

Tuition Bill Next Year Raised to \$1,750

Tuition at the Law School will be increased \$250 next September. The bill for the year will be \$1,750 instead of \$1,500.

Harvard College and Harvard Business School tuition will be increased from \$1,760

to \$2,000. The Harvard Medical School will increase its tuition from \$2,000 to \$2,200.

Even with the tuition hike at the Law School, Secretary William Bruce asserts that Harvard will still have a lower tuition fee than most other national law schools.

The Administration cited several reasons for the increase:

1) Generally rising costs of conducting and maintaining a law school.

2) The continuing trend of improving the faculty-student ratio so that, on a percentage basis, each student will be costing more and more of a professor's salary.

3) An upgrading of the physical facilities at the Law School.

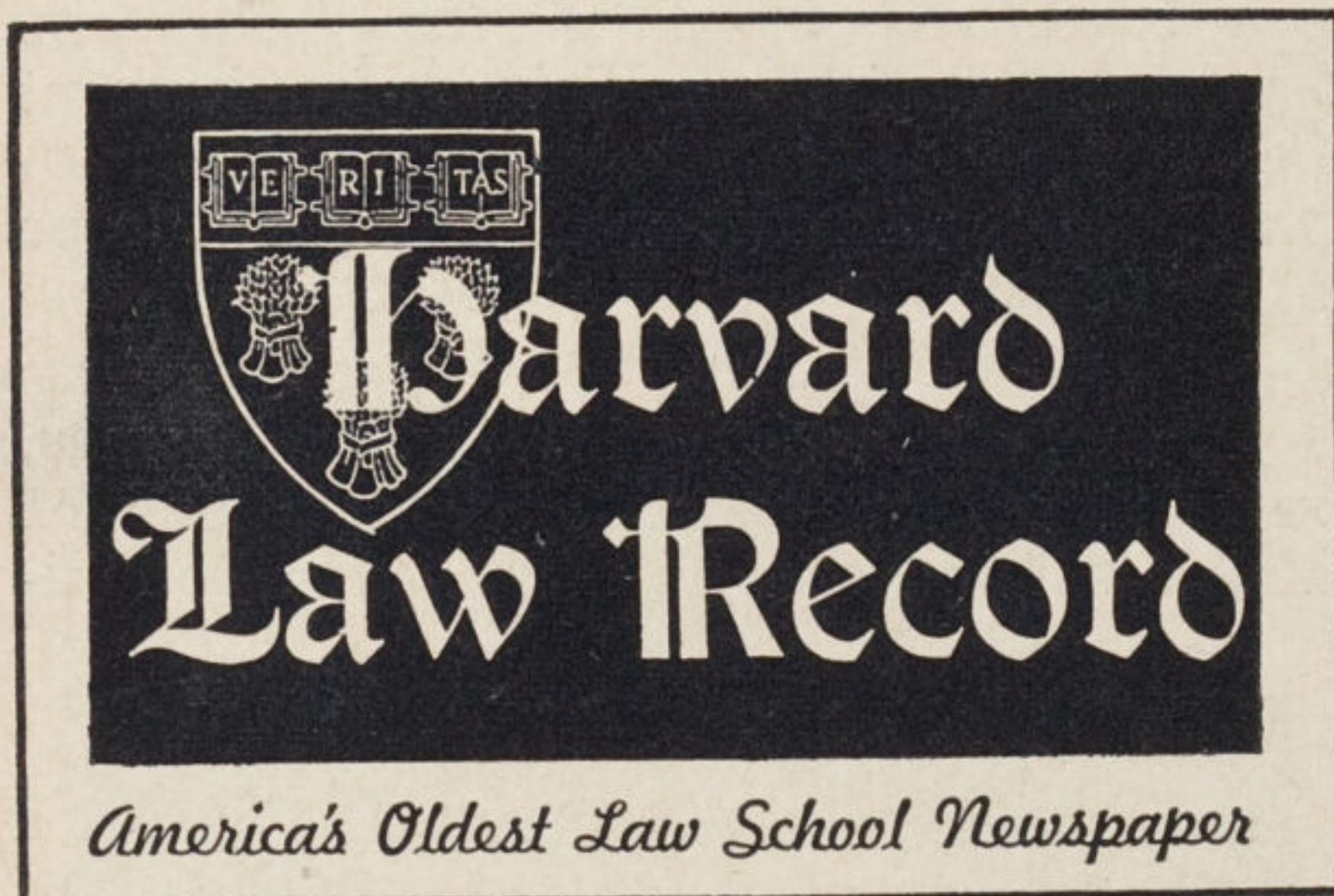
4) A policy to increase professors' salaries.

"Appropriate adjustments will be made in financial aid awards where this is necessary, and within the limits of the School's resources," stated Dean Erwin N. Griswold.

Secretary Bruce, in charge of financial aid at the Law School, added that more funds will be available next year and that the "Basic School Year Budget" from which need is calculated will be increased by even more than the tuition increase.

The last time tuition was raised at the Law School was in 1963, when it was upped \$250 to \$1,500, where it has remained for three years. It was only \$800 as recently as 1955.

We must raise tuition from time to time, said one member of the Administration, because it is embarrassing to the other law schools if the best one is also the cheapest.



VOL. 43 NO. 4
CAMBRIDGE, MASS.

FIFTEEN CENTS
OCT. 27, 1966

Dorm Council Solicits Spending Suggestions

By John Spitzer

The current dilemma of the Dormitory Council is unlike that of most government bodies — they have more money than they know what to do with.

The checking account balance stands at \$1,713.89 and savings balance at \$1,356.06 — a total over \$3,000.

"We're still waiting for a big project of some sort," lamented President David S. Hope, 3L. "We welcome student suggestions on where we can spend this money."

Some Sidetracked

Several ideas have been proposed but sidetracked for various reasons. At the October 5 meeting it was suggested that a free ice machine be installed in Holmes, but although permission for the project has already been obtained from the Administration, the Council decided not to go ahead now because of insufficient space in Holmes, the fact that ice is already available at the Harkness Grill, and the high installation cost of \$700.

(Continued on page 14)



Langdell Hall:
Stepped-Up Rates

Socialist Warns of 'Spiritual Deterioration'

By Thomas Geisler

Norman Thomas, the patriarch of American Socialism, warned that American actions in Vietnam were resulting in the "spiritual deterioration" of the United States and making almost inevitable a nuclear war with China within the lifetimes of Americans now living.

Speaking before the Harvard Law-Graduate Democratic Club on October 20, the six-time Socialist candidate for President maintained that the credibility of America's desire for peace could be established only by some "dramatic act." To that end, he suggested halting and bombing of both North and South Vietnam and ordering American troops to fire only when fired upon.

Fine-Honed Tongue

The large audience in the Ames courtroom responded warmly to Mr. Thomas as a person, to his fine-honed tongue, to a mental dexterity which belied his many years. But, as the question-and-answer period revealed, this consensus was not automatically transferred to the substance of his remarks.

Mr. Thomas urged the American people to abandon the shrugging cliché, "Well, wars are always cruel!" and to think much harder about precisely "what we are doing;" namely, "slowly destroying the Vietnamese nation." He decried the inevitable, if inadvertent, atrocities arising from American bombing as well as such ground tactics as chemical warfare. Although recognizing that the Vietcong and Hanoi commit atrocities, he denied that these justified our own. A subtler destructive force is the presence of great numbers of American soldiers and dollars, which "spawn the black market and the bordello."

Ethical Erosion

Harm done South Vietnam is matched, he stated, by an atrophying of the American moral sense. "You get up in the morning and find out that 'We' killed 610 and 'They' killed 61. It really makes your day." A kindred example of insensitivity is Ameri-

can indifference to recent mass killings in Indonesia "in the name of freedom."

This ethical erosion is important not only in itself but also as a matter of practical politics, for by it the United States has forfeited world moral and spiritual leadership. Further, he said, our Vietnam involvement has precluded any substantial progress toward rapprochement with Eastern Europe at this time.

