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Ambassador Arthur Goldberg

Goldberg Says:

World Needs Rule of Law

By John Spitzer

United Nations Ambassador Arthur Goldberg asserted Monday afternoon in Ames Courtroom to a capacity audience that international law needs a "consent to lose" agreement among nations.

"The most important words in a Supreme Court opinion are the last four, 'It is so ordered'," he continued. "A domestic court has power to enforce its judg-

ments. The International Court of Justice (ICJ) has no means of enforcing its decisions without a confrontation that might destroy the United Nations."

Referring to the recent ICJ opinion "Certain Expenses of the United Nations," Ambassador Goldberg argued that the United

Meeting

An open meeting of the Joint Student-Faculty Committee was held on Tuesday, too late for inclusion in this issue of the RECORD. An article on the meeting will appear Feb. 24.

Poverty Law Talks Set

"Law and Poverty" will be the topic under discussion the weekend of Mar. 17-19, at a conference to be held at the Law School.

The format of all four general meetings will be the same: the main speaker will speak for about a half-hour, followed by a discussion of his remarks. After less than an hour of this panel discussion, the audience will be asked to make comments or to direct questions, either to the main speaker or the panel members.

In addition, the session on Saturday morning will be followed by a seminar period, during which participants

States was being unrealistic at that time to insist that all members submit to the opinion which held that expenses of police keeping measures should be borne by all members even if they voted against the action.

"International law must take cognizance of political

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Goldberg: Rule of Law Should be

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realities," he added. "You must not push international law beyond the political capacity which countries are willing to accept. Compromise and conciliation are now the best paths of settling a controversy in the United Nations, rather than insisting that your position is legally correct." He hoped that in the future, however, more nations would submit controversies to binding adjudication.

"The World Court has no business," he said. "And when they do get business such as in the Southwest Africa Case, it turns out badly," because of the

dearth of experience. He implied that this was so because the ICJ feels it should not take the initiative in a sensitive political area like racial discrimination in Southwest Africa when nations are uncertain that the ICJ should have binding jurisdiction over international controversies.

To back up his point, he declared that the most important case decided while he was sitting on the Supreme Court was a controversy among seven states over the water rights to the Colorado River. "When the decision came down, the states all accepted the result. The states that believed they were unjustly treated

made their appeal not to force but to Congress," he stated. "The reception of the result of this case represents what the rule of law is all about."

"There is currently a water rights dispute in the Middle East similar to the dispute over the Colorado River. It would relieve tension in the area if the dispute could be adjudicated by a binding court decision."

Only briefly referring to Vietnam during the question period, he stated that the "Vietnamese conflict ought to be in the UN," but that political realities made this impossible.

Ambassador Goldberg explained that the Security Council could not take action in Vietnam because of Soviet and French vetoes. Similar Soviet and French opposition in the General Assembly has blocked action under the "Uniting for Peace" resolution (which authorized U.N. intervention in Korea) because "the smaller nations are afraid of getting caught in the middle of a struggle between the major nations."

"The UN started out as a parliamentary forum for the advancement of views," he stated. "It has evolved into a negotiating forum for the development of the principles of international law, a place for the accommodation of different points of view."



Pickets outside Langdell attack U.S. policy. In the center is a 'Polish Freedom Fighter.'

Extended to International Affairs

He argued that the United States has taken the more liberal view of interpreting the U.N. charter to preserve peace in ways not specifically delegated in the Charter itself, in contrast to the Soviet Union which favors restrictive interpretation.

"The Charter was adapted like the Constitution," he continued. "It was an illusion to think that everybody would agree with how its provisions were to be interpreted. We should look upon it as an evolving document with resilience to deal with problems of the future."

He briefly outlined the work the United Nations has accomplished toward achieving an international space treaty providing that outer space should not be subject to any nation's sovereignty.

There was no international law of space, he ex-

plained, though much was written about the subject. Since technological progress in the area has been so rapid, there was no time "for evolutionary developments" which ordinarily characterize world law. Yet, there was an acute necessity to avoid transferring the world's conflicts into space.

The space treaty, he said, also illustrates how principles of international law that have already been developed may be used as the basis for striking out into new areas. In this case, the principle that the high seas are open to vessels of all nations has been applied to space, and extended to cover extra-terrestrial bodies, such as the moon.

