyright history, "Plagiarism Reexamined," and several proposals. The lecture series is given in cooperation with the Association of the Bar of the City of New York.

Harvard Irish to March

A four-mile St. Patrick's Day parade through South Boston will again be sponsored by the Law School Gaelic Society on March 17. Everyone who is Irish (or wishes he were) is invited to lunch in the Mallory Smith Room at noon, the march beginning at Andrew Square at 1:30 p.m. and a party in the Harkness Meeting Room afterwards.

Last year, the Gaelic Society's triumphant march at the tail-end of the parade was a roaring, and (evil rumor hath it) an ever so slightly alcoholic success.

The celebration's official name is "Evacuation Day" since March 17, 1776 is the day the British abandoned Boston in the Revolutionary War.

Prof. Coing to Speak

Visiting Professor Helmut Coing will speak on "Law and Religion" March 17 and 24 beginning at 2:15 p.m. in the Episcopal Chaplaincy at 2 Garden Street.

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Recent Movie

On Revocable Trusts and the Cinematic Arts

By Stephen M. Raphael

Reviewing a movie produced by a teacher, while taking his course, would normally present a problem in balancing a duty to be objective with a desire not to offend. Fortunately, this movie, produced, directed and starring Associate Dean A. James Casner, obviates the necessity for drawing such a balance. "The Revocable Trust", recently shown at the New England Life Insurance Hall, is a superb and eminently unbiased exposition of the advantages and disadvantages of using a revocable *inter vivos*, or living, trust. I would not hesitate to recommend this film to lawyers, law students and the adult public. However, to view it solely as a legal lecture is to be totally unaware of the novelty of technique, the tragic vision, the delicate symbolism that this ground-breaking film demonstrates.

Ominous Undercurrents

Beneath the placid, orderly exterior of the film, one can sense dark, ominous undercurrents. During the period of the settlor's life, the *inter vivos* revocable trust, or living trust, is created. The trust is symbolized by a small dignified mausoleum, subtly suggesting the inevitable transformation from life to death, from revocable to irrevocable.

Again, in the only scene which is in questionable taste, when the possibility of the settlor's incapacity is suggested, we see, right before our eyes, a jagged fissure appear in the settlor's head, which then falls backwards. Shades of Alfred Hitchcock! On the basis of this one scene, I would not recommend this film for children when it appears in your neighborhood theater. The sonorous incantation of the many unsuspected disasters that can occur is an eloquent re-statement of Oedipus's lament, "No man can call himself happy until the day he dies."

If the philosophic themes of this film are not original, the form is certainly a brave new departure. Doubtlessly stimulated by the sudden appearance of Truman Capote's non-fiction novel, Dean Casner has created its cinematic analog, the documentary melodrama.

In this film, the Careful Planner, a character much akin to Everyman of medieval drama, carefully steers the orderly devolution of the settlor's, sometimes known as the Loved One's, assets between the Scylla of Probate Administration and the Charybdis of Grasping Creditors, represented so aptly in the film by large, sinister, red hands — clutching and grasping.

In Dantesque fashion, the journey along this perilous road is divided into three sections, The Period of the Settlor's Life, The Period of Probate Administration, and The Period of Post Probate Administration. It is your reviewer's sad duty to report that the last part tends to lag. Once the major dangers have been avoided and the Virgin, Privacy of the Settlor's Dispositive Plan, has been kept inviolate, the rest

is anti-climactic. Nevertheless, this new cinematic technique promises to spark further experimentation within the legal field. The addition of a romantic sub-plot might well be advised. This reviewer can imagine some viewers being diverted by such a racy number as "Skirting the Attribution Rules of § 318."

The uses of animation and color photography, though aids to orderly exposition, do have their drawbacks. This film produced no such memorable scenes as appeared in "Sixty Years to a Warranty Deed", where, in a manner reminiscent of the great Eisenstein, Prof. Casner's staccato tones formed a wonderful counterpoint with the rhythm of the massive swaying women who worked in the Middlesex County Registry of Deeds.

No doubt, Dean Casner, as did
(Continued on page 16)

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Mrs. Murray Launches Second Crusade

By H. Peter Young

Madalyn Murray, successful litigant in the 1963 U. S. Supreme Court case outlawing school prayers, isn't resting on her laurels.

She served notice at a Law School Forum debate that she is now trying to get before the Court a suit which would do away with state laws exempting church property from taxation.

Church property tax exemptions, she said, "constitute direct state aid to religion and are a violation of the First Amendment." But she also indicated that the suit is not prompted by her atheism and constitutional objections alone. "Those who are exempted from paying taxes on church-held property," she declared, "are causing my taxes to rise."