The war has, according to Mr. Thomas, resulted in an enormous strengthening of Presidential power. The real danger to indi-



Thomas: Decries President's Power

vidual liberty is the state's power to make a man do what it wills him to do. And perhaps this power is best exemplified by military conscription, now in effect without formal declaration of war. "No President should have the power alone to lead the nation into war."

Thus, Mr. Thomas noted he was sadly amused by spokesmen for the Right who eagerly support this concentration of power while fearing that "Health, Education, and Welfare will get you if you don't watch out."

Third-Year Law Students Appear as Prosecutors Under Supervision of Assistant District Attorneys

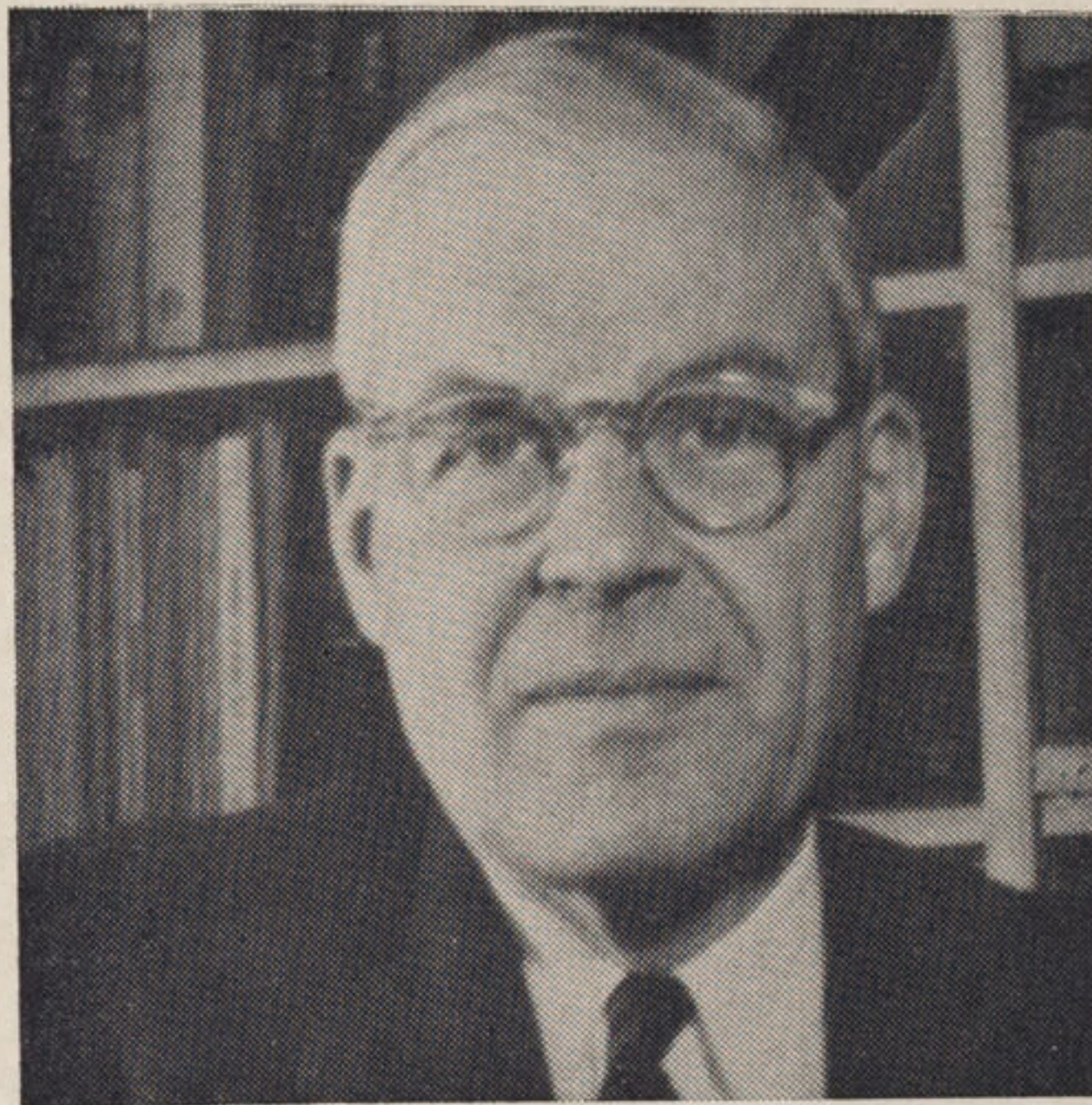
By Lowell Wedemeyer

The Law School has received grants totaling over \$27,000 for an experimental project in which third year law students will be allowed to appear in the non-jury district courts of Massachusetts on behalf of the prosecution.

In response to a petition submitted by the deans of six law schools located in Massachusetts, the Supreme Judicial Court amended Rule 11 of the General Rules to allow third year students to appear for the prosecution under the supervision of assistant district attorneys.

The former version of Rule 11, under which the Voluntary Defenders was formed, authorized student appearances only for indigent defendants. The Rule requires that student appearances be without compensation.

The project is intended to give students courtroom experience at the same time as the students are giving useful assistance to the district attorneys and the police. Project Director Professor Livingston Hall suggested that students might be used to perform some of the courtroom accusatorial



Prof. Hall: Directs Student D.A.'s

"We don't intend to send Harvard Law students to tell the police how to run their business," Prof. Hall declared. "We intend to ask the police what problems they're having and how law students can help them."

The clinical work by the students in the project is to be integrated with academic work. Participants are being required to attend a non-credit course given at the Law School which emphasizes courtroom technique and practice, and the professional responsibilities of the prosecution.

Prof. Hall pointed out that the recent Supreme Court decisions which have vastly increased the requirements for criminal defense lawyers have also vastly increased the need for prosecution lawyers who can respond to the technical arguments presented by the defense lawyers. At present, many prosecutions are presented by policemen who have no special training which would prepare them to respond to a technical defense by a lawyer.

Prof. Hall is being assisted by Professors Adam Yarmolinsky, Alan Dershowitz, and Lloyd Weinreb. The project is being coordinated with the district attorneys of Middlesex and Suffolk Counties. Two offices will be established for the project in each of these counties.

'We don't intend to send students to tell the police how to run their business'

functions that are now being performed by police. He also noted that students might be put on night call to give police the benefit of trained legal advice should they desire it.

This advice might cover such areas as the legality of a proposed search warrant or whether a given course of conduct would be contrary to recent decisions such as the *Miranda* regarding the interrogation of suspects.

Broker Says Market Enters 'Up Phase'

By William Schwarz

"Performance Orientation will lead to a continued volatile market," said Richard H. Jenrette in a speech on "Wall Street — What's Happening" to the Bull and Bear Club members last week.

Mr. Jenrette is a 1957 graduate of the Harvard Business School, who founded, with two classmates, a Wall Street brokerage-investment analysis organization that has grown tremendously since its beginning eight years ago.

Four Factors

Mr. Jenrette divided his speech into two parts—the changes occurring and affecting the "Street" and the current investment outlook. The big change on the Street is the tendency of institutional investor to be choosy and concentrate on market performance, according to Mr. Jenrette.

Four key environmental factors have led to this performance orientation—the high prosperity, the institutionalization of the Nation's wealth, the institutionalism of corporate management, and the regulatory environment. Mr. Jenrette pointed out that in recent years pension funds have compounded at a 26% per year rate and mutual funds at 20% per year rate.

Absence of Change

Meanwhile, there has occurred since 1957 an institutionalization of corporate management. For five years beginning in 1957 there was no growth in corporate profits. As newer management came in they began to ask, "What have you done for me lately?"

Mr. Jenrette stated that despite these environmental changes there has been a relative absence of change on the Street. There are very few new Big Board members, almost no new syndicates or underwriters, and no

basic change in analyzing techniques. However, there has been a shift of power in which investment bankers have been the chief losers. One of the major reasons was that the bankers did not meet the needs of corporate management during 1957-62.

Commenting on the current investment outlook, Mr. Jenrette expressed the view that the worst is over and the market is now in an up phase. Looking at the long term outlook, Mr. Jenrette pointed to the growing labor force, the growing youthfulness of the nation, and the increased capital spending—all of which are key ingredients for greater growth. He expected no period of stagnation in the future, and said that the fear of inflation is over.