"Traffic problems exist in space as well as in Harvard Square," he stated, and the atmosphere surrounding the earth is clogged with satel-



Making a point

lites. This led to another provision in the treaty, that all space exploration vehicles be registered with the United Nations.

Throughout his talk, Mr. Goldberg emphasized that international law, especially as applied to the problems facing the United Nations, is much more than an intellectual exercise. "It is the reality that must be faced each day."

In addition, Mr. Goldberg spoke in Sanders Theatre on Sunday, and attended Prof. Dershowitz' Criminal Law class, as well a Constitutional Law class, on Monday.



Ambassador Goldberg in class.

Review Board Review

Former Chairman Black Discusses Short-Lived Board

By Edward Hines

"Americans make a daily practice of breaking the same laws which they favor. They're against topless waitresses, but they want to see them. The poor cop has got to enforce the law for a people who don't want the law enforced. What's the cop going to do?" asked Algernon Black, former chairman of the short-lived New York City Civilian Police Review Board.

The Board was composed of seven members; three Deputy Commissioners of Police, and four civilians. It was brought into being on July 7, 1966 by Mayor Lindsay in anticipation of the "long hot summer"; it died at the hands of the voters on Nov. 8, 1966.

Mr. Black, who has had experience as a teacher and social worker in the slums of New York, spoke before a small gathering sponsored by the Civil Liberties Research Bureau on Monday at the Ames Courtroom. His talk, interspersed with case histories, disclosed the needs that led to the creation of the Board, and its function during its four month existence.

The Policeman's Lot . . .

Mr. Black's speech revealed both his sincere sympathy with the plight of the policeman in today's metropolis, and his recognition of their inadequacies and their need for control.

As part of a policeman's problems, he cited the rise in alcoholism, narcotics, and mental illness, the lone criminal, organized crime, juvenile warfare, motorcycle gangs, and civil rights, Vietnam, and student demonstrations. In regard to the demonstrations, Mr. Black said, "The policeman tends to see people as either good or evil . . . He is confused when he sees basically good people break the law. . . ."

Arrogance of Power

On the other side, Mr. Black said, "Whenever you entrust a person with authority to perform a function, and give him power over you to detain you, to charge you, and to give you a police record, this power should be



Algernon Black

subject to review." He commented on the inevitable threat of the abuse of police power, especially against the almost helpless minority groups.

Mr. Black said that his Board had four areas of jurisdiction: 1) the abuse of authority by violation of constitutional rights, 2) the use of unnecessary force, 3) the use of derogatory or obscene language, and 4) abuse of a racial, ethnic, or religious character. He said that five per cent of the complaints lodged resulted in the bringing of charges against the policeman involved; the remaining ninety-five per cent were either dismissed for lack of evidence, or "conciliated."

People Under Pressure

Mr. Black cited the problem of the off-duty policeman as a principle source of complaints. An off-duty cop, when under pressure, may illegally resort to his official authority to extricate himself. "Rookie cops," still uncertain as to their new role, are another fertile source, he said.

Mr. Black felt that even the short existence of the Civilian Police Review Board had a permanent effect upon police procedure in New York. He said that, "As civilians we could, and did, challenge policy. We provided a fresh view-point."

Decision Gives Press More Breathing Room

Hill v. Time, Inc., is "an indication of the reluctance of courts to interfere with rights of free speech," commented Professor David Shapiro in a RECORD interview last week.

The *Hill* case, decided last month by the U.S. Supreme Court, originated in the widespread publicity and dramatization given to the events surrounding the capture of the James Hill family by escaped convicts.

Alleging that his right to privacy had been violated by *Life* Magazine, which, he claimed, had "fictionalized" the episode, *Hill* prevailed in the lower court in New York. The Supreme Court reversed and held that the Constitutional protection for free press and speech controls, and recovery was denied in the absence of proof that the defendant published the report "with knowledge of its falsity or in reckless disregard of the truth."

Actual Malice

The decision gave the press even more First Amendment "breathing space" than it had won in the 1964 case, *Sullivan v. New York Times*. That case held that a public official cannot maintain an action for damages unless he proves that the alleged false statements were made with "actual malice"—knowledge that the alleged statements are false or in reckless disregard of the truth.

Thus the *Hill* case used the standard of the *Sullivan* decision, but extended its application to private individuals who have inadvertently become newsworthy.

Fortas Favors Hill

In his dissent, Justice Fortas favored finding for plaintiff Hill even under the "knowing and reckless falsity" test, which he reluctantly seemed to approve.