The market value of land owned by the Catholic Church in Baltimore alone, she claimed, is \$140 million, and, but for the exemption, that land would produce more

than \$6 million in taxes.

She also produced figures showing that church property taxation across the nation would result in an average rent or tax saving of \$140 per year per family.

The Catholic Church, Mrs. Murray said, owns Billie Sol Estes' ranch, the land under Rockefeller Center and Yankee Stadium — "the Pope was really on his home ground" — supermarkets, hospitals, newspapers, school systems which charge the highest tuitions, race tracks and cheese and bread factories.

Rebutting Mrs. Murray were Harvard Law Professor Robert Braucher, Boston University Law Professor Henry Monaghan and the Rev. Robert Howes of the Catholic University, Washington, D. C.

A school committee member and a churchman, Prof. Braucher said he "personifies the wall of separation between church and state," but questioned the prayer decision.

Referring to the lack of theory in the decision, he said, "The Supreme Court neglected to read the Constitution, or, if it read it, it couldn't figure out how it applied and so didn't say anything about it."

As for running school systems, he noted that the Court's decisions have been "very capricious. The experience and training of the judges does not fit them to run school boards."

He also criticized the Court's conception of absolute separation of Church and State. Some say that religion is "the whole of man's relationship with the universe and that includes the state", he said. "The separation can't be all on one side."

Howes, Washington representative of the Massachusetts Citizens for Public Prayer, said the prayer decision was "the first in a series of systematic attacks on our liberty."

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St. John's

(Continued from page 6)

Ph.D. degrees at St. John's, but had also risen to Associate Professor of English, and headed the liberal arts college and honors program there.

The firings have brought St. John's under severe censure by educators across the land. Not only has the American Philosophical Association censured the university, but also the American Association of University Professors has recommended that professors discourage their graduate students from accepting positions there, and that high school counselors dissuade students from entering as freshmen.

"If carried out, both of these actions would be a death sentence to any good university," remarked Dr. O'Brien. "But these pressures have evoked no response from St. John's, nor is it likely that they will."

The important question he posed is why the administration at St. John's behaved as it did. He linked the whole incident to a stain of anti-intellectualism characteristic of the St. John's faculty.

As to the faculty's alleged resentment of first-class intellectuals, Dr. O'Brien said, "Although none would say so consciously, I believe that the last person they would want is a first-rate professor."

3L Petitions Nominate 12; Elections Scheduled for Mar. 17

The class of 1966 election campaign continued this week, with twelve students vying for five positions.

Three students have been nominated for Class Marshal, three for Class Secretary and six for Class Committeemen. In addition, there was one nomination for Class Jester, causing considerable anxiety and bewilderment among members of the *ad hoc* elections committee.

Balloting will take place Thursday, March 17, in Business Planning classes. Any candidates for a degree from the Law School in 1966, and any special student leaving in 1966 may vote for a Class Marshal, a Class Secretary, and three Class Committeemen.

Those nominated for Class Marshal were Alexandra D. Dawson, Dale G. Higer and Stephan J. Murray. Laurence J. Bloom, Robert J. Kafin and Harriet B. Marple were named for Class Secretary. Nominees for Class Committeemen were: Elizabeth A. Croog, Michael F. Donlan, Mark Gasarch, John F. Kehoe, Michael G. Shaikun and William P. Thornton, Jr.

Robert R. Elliot was the one student proposed for Class Jester.



The distinguished group to the left are the extremely talented persons who are responsible for the Law School Show, to be perpetrated this Sat. at 8:30 p.m. in Rindge Tech.

From left to right, they are author Alan Goldhammer, 3L; Mark Gasarch, 3L; Jeffrey A. Meldman, 1L; director Stephen Rosenberg, 2L; and, seated at the grand piano, composer James S. Friedlander, 3L.

Foreign Investors Seek Integrated Strategy

(Continued from page 3)

low priority customer." Then the export business "somehow grows" until it becomes important enough for competition to encroach upon foreign orders.

"This fear of competitors impels foreign investment," continued Prof. Vernon, "but the company is uncertain about how to set up business abroad. An overseas manager is appointed who must report twice as often to

the home management since they are not sure how a foreign operation should be run."

"The final stage is when a company is able to say 'We are world citizens' and begins to derive monies from anywhere, adapt technology to local conditions, make short term investments wherever the rate is highest, and market wherever possible."