Moreover, he pointed to the growing dominance (managerial and technological) of U. S. firms in Europe. The coup-de-grace to this is the preference

of Europeans to work for U. S. firms.

The chief deterrent to a rosy future is the world monetary situation, he said. But even this will not hurt the dollar. According to Mr. Jenrette, the fears that have led to the market decline have either passed or been sufficiently discounted.

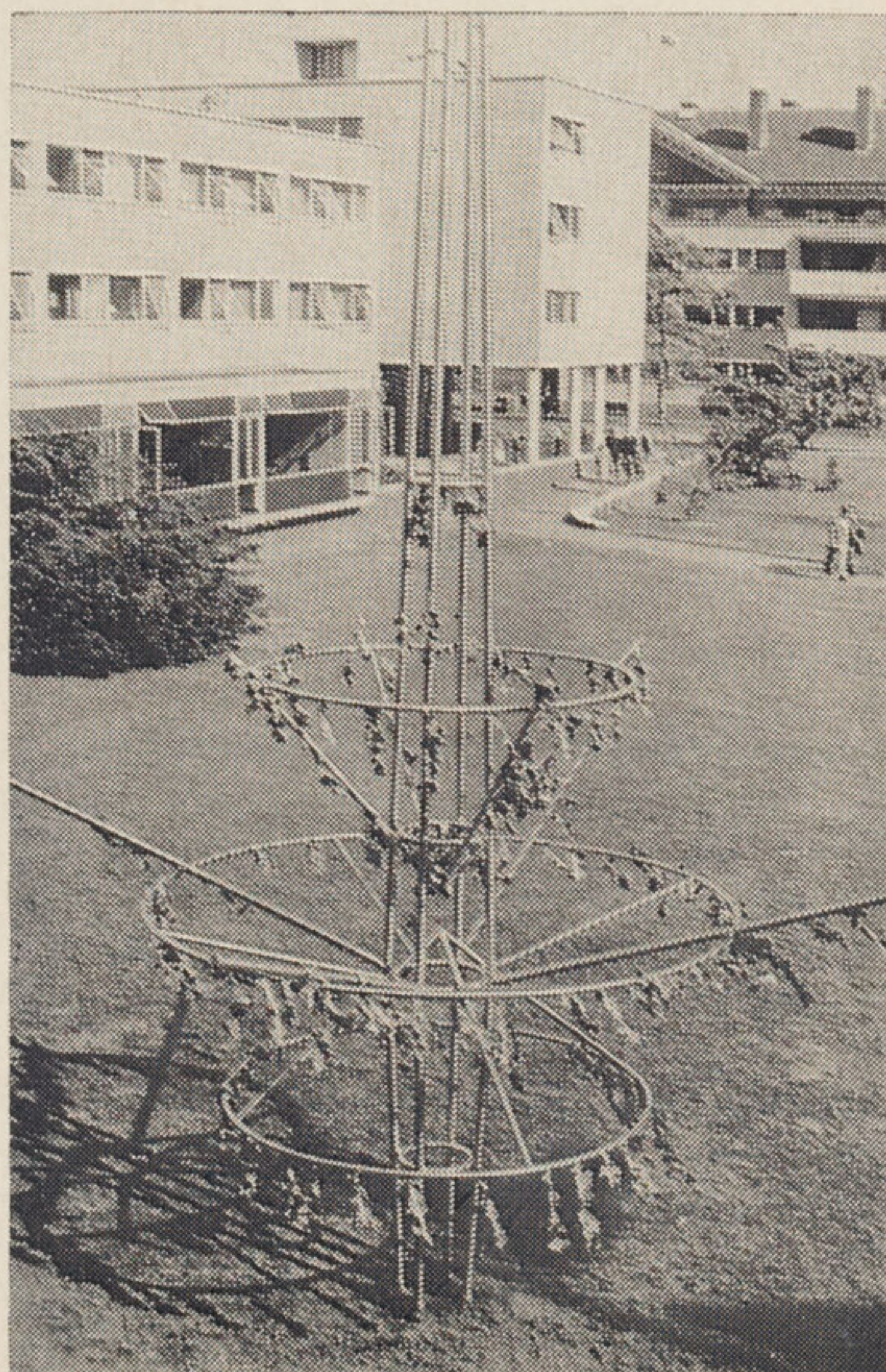
As far as the fear of tight money, the peak has already been hit. Mr. Jenrette pointed out that the Johnson Administration has recognized the need for fiscal restraint, as well as monetary restraint, and the "Fed" has agreed to a policy of loose money.

As a result of this, he predicted that interest rates will go down. The fear of a tax increase has been discounted and probably will occur. Profit margins have already begun decreasing, as a result of "wage inflation." Still, output increases and price rises in products will keep the squeeze to approximately 1%.

~~~~~

**Autumn is  
everywhere:  
even the  
metallic  
world tree  
contributes,  
thanks to  
masking tape  
and some 3L's**

~~~~~



Placement Continues Job-Hunting Reforms

By John TePaske

An atmosphere of busy efficiency has replaced the frantic stampede which overwhelmed the Placement Office last year. Placement Director Eleanor R. Appel has worked this transformation with the latest of her continuing reforms in the Placement Office and its rules for job-hunting.

The big change this year is the exclusion from the fall rush of second-year students seeking summer clerkships. Freed from the weight of some 300 or so inexperienced, over-anxious second year students, the facilities and staff of the office have been able to concentrate on the problems and needs of law students who are seeking permanent jobs.

Lambs to Slaughter

Last year the Placement Office offered limited services to second-year students seeking summer clerkships during the busy fall season. It posted notices, collected resumes, and made preliminary arrangements. The firms and students were to make their own final arrangements.

Still, the firms leaned on the office, and the program was a failure from the Placement Office point of view. The program pushed the second-year students into job-hunting activity in the second week of school without the benefit of office advice and guidance. In the words of Miss Appel, "They were like lambs going to the slaughter."

Rotating Schedule

Realizing there is no need for second-year clerkship activity in the fall, Miss Appel has postponed all such interviews until the third-year rush recedes in December. Notices of summer clerkship opportunities and interviews should begin to appear in the latter part of November.

The two major reforms of last year, that all job third-year offers remain open until December 1 and that interviewing firms agree to fixed interview dates on a rotating schedule, have also been major factors in the smooth operation of the Placement Office this year. Still, there are problems facing Miss Appel.

Some firms, particularly the smaller ones and those from the western states, have complained about the necessity of making a second trip to Cambridge in order to interview second-year students.

Because other law schools place no restriction on second-year student interviewing, these firms also claim that their summer clerkship positions will be filled before Harvard students have an opportunity to compete for them.

However, Miss Appel says that she "simply can't believe" that this situation will occur. "These firms want top students," she continued, "and there're not enough to go around. Furthermore, the larger law firms are usually willing to expand their summer programs to include a man they want."

Apparently, the isolation of the second-year students from interviewing is working well. Miss Appel noted that members of the *Law Review*, Student Advisors, and Legal Aid had specifically agreed not to violate the rules.



Placement Office: Busy Efficiency

Discrimination against the smaller law firms seeking Harvard Law graduates is still present. The Placement Office is anxious to help all law firms, but limited student interest in many small-firm offers and overcrowded interview dates naturally tend to restrict small firm activity during the fall rush.

The best solution, according to Miss Appel,

(Continued on page 12)

Legislative Research Picks 25

Twenty-five second year students have been selected for membership in the Harvard Student Legislative Research Bureau.

They were chosen on the basis of a trial project and personal interview. The additions bring Bureau strength up to a total of forty-seven second and third year law students.

New members immediately received assignment on one of the fifteen drafting projects the Bureau is undertaking this year for lawmakers and administrative officials throughout the country. Leading the list of requested statutes is a dual project involving bi-state air pollution compacts between Missouri and Illinois, and between Ohio and Kentucky. Another assignment calls for a study of the need for control of LSD and similar drugs at the state level.