Professor Shapiro, who served as the reporter for the ABA Advisory Committee which wrote the ABA Press Report on "Free Trial and Free Press," noted that there were "few connections" between the suggestions of that report and the area of privacy examined in the *Hill* case. The report did, however, suggest the same "reckless disregard" test as a standard for press coverage of trials, he said.

Examining the recent decision, Prof. Shapiro suggested that the Fortas dissent seemed to express the view of the majority of courts today. "In some very limited circumstances," he said, "there is room for regulation of speech."

Asked about the decision's infringement on the private rights of non-public persons, Prof. Shapiro replied that he "couldn't even suggest that it begins to destroy the right of privacy, because of its limited application



Prof. David Shapiro

to this kind of defamation action." It covers areas where there could have been no action under privacy law. He admitted, however, that it is an extension of the *Sullivan* Doctrine in its application outside the public figure area.

A question yet to be faced is which of the two decisions, *Hill* or *Sullivan*, will be controlling in privacy cases now pending decision by the Supreme Court. Rather than be classed as a "public figure," football coach Wally Butts, for example, stands a better chance of prevailing if he can come under the "private individual" standard of *Hill v. Time, Inc.*

Present Program In Trial Practice

From jury selection to presentation of proof, and opening statements to cross examination, the coming Harvard Student Bar Association programs on trial practice and civil advocacy promise to mix variety and entertainment with worthwhile legal training.

On the afternoons of Feb. 24 and 25, the Defense Research Institute (DRI) will present lectures on various phases of advocacy by a national representation of lawyers and professors.

Advocacy Seminar

The following weekend, Mar. 4, the American Trial Lawyers Association (ATLA) will conduct an all day advocacy seminar including lectures, demonstrations, movies, and discussions.

Designed to supplement the usual law school curriculum, and also to supplement each other, the two programs will present the more practical aspects of strategy and conduct in the courtroom.

Free and Open

The Student Bar emphasizes that both programs are free and are open to all students. In addition to the array of notable professors, judges, and lawyers gracing the programs, specially prepared materials will be distributed at both events.

Included in the materials is a 50-page student workbook, *The Civil Jury Trial*.

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Events of Note

Our printer informs us that, due to Washington's Birthday, the next issue of the RECORD will not appear until Friday, Feb. 24. Since, like Washington, he is well known for his never telling a lie, eager readers will simply have to bide their time.

* * *

Francis M. Wheat, an SEC commissioner, will speak about the recent SEC mutual fund report before the Law School Bull and Bear Club Feb. 17th, 8:30 p.m. in the Wheeler Room, Holmes Hall. Everyone is invited, and admission is free.

* * *

Any student interested in seeing, free, any of the Winterfest programs, other than the Boston Pops or the Boston Symphony, in exchange for an hour of pre-program ushering is invited to call Jay Becker, 2L, Harvard Theater Volunteer Vice Chairman at 876-2135.

Through the Kresge Center for Environmental Health, Harvard School of Public Health, a fellowship has been made available for graduate study at the Law School. Applications are invited from law school graduates, as well as third-year students, qualified for admission to LL.M. candidacy, whose prior education and experience would enable them to conduct research on some legal problems of environmental health in cooperation with the Kresge Center. The amount of the fellowship is in line with others awarded by the Law School. Persons interested are requested to write Prof. D. F. Cavers, Chairman, Division of Graduate Studies, indicating their qualifications for work in this rapidly expanding field.

* * *

Daniel H. Lowenstein and Michael J. Waggoner, both 3L, have been awarded Frederick R. Sheldon Traveling Fellowships for 1967-68.

BUSINESS MANAGER, REPORTERS, WANTED/NEEDED

The RECORD is in the market for a business manager for the coming academic year. While appealing, for the most part, to a student's sense of altruism, some monetary compensation is provided. Applicants with a background in accounting will be accorded preferential treatment.

Creative/Prosaic writers, with or without prior experience are welcome to join the staff.

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"We Aim to Please"

'Laity Luck' Arrives from Ancient Greece

Rehearsals have begun once again for what has now become an annual spring event: the Law School Show. This year's production, "Laity Luck," is expected by its creators to be one of the finest. Many members of last year's cast have returned to join talented new faces, representing both the Law School and the women's colleges of the Boston area.