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Norman Thomas on Vietnam

(Continued from page 1)

and is based on the assumption that there is no government in China, and if there is, it will be overthrown. I, for one think that China is better off now than it was before, and I can tell you young people out there that you have no hope of living to my age unless you learn to live with China."

"The only reason we're in Vietnam," he continued, "is because we're afraid of China. I am not denying that there is reason for fear. I am affirming that Marshall Lin Pao's doctrine of liberation will not work. And it won't work, if we will only let ourselves capitalize on its weaknesses, which lie in the realm of ideas, not military power."

"In the realm of ideas," said Mr. Thomas, "we are destroying ourselves while we destroy Vietnam. We may be killing two Vietnamese for every Vietcong, and we are reading the death tolls every morning like we read the basketball scores. It is psychologically and economically impossible to pursue both the Great Society and the war."

Mr. Thomas, who supported President Johnson in 1964, said he thought the President's desire for peace was "real—but limited. Johnson tried to negotiate but used poor judgment, by never making clear what terms we would accept, especially whether or not we would recognize the Vietcong. If France and Britain had wanted to settle the American Revolution, would they have ignored George Washington?"

Mr. Thomas concluded that "there are arguments against every peace proposal we have heard, but in a world where nuclear bombs should have made war impossible, we must be willing to take risks on the side of peace. We haven't got the years I used to hope for, to get rid of the outrageous religion of military nationalism."

Following Mr. Thomas, Prof. Halperin declared, "I don't see how negotiations can be a solution, be-

cause our enemies believe Dean Rusk when he says that our aim is a non-communist South Vietnam. To them, this means that we will be unwilling to compromise in any negotiations."

He called our military's "sweep and destroy" operations "self-defeating" and stated "in the process we are suffering a level of casualties not justified by our gains, and sooner or later this will become intolerable to the American public. Thus if we really intend to stay for a long time, we should concentrate on holding and protecting the non-communist areas" and pressing the South Vietnamese government to develop a "political infrastructure."

In contrast, William Griffith supported the present policy in its substance. An unabashed believer in the "domino theory," the MIT professor also suggested that, as Hitler blundered into war by thinking Britain fainthearted over Poland, so China would blunder into war if unconvinced of our desire to defend Asia.

"Concededly," he said, "we must be careful not to provoke China by trying to destroy North Vietnam."

Rep. Laird

(Continued from page 5)

President Johnson had been willing to take the kind of risks in Vietnam that President Kennedy took in the Cuban missile crisis the situation would not be as serious as it is now.

"We Republicans presented an idea for putting a quarantine on the port of Haiphong, but it was rejected because of likelihood of a confrontation with Russia and China. A confrontation would be no more likely from a quarantine of Haiphong than from the air attacks on North Vietnam," he declared.

Congressman Laird was the chairman of the platform committee at the Republican Party convention which nominated Barry Goldwater for president.

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Reading Period Considered

(Continued from page 4)

deciding from where the time for it would come. He said that, in his opinion, the number of class hours now given to first-year courses is inadequate. In addition, third-year classes end two weeks before first-year classes, and second-year courses end one week after that. This creates, he said, a situation where second- and third-year instructors are even more strapped for time.

There may also be a problem, he believes, in student reaction to such a period of no-class time. It might tend to lull students into a false sense of security, and so they would leave off studying until then, which "would result in an awful lot of cramming in a short time."

He is, however, completely sympathetic with the basic goal of allowing students to be well-prepared and relaxed, with the

proper mental attitude towards examinations.

Vice Dean Louis A. Toepfer, on the other hand, feels that a "reading period is for the birds. There's plenty of time to do the work." Although the "pace is terrific," the students are "carefully selected, so that they have plenty of academic horsepower."

As it is, he feels, students take the examinations too seriously, and a reading period would only heighten the over-emphasis.

As Dean Toepfer views it, a reading period is of most help to two types of students, those who put off doing work until just prior to exam time and those who try to learn everything.

Personally, he said, he would prefer an independent study period, during which students could do work in those areas that interested them most.

Recent Movie

(Continued from page 11)

Fellini, will soon become accustomed to the demands of the new medium and will again produce such masterworks. That happy day will arrive more quickly if the film's color coordinator, who is on temporary leave from Braniff Airlines and Morris Lapidus Associates, is fired. This man for some unknown reason has beautified the austere, WPA classic background with many fascinating gay shades of mauve, puce and chartreuse.

The set designer also left much to be desired. Among other questionable items, such as a white, sweeping podium, shaped somewhat like a whooping crane, the inevitable copies of the federal and regional reporters were dull.

All in all, this is an important movie that you should not miss. The film is an invaluable aid and a steal at the price.

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