The governor of Ohio is seeking Bureau help in drafting a statute

to curb land speculation in biddings for interstate highways. Other projects involve questions of movie censorship, water distribution in time of shortage, grand jury procedures, quality of lay judges and revision of the federal expediting act.

The new members will also be assigned a variety of work on the *Harvard Journal on Legislation*, the legislative legal periodical published three times a year by the Bureau. A number of the drafting projects now in progress are slated for *Journal* publication, in addition to student notes on legislation and articles by outside authorities.

All of the new members are men. The only feminine addition is the Bureau secretary Sally Breck.

Professional Dry Cleaning
by

**Rite-Way
CLEANERS**

KI 7-8008

4 Hudson St., Cambridge
(off 1672 Mass. Ave.)

BOSTON POSITION OPEN

"Opening available in Boston firm. General practice, including some trial work. Richmond 2-2590."

Intriguing drinks
from greater
and lesser
ports of
orient
and
occident



40 Brattle Street
Cambridge, Mass^{ts}. Memberships available

Events of Note

The Harvard Law Wives will sponsor its annual beer party this Saturday night, October 29, from 8 p.m. to midnight, in Harkness Commons. The affair, featuring premium draft beer and entitled "Black and White A-Go-Go," costs \$2 per couple; non-married couples are welcome.

* * * * *

The new G.I. bill offers monthly payments ranging from \$100 to \$150 to veterans who are full-time students. The law requires that monthly certificates of attendance be signed and sent to the Veterans Administration.

Student-veterans may obtain further information from the office of Dean Bruce.

SQUASH RACKETS

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

CRONIN'S

114 MT. AUBURN ST.

Famous for Steaks
Chops & Sea Food

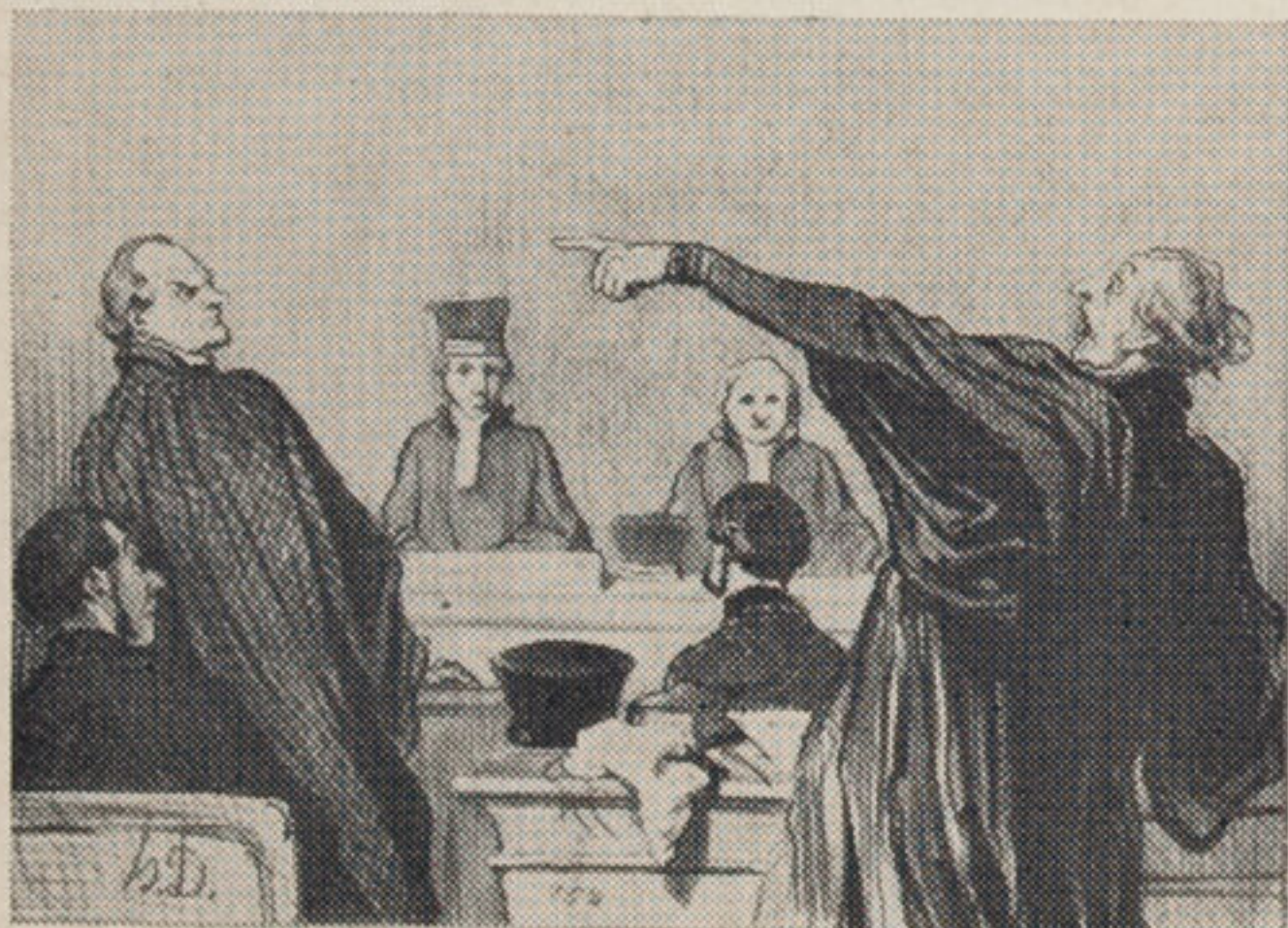
Tenderloin for Two
on Sizzling Platter
\$8.00

Porter House Steak for Two
\$8.00

— SAMPLE DAILY SPECIALS —

Soup or Juice
Roast Rump of Beef
French Fries — Tossed Salad
Rolls & Butter — Beverage
Dessert
\$1.50

Tel. EL 4-1366



Amicus
Curiae:

COPYQUIK

ames 864-1856
briefs
xeroxed

1278 MASS. AVE.

Unremunerative, Undignified?

Williams Suggests Improving Criminal Bar

By John Spitzer

Striking out at the "horrendous vacuum" of good trial lawyers in America, Edward Bennett Williams told a capacity crowd in Ames Courtroom October 14 that the "famine" of advocates is a serious threat to the Bill of Rights.

The defender of Joe McCarthy, Jimmy Hoffa, Frank Costello, Bobby Baker, Adam Clayton Powell and *Confidential Magazine* proposed a "three cushion shot" as a "dramatic and bold new try" to attract the best lawyers to defend human freedom and individual liberties:

1) Required courses in law schools to develop in students the principles, techniques and strategies of advocacy.



Williams: How to Find the Courthouse

2) A period of "externship" during the third year in which the student would work with a district attorney or public defender.

3) A required two-year "internship" in

which the young lawyer would work in the courtroom trying cases for the indigent. He challenged students to leave the "monastic cells of the Law Reviews" and work in a courtroom "to see and work with the machinery of justice as imperfect as they are."

He added that the courtroom is "the institution most essential to the preservation of human dignity" and chided that most "law school graduates can't find the courthouse with a compass."

The Dregs of the Bar

"Only the dregs of the American Bar for the past half century have been attracted to the defense of human liberty," Williams charged. He attributed three factors to the unpopularity of the field: the area is thought to be unremunerative, undignified, and unworthy of a lawyer's talent.

Admitting that the defense of civil liberties suits will continue to be unremunerative, Mr. Williams flayed the "invidious concept of guilt by client" and hit the current curricula of law schools "steeped in contracts, property and corporations" for discouraging intellectual interest.

Off on a Technicality

Citing a survey taken among high school students, he dramatized the present ignorance of the country concerning the application in practice of the Bill of Rights. One-half the students polled did not believe citizens had the right to peaceable assembly, the right against self-incrimination, the right to confront an accuser, the right against unreasonable searches and seizures, and the right not to be twice put in jeopardy — yet all of the students polled professed they "believed" in the Bill of Rights.

"The great Constitutional principles have been forged in cases involving not very nice people," Mr. Williams reminded the audience. He criticized the "historical myopia" of people who worry about "guilty" men getting off on a "technicality," and warned that "When Big Government begins to infringe upon human liberties, it begins with the unpopular and ostracized because they can not rally public support."

Period of Crisis

Several weeks ago, Professor Clark Byse warned of "institutional arthritis" and called for a "renewal" at the Law School. On the opposite page in this issue one thoughtful student offers further evidence to support Prof. Byse's words: for many of his fellow students, Mr. Connor writes, Harvard Law School is a "regressive educational experience."

The dissatisfaction is clearly not limited to these two gentlemen. Last December the RECORD's annual survey of student opinion asked respondents to assess their legal studies as "boring" or "stimulating" on a sliding scale of one to seven.

Only 9% of the first-year students who replied checked one of the three most boring categories, while 41% marked the two top categories. Among the second-year students, however, the response was far different: the number choosing the three lowest categories jumped from 9% to 38%, while those most stimulated dropped from 41% to 23%.

It is clear, therefore, that a real problem exists and that perhaps the Law School is reaching a period of crisis in which it must either recapture the imagination of its students or forgo its place of eminence in American legal education.

Several solutions to the problem have been suggested: basic changes in the first and second year curriculum to meet the needs of those increasing numbers for whom Wall Street is not Mecca; greater faculty-student rapport so that the most difficult task of completing an employment application form is not thinking of two references from professors; more supervised writing and other non-classroom programs in order to prevent a student's entire legal abilities from being valued solely on the basis of a hastily-scribbled examination.

These ideas are all worthy of serious consideration. And in the shuffle other less momentous, but still significant, questions deserve attention: e.g., athletic fees, scholarship allowances and Harkness meals.

But more important now than suggesting solutions is the establishment of a vehicle through which the problem can be thoroughly analyzed. Such a vehicle must be a committee of representative students, professors, and Administration members who are willing to be bold, imaginative, and even a little revolutionary.

We urge Prof. Byse, Mr. Connor, and the other too-few members of the Law School community who recognize the seriousness of student dissatisfaction to form such a committee so that tuition will no longer be the only thing to change at the Law School.

TONGUE 'N CHEEK

By Fenno

Bursts of machine gun fire streaked erratically from garret windows of Gannett House against the rebels firing back from below on this tragic night.

"What goes on here," queried an already blasé 1L just out from his fact conference as we flattened ourselves against the protective wall of the Austin porch.

'Review' Rebel

"It's a second-year rebel on the *Review*," I gasped as tracers swung over in our direction, their gunners having confused us for the rebels. "He and his insurgent friends were tired of Harvard Law School's prestige magazine constantly being second candle on social legislation to the *Yale Law Journal*, so they're going to take it over and transform it into the *Harvard Horse Review*."

"I suppose it'll degenerate into just another one of those cheap racing forms," he murgled.

Traditions Continue

"On the contrary," I corrected. "The traditions of the magazine will continue. 'Cases' will simply become 'recent races' and 'precedents' will be renamed 'past performances.' There's even a memorial series planned already for Adios, the great stud pacer."

A grenade lobbed by one of the rebels from behind a tree plopped through an open window and the explosion knocked out the northwest corner of Gannett House, at the same time sending earthward an intense old guard *Review* member still intently proofreading Archibald Cox's Supreme Court article for the November issue that would never be. The tide of the battle was turning.

Deemphasize Grades

"The Administration will never stand for a magazine so obviously geared to material gain," he slimped.

"Oh yes, the Dean is backing them since membership will be based solely on winnings which will help to deemphasize grades."

Letters to the Editor of the RECORD

Dean Distinguishes Editorials, News Stories

To the Editor:

Even in a law school newspaper—or, perhaps I should say, especially in a law school newspaper—there should be a clear distinction between editorializing and the news columns.

In your issue for October 14th, you have an article about the Yearbook which is full of editorializing. Moreover, it is not an accurate reflection of the news, or of the comments which were made to your representative by Vice Dean Leininger.

When the RECORD has a "cause," it should be very careful to get the facts accurately, and to treat them factually.

Erwin N. Griswold
Dean

Ed. note: In a subsequent interview, Vice Dean Leininger has indicated that the Administration is continually reviewing the Yearbook's financial status and that, while no action is contemplated at present, the situation may change when total Yearbook sales figures are made known at the end of the year.

However, the reporter insists

that his article accurately reflected the Yearbook news, in general, and the contents of the Vice Dean's comments to him, in particular.

H.L.S. Constitutes 'A Regressive Experience'

To the Editor:

Recent prattlings in our national news media have at least served to stimulate an evaluation process that should occur each year, especially among the current crop of third year students. As each law school career enters its denouement, it should be scrutinized from the viewpoint not just of what lies ahead, but also of what forces have shaped it during the last three years.

Naturally everyone has gripes and few can agree on the diagnosis, much less the prescription. Still, the fact remains that for all too many, Harvard Law School constitutes a regressive educational experience. They haven't written enough and consequently what facility they once had with the art hardens and is forgotten. When they do write, it isn't properly guided. Bad, if any, habits form. They're not joiners and haven't been challenged by or even exposed

to the real fun, some simply because they suffer from computer constipation at exam time.

On the other hand, many of these problems are working themselves out: more student journals, an expanded Second Year Writing Program, the Neighborhood Law Office program, and a relatively expanding faculty are just some of the hopeful signs.

To me, though, there remains one link inexplicably missing: some mechanism whereby the reactions and needs of the victims can be proffered to the Administration in an organized fashion. This has little to do with programs and policy in terms of goals or pedagogical propositions. It is procedural and the *sine qua non* of facilitating developments cooperatively.

What I have in mind is not a college "student government"; and yet I am talking about a representative expression of opinion and ideas. Election nonsense has to be tolerated in the spring of the third year anyway; it could just be accelerated to the same time first year and thus get the organization I am talking about going. Students would speak to their friends, and someone in the Administration would hear about it eventually. "Why does the 'phone always ring loud and long in the Langdell reading room?" Who knows?

Right now there are administration and faculty committees which do or should formulate policy supposedly responsive to the students. But, aside from project-oriented committees—those that work with the Review or the Board—they have no way whatever of really knowing what anybody thinks about anything. Taking soundings from your few student friends just isn't enough and probably bypasses those who most need to have their criticisms known.

Certainly establishing a formal, periodic conferral procedure be-

Harvard Law Record

Keith S. Watson President
John B. Spitzer, Jr. Executive Editor
Allan Roy Freedman Managing Editor
Steven L. Stern Photo Editor
Tom Johnson Corporation Secretary
William P. Schwarz Business Manager

Photographers: Jack Tate, Burt Solomon and John Harris.

Staff: Thomas J. Kelly, Steven A. Goddard, Lowell R. Wedemeyer, Amanda Hawes, Eugene Strassburger III, John TePaske and Thomas Geisler.

Published on Thursdays ten times each semester by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge, Massachusetts 02138. Subscription price: \$2.25 per semester, \$4.50 per year mailed; student subscription, \$2.25 per year distributed at the Law School. Individual copies 15c each at the Law School, 25c each mailed. Business and editorial offices, 23 Everett Street, Cambridge, Massachusetts 02138. Telephone UNIVERSITY 8-7600, extension 418.

Permission is given for reproduction of any part of an article appearing herein provided that credit is given to both the RECORD and the author of the article. Second class postage paid at Boston, Massachusetts.

PRINTED BY THE LEXINGTON PRESS, INC., LEXINGTON, MASS.

(Continued on page 13)

Anderson Explores Sources of Islamic Law

Even the proper manner to refuse an invitation to a wedding feast is covered by Islamic law, declared Visiting Professor James Anderson last week.

The remark was made during the course of a talk on "Why Study Islamic Law," sponsored by the International Law Club. Prof. Anderson was illustrating that Islamic law covers a good deal that is not governed by law in the Western nations.

He explained that although it is a very exotic system of law, about one in seven of the world's population is governed by it, at least in certain aspects of life. It is, he observed, a reminder of the Muslim empire, which once extended from the Caucasus to South Africa and from Spain and North Africa to the Philippines.

Islamic law is thought by Muslims to be a divine law, unlike law in the West which is made by men to govern other men, and therefore is incapable of rapid evolution.

"As a matter of fact," Prof. Anderson said, "acts can be characterized as either 'good' or 'bad' only as shown by the Almighty's commandments," since the Muslims believe that man cannot with certainty decide what is morally good or morally reprehensible. Thus, he said, in theory there cannot be a conflict between law and morality, since both must be based on divine commands.

Lawyer's Law

Islamic law is derived from a number of sources: the Koran, traditions as to what Mohammed said and did, agreement or consensus among the doctors of law and a multitude of analogical deductions from the other bases of the law. It is, therefore, a lawyer's law, not a judge's law, and the courts have not played much of a role in its development.

In some countries, Islamic law prevails almost unchanged, while in others a codified civil and criminal code, based mostly on the Code Napoleon, is used in

most areas, and Islamic law is followed only in such fields as family law and intestate succession.

Addressing himself to the question "Why Study Islamic Law," Prof. Anderson noted that for anyone to appreciate the civilizations of Islam, or to understand Muslim countries, it is essential to know at least some of the law, since it has left its imprint, even on countries in which it is no longer followed in its entirety.

Fruitful Comparisons

In addition, he said, it has great significance for the philosophy of law, since it is one of the few self-consistent and independent systems of law, which makes comparison very fruitful.

Since 1964, Prof. Anderson has been Dean of the Faculties of Law at the University of London. A graduate of Trinity College, Cambridge University, he served in the Middle East during World War II, and remained in the area for some time thereafter.

HARVARD PROVISION COMPANY INC.

92-94 Mt. Auburn St., Harvard Square, KI 7-6684-5

Free Delivery Until 4:45

Back to School BEER SAVINGS

RHEINGOLD
RUPPERTS 12 oz. Cans or Bottles
PABST \$3.99 per case
SCHAEFFER Six for \$1.00
CARLING
BALLANTINE

RHEINGOLD
PABST Full Quart Values
CARLING \$4.00 per case
SCHAEFFER Three Qts. \$1.00

Carling Black Label
non-returnable 12 Oz. bottles
Three cases for \$10.00*
While they last
*3 case lots only on premises

Other "Pro" SPECIALS

Pott Rum — West Indies
light or dark
\$4.19 per fifth/\$49.40 per case

Harvard Provision Gin
90 Proof, Special labelled
\$4.24 per qt./\$8.39 per 1/2 gal.

Gilbey Spey. Royal Scotch
Eight Years Old
Especially selected by the "Pro"
\$5.19 per bot./\$61.40 per case

BEAM — Private Stock
86 Proof, Four Years Old
Selected by Harvard Provision Co.
\$4.49 per bot./\$50.40 per case

Recent Book

An Uncommon Appraisal of the Common Law

By James Davidson

Origins of the Common Law. By Arthur R. Hogue. Bloomington, London: Indiana University Press, 1966. 240 pages, \$6.50.

Everyone knows we have a common law system, but no one knows anything about it. To remedy this unfortunate situation is the avowed purpose of *Origins of the Common Law* by Indiana University History Professor Arthur Hogue.

Books previously written about the common law, says the good professor, are filled with the jargon and dark meaning typical of the legal mind and thus leave the layman unscathed by knowledge about his heritage.

Riding with Prof.

But now, a champion! We ride with Professor Hogue over a trail which stretches between 1154 (the ascendancy of Henry II) and 1307 (the death of Edward I). Our guide attempts to furnish his readers with a panoramic but concise picture of the growth of the legal system during this period, to show how this system is a reflection of the social and economic realities of the time, and in the process to strike home the point that since we are all products of our remote past, we would do well to learn a little bit about it. But alas, after weeks on the tour we are as weak and confused as the day we started.

Inept and Devious

The book is divided into sections, each of which gives a different aspect of the development of the law. By far the most interesting is "The Political Scene" which is a narrative history of the salient events of the twelfth and thirteenth centuries. Here we find Henry II, the brilliant organizer and ad-

ministrator who comes to the throne in 1154, attempting to centralize power in the hands of the king and in the process bringing royal presence to the countryside. There is the inept and devious John, so enraging the barons that they unite for the first time in English history to force concessions from the crown; the result is Magna Carta.

Silliness and History

Now enters Edward I, the wheeler-dealer to whom all problems are simple. When one is short of men and funds for a military adventure: 1) draft every man in England who holds land worth £20 per year; 2) confiscate one-half of all church revenue; result: a unity of baronial and church power of such magnitude as to force the King to agree that such actions would never again be taken without the consent of the community.

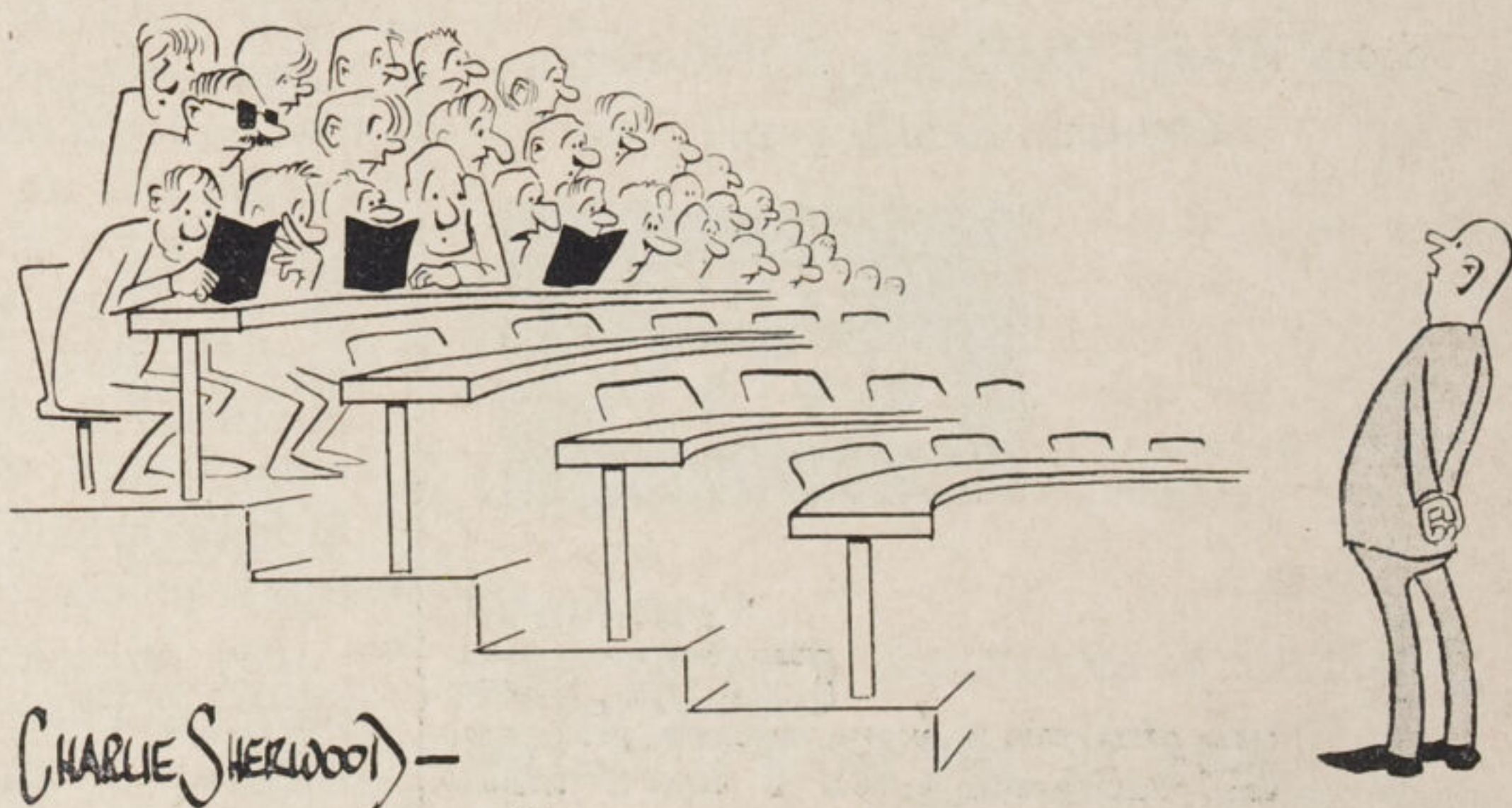
Through such silliness did the principle of government by consent of the governed gain a permanent place in the pageant of life in the British Isles.

In other sections Hogue deals with the idea of tenure and feudal organization, the development of the court system, some significant statutes and finally some theorizing about "the nature and sources" of the system ("What the Common Law Is Not; What the Common Law Is"). The organization which the author adopts is the book's major failure. To state, as Hogue does in the Preface, that one is attempting to show the relationship which certain elements of society bear to one another, is to say that these elements will be compared. By segregating the topics he wishes to interrelate, those relationships can only be inferred; to remove interaction from the structure of the book is to remove it from the story as well.

Reaching the Non-Lawyer

Above all, the book is written as an attempt to communicate legal development to the non-lawyer. As such, it does not succeed. Professor Hogue has failed to provide the depth and the patient understanding which such a difficult conception requires.

(Continued on page 16)



"Today, as you know, we begin our study of estates in land."

THINGS HAVE CHANGED AT THE COOP

The Coop has come a long way since 1881.

On this our 85th year of service to the Harvard community, the officers and directors of the Harvard Cooperative Society cordially invite you to visit, browse and shop at the new Coop Bookstore and Record Shop.

The Bookstore, with more than 40,000 titles, including 18,000 paperbacks on the second floor, is the nation's biggest college bookstore. In its spacious areas can be found titles to satisfy practically every reading need.

On the third floor you'll find required and recommended law texts and case books, plus a new Law Reference section. Come over to the Coop.

The Record Shop is the largest of its kind in the country. The recordings run the gamut of every conceivable taste in music. Phonographs, taper recorders, guitars and accessories are available in a new Audio Department.

Store Hours: Weekdays & Saturdays
8:50 a.m. to 5:30 p.m.



THE NEW
COOP
BOOKSTORE
AND
RECORD SHOP

Placement Office . . .

(Continued from page 5)

is to encourage small firms to schedule interviews in December, when both second and third students are available on a more flexible interview schedule. Also, those third-year students who interviewed large firms, but who were not offered jobs, will be interested in offers from good small firms at this time.

"The problem," says Miss Appel, "is that everyone is looking for a paragon, and there is no question that the less well-known firm is at a disadvantage."

The Placement Office is presently in the midst of the fall interview rush. Individual law firm interviews are publicized by the pamphlet, "Schedule of Interviewing Dates," which is supplemented by notices posted in Langdell two weeks before the law firm's appearance.

The Office receives interview application cards from interested students and arranges appointments in between the student's scheduled classes. The interviews are then held

'The problem is everyone is looking for a paragon'

in eight rooms on Everett Street. Big firms may see from 15 to 20 students a day, each with a 20 or 30 minute appointment.

The typical job-hunting student watches the bulletin boards and files application cards in the box at the Placement Office for interviews with those firms which appeal to him. If the firm wishes to see the student the card is returned, and then he confirms the appointment by filing a resumé at the Placement Office. The interviewer has this resumé in hand when the face-to-face meeting finally takes place.

An additional service for students has been planned for this fall. Because of more than usual concern about unfulfilled military obligations this year, the Placement Office plans to schedule special talks on jobs available in the armed services.

Letters

(Continued from page 9)

tween the Administration and its constituents would seem an obvious step in the training of men who, according to the Dean, are expected to be leaders in the broadest sense.

John T. Connor, Jr., 3L

Yearbook Board Attacks RECORD Editorial

To the Editor.

We, the members of the Yearbook Board, would like to correct some of the misleading implications and outright misstatements of fact which appeared in your article and editorial criticizing the Yearbook for continuing to compensate its staff—"and now with the blessing of the Administration."

In the first place, since at least 1954, the Administration has been regularly informed of Yearbook finances, and the questions which your editorial thought it was raising for the first time have been debated time and again among the Administration, PBH and the Yearbook staff.

Second, we would like to outline the results of the incentive system as practiced by the Yearbook. Using the 1963 and 1964 books as a base for analysis, total compensation to the Yearbook staff has decreased 18-20%, PBH revenues for the benefit of the Law School

loan library have increased 75% and the price of the Yearbook to students has decreased over 20%.

The quality of the book as also been improved, though this is harder to express in measurable terms. Between 1963 and 1966, Yearbook pages have been increased over 15%. Color was introduced for the first time in 1966. (We did not, contrary to your statement, promise more color in the 1967 book. This is an editorial decision which has not yet been made. We did promise a better book, but the improvements may be directed to other, more valuable, innovations.) *In toto*, the 1966 book represented an investment of more than \$700 over the previous year.

The incentive system has enabled the staff to devote enough time to their offices to improve and expand Yearbook operations. The "going concern" which is a product of their efforts accrues to the Law School as an asset at the end of each year when compensation is adjusted so that the staff must again expand and refine their operations if they are to continue to be adequately compensated.

Third, you stated that "Only the Yearbook among student organizations pays its members a salary." This is totally untrue, as most of your readers must realize, and it is the height of hypocrisy in that the RECORD is one of the other organizations which compensates some of its members, albeit inadequately.

Fourth, accusations that the

sitting fee is a fraud are quite unwarranted. A photographer does not come to H.L.S. for free. It is standard in most universities to charge sitting fees, although as we explained to your reporter and were perhaps misunderstood, some prep schools, and colleges are sufficiently valuable markets for photography sales that a sitting fee is not charged. We are charged by the photographer for every person who comes in and has his picture made. In addition we must pay for clerical and bad debt expenses. That we make a profit on the small remaining revenue from this phase of our operations and from adjustments in the combined photography-publishing contract which we negotiated this year is not a fraud and is included in the total scheme of compensation which is an arms-length bargain between ourselves and PBH with the advice of the administration.

William Anderson, 3L

F. Frederick Kennedy, 3L

Richard M. Cion, 2L

Ed note: Only the Yearbook among student organizations pays its members a salary. The RECORD pays no salaries, except to its part-time secretary, Mrs. Welti. The RECORD does pay a standard 15% commission to those obtaining advertising; any student may take advantage of this opportunity, although RECORD staff members are given priority in selecting prospective clients. Last semester's RECORD president sold no advertising; he therefore received no compensation. William Schwarz, the business manager, holds the RECORD record for commissions—his total was about \$150. Each Yearbook editor will earn ten times this amount, various confusing percentages notwithstanding.

Prompt, Dependable

YELLOW CAB

KI 7-3000

24 Hour Service

Radio Dispatched

ELSIE'S

Noted for the Best Sandwiches
To Eat In or Take Out
The Famous Special Roast
Beef Sandwich

•
KNACKWURST — BRATWURST
with Sauerkraut
or Potato Salad
•

71 Mt. Auburn St., Cambridge, Mass.
Claudette & Phil Markell 491-2842

Rackets Restrung

One-Day Service

Tennis and Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

Dorm Council . . .

(Continued from page 1)

A color TV set may be purchased to replace the present black-and-white set in Holmes, but Hope says this project is contingent upon a good trade-in deal. New basketballs may be purchased for the gym, as well as inexpensive trophies for the victors in the intramural leagues.

Some representatives are pressing for the installation of a sandwich machine in the basement of one of the dorms, but the Administration is opposed to the idea for health reasons (apparently rats) and proponents of the idea have had difficulty finding an appropriate space with proper outlets.

The Dorm Council already sponsors a number of activities but these are unable to consume all of the burgeoning revenues.

Dormitory parties, for instance, are sponsored in part by Council funds. Each floor or entryway receives \$1 per man for a party each semester.

"Every cent of the \$980 allocated for the Parties was used last year," commented Hope. He added that representatives *must* use the money received for a party and show proof of this — the Council considers it illegal for the representative to simply hold a raffle on the floor to dispose of the allocated funds to one lucky winner.

Several students have pointed out that the \$1 per man is hardly enough to throw a good party. The usual practice is to assess all entry or floor members an additional \$1. Some floors have even put on elaborate Christmas parties, replete with decorated corridors, music, a bar, and a buffet dinner.

DISCOVER...



SAVINGS BANK

SBL

LIFE INSURANCE

...THE
MANY
ADVANTAGES
OF

SAVINGS BANK LIFE INSURANCE

YOU must do it yourself[★] — but it will pay you to compare our Savings Bank Life Insurance with any other company's offering. LOW COST — a \$10,000 5-Year Term policy, with anticipated dividends, costs only \$24.70 a year, starting at age 24 — that's really economical protection! And it is RENEWABLE — every 5 years, without medical examination, to age 65; NON-CANCELLABLE, except for failure to pay a premium. It's CONVERTIBLE, too — our 5-Year Term policy may be converted on any anniversary, again without medical examination, to one of our permanent plans, such as Straight Life or Endowment, combining Protection with Cash and Loan Values, still at Savings Bank Life Insurance LOW net cost for any plan.

Phone the bank, write us or come in for further information, costs at your exact age, and free folders — without obligation.

★We employ no solicitors; NO ONE WILL CALL ON YOU.

Life Insurance Department

Phone: 864-8700

CAMBRIDGE SAVINGS BANK

Right IN Harvard Square

Council may excuse violators who fall asleep by accident

In addition to its financial ventures, the Council performs a number of non-economic services for students. It presents a list of floors and walls which are not being properly cleaned to the Administration — prompt action is usually taken. They are lobbying to reduce the \$40 athletic fee.

Parietal hour infractions are handled by the Judicial Committee of the Council unless the violation is past the "magic hour" of 3 a.m. in which case there is "a certain presumption of guilt" and the case goes directly to the Dean.

Hope commented that there are often mitigating circumstances (such as "a couple falling asleep by accident") which may lead the Council to impose less severe sanctions.

(Continued on following page)

Council Cancels 'Battle of Hastings Party'

(Continued from preceding page)

All measures must be approved by the Administration. Last year there were five infractions — couples usually caught when a campus policeman came in out of the cold late at night to get some coffee from a coffee machine and happened to find a convivial couple talking nearby.

Although it has been frequently suggested that the Dorm Council expand to take on the responsibilities of a full-fledged student government, Hope discounts this proposal because there is little interest in the dorms for this ("they're too old for student government") and also because the Council can't provide many benefits for students living off campus.

In addition to the traditional floor parties, the most recent Dorm Council meeting adopted plans for a dramatic innovation — "alternate floor parties". Thus, last Sunday an affair for the

residents of first floor Dane and second floor Ames was held at a cost to the Council of \$30.

Minutes of the October 5 meeting indicated that the Dorm Council would sponsor a "Battle of Hastings Memorial Rock 'n' Roll Party" in Hastings Courtyard commemorating the 900th anniversary of the Battle of Hastings. But this project was abandoned because there was no place to take the memorial party in case of rain, the Administration thought underage Cambridge high schoolers might sneak in, and the Cambridge police feared the affair might lead to a riot.

The Council sponsors the Intramural Athletic Program at the Law School for which it expended \$749.50 last year.

The Council is also suretor for any unpaid phone bills for any of the private phones in the dorms (otherwise students must pay a deposit). Last year all phone

bills were paid by the students themselves.

The Council sponsors a private cocktail party for its own members at the cost of about \$100. To encourage recalcitrant students to vote for representatives, the Council buys \$130 worth of beer and distributes it to the current year's representative's room where the voting takes place.

**\$100 cocktail party
is only compensation
for council members**

Hope was ambiguous whether one received a beer anyway if he refused to vote for conscientious reasons, or if one received a beer as a reward for voting, or if one could only vote after he had a beer.

Hope and Treasurer Robert Griffin, 2L, made it clear that they are receiving no compensation for their official positions except priority for dormitory rooms.

Where is all the money coming from? Chiefly from the gate receipts at mixers and a percentage of revenues from Coke, candy and cigarette machines. Net mixer revenue last year was \$1,017.55. Net vending machine revenue was \$1,532.91.

Coin — Operated Dry Cleaning

\$1.75 per 8 lb. load

POLY CLEAN

Open 7 a.m. to 11 p.m.

1685 MASS. AVE.

(between Harvard
& Porter Squares)

XEROX

SPECIAL DISCOUNT

Zip Copy Service

5 Boylston Street
Cambridge, Massachusetts

PATENT LAW CAREERS

Positions in patent law open for graduates with knowledge of or willingness to learn electronics, chemistry, math., or various other technical fields. Salary range: \$9,500 to \$15,000.

Patent Placement Agency of Southern
California, Inc.
Box 637, Manhattan Beach, Calif. 90266

Nationwide placement of patent and taxation legal specialists. Employers pay all fees. Resumes submitted to prospective employers only upon express written authorization by the job candidate.

THE MISSES LITTLEFIELD

HARVARD SQUARE

*Professional
Typists*

4 Brattle Street TR 6-7495

Law Responded to Social, Economic Needs

(Continued from page 11)

For example, one should not say a few general words about fees tail to introduce De Donis Conditionalibus, whose "language . . . is clear enough and reads as follows. . . ." Two pages of small print follow.

The layman is not reached by shortening sentences and simplifying structure; the problem to be confronted, sir, is not the simplification of a legal process but the enrichment of an historical one.

Furthermore, by assuming what he might be investigating, the author avoids an interesting inquiry. His premise is that the common law grew as a response to the social and economic needs of the time. An opposite premise, namely that the medieval social order developed as a response to a legal system virtually thrust upon it, takes on credibility when one recalls that the very evil William the Conqueror was attempting to avoid was a monarchy rendered impotent by a feudal system in which the barons, the land owners in a society in which land was both economic and political power, were the dominant force. There was ample opportunity for a medieval king to impose his will; these were men whose prevalent philosophy was royal absolutism.

Far from developing by a series of delicate adjustments to ever-changing social conditions, the system emerged through much pulling and hauling between king, church and barons to which the life of the nation adjusted as rapidly as possible. The interrelation of law and society is a much-discussed topic today: an analysis of social change in the society from which our legal system developed would have been most welcome.

Missing the Target

What is most disturbing is that Professor Hogue is undoubtedly right in decrying the need for a greater understanding of the legal system through a study of its history. Though he has shown us the target, it is left to another to hit it.

SKI EQUIPMENT

Large Variety — Famous Brands

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

EXETER STREET THEATRE

Exeter and Newbury Streets
Boston

Bruce Brown's Surfing Film

THE ENDLESS SUMMER

in color

2:00, 3:50, 5:40, 7:30, 9:20
"A knockout of a movie" — CUE

KE 6-7067

CHICKEN DELIGHT

UN 4 - 0520



Free
Delivery

Complete
Chicken,
Shrimp, Fish
Rib and Clam
Dinners
Also Pizza

Hrs. Mon. 4-8
Tues. - Sat. 4-11
Sundays &
Holidays 11-11

HARVARD SQ.

UN 4-4580

Charlton Heston
as "Chinese" Gordon

Laurence Oliver
as The Mahdi

"KHARTOUM"

1:30, 5:35, 9:40

plus "THE NAKED PREY"
3:55 and 8:00

BRATTLE SQ.

TR 6-4226

JEAN-PAUL

BELMONDO FESTIVAL!

Thursday:

"Doulos The Finger Man"

Friday-Saturday:

"BANANA PEEL"

Starting Sunday:

Boston Premiere of Peter
("Marat/Sade") Brook's

"MODERATO CANTABILE"

starring Jeanne Moreau and
Jean-Paul Belmondo

Shows daily 5:30, 7:30, 9:30

Saturday and Sunday

matinees 3:30

ENTERED AS SECOND CLASS POSTAGE. BOSTON, MASSACHUSETTS.

RETURN ADDRESS:

HARVARD LAW RECORD
MAIL DEPARTMENT, LANGDELL HALL
HARVARD LAW SCHOOL
CAMBRIDGE, MASSACHUSETTS 02138