This original musical comedy will be presented at Sanders Theatre in Memorial Hall on Saturday, March 11, at 8:30 p.m. Tickets will go on sale during the week of Feb. 26.

As always, the Law School and its foibles are the central theme of the show, but this year, the authors have departed from the usual setting between Mass. Ave. and Oxford Street. Instead, the play will be set in Classical Greece, birthplace of the famed Socratic Method. This will provide new vitality for the annual parody of the law and the law school, embodied this year in a full-fledged musical comedy, complete with story,

song, dance, costumes and orchestra.

Directing the production is Jeffrey Meldman, 2L, who has had considerable experience directing college drama and musicals, and who designed the technical aspects of last year's Law School Show. The producer is Stephen Rosenberg, 3L, who was last year's director. The musical director, and composer of the show's score, is Michael Newsom, 3L.

Tim Corcoran, 3L, who many will remember for his portrayal last year of "the Kid," has been cast as the hero of the piece, with Adrienne Stavis playing his heroine. Rick Sims, 2L, and Diane Wagner (last year's Pinky Frelove) are the villains. Tracy Goss plays the role of a friendly Greek goddess, and Curt von Kann, 1L, and John Hamilton, 3L, take additional principal roles.

Backstage operations will be headed by technical director Paul Sullivan, 2L, who will be executing the costume and stage designs of Dan Blaszcuk. Choreography is in the able hands

of Brenda Winston, who has choreographed two previous Law School Shows. And Nancy Mahoney, assistant to Secretary William Bruce, is assisting Mr. Meldman in the complex task of putting all the parts of the play together.

The show will be presented by the Law School Drama Society, a relatively



Villains All

new organization at the Law School. Previously, the show had been produced by the Dormitory Council in a variety-show format.

Although the cast is fully assembled and in rehearsal, the society still needs help with the production aspects of the show as well as musicians for the orchestra and people to assist backstage. A pianist for rehearsals is especially needed at this time, and Mr. Rosenberg asks interested parties to contact him at 864-4693, or at a rehearsal in Harkness meeting room in the evenings.

Rehearsals will continue almost nightly for the next few weeks, and then on Mar. 11, upon the stage of Sanders Theatre the Sixth Annual Law School Show will come to life.



Dancers trip the light fantastic.

the right to dissent

The recent decision by the Court of Appeals for the Second Circuit that a draft board may not reclassify students 1-A merely because they took part in a draft board sit-in is a very welcome one. The tendency today, among too many people, is to identify all forms of dissent with "aiding and abetting" the enemy.

This is not the first instance that such silencing has been attempted in a time of national stress. The McCarthy Era is too recent not to be called to mind, and, of course, even President Lincoln suspended the right of habeas corpus during the Civil War.

But it is precisely in times of stress that the country is most in need of dissent, for it focuses the minds of the people on the issues presented and forces them to weigh the various alternatives logically, rather than merely emotionally.

Ambassador Goldberg in his visit to Harvard expressed this attitude. What the nation needs, he argued, is "dialogue, discussion and the expression of all points of view." Furthermore, he carried it into practice by courageously refusing to take refuge behind a policy of off-the-record remarks made to select students. Instead, he met "eyeball-to-eyeball" in Sanders Theatre with any student who cared to ask him questions.

While the meeting has been criticized as wanting, in that it failed to shed any new light on the subject of Vietnam, the important fact to note is that it finally was held.

Mr. Goldberg's visit here bolsters those who say that the truth will prevail in a free marketplace of ideas.

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TONGUE 'N CHEEK

By Fenno

I leaped down the gallery seats of Hemenway Gymnasium, hurtled onto the squash court, and announced to my friend that today we were going to play Laush.

"What's Laush?"

"It's like squash, except we change all the names to legal terms to make the sport part of the continuing process of legal education at the Harvard Law School," I pontificated.

"Here's the ball, you serve first," he replied uneasily.

"Not the ball, but the burden-of-proof," I corrected.

"That's too long."

"OK, we'll call it the b.o.p. or 'bop' for short."

"I suppose you're going to insist on another name for the racquet, Fenno?"

"Of course. We'll call the 'bam' which is a shortened form of brief-argument-motion."

"How do we start?"

"By filing a complaint. Take your bam and try to gently loft the bop into your opponent's corner with the hope that we will become so tangled up and confused that he won't be able to answer."

"What happens if he doesn't answer?"

"He takes a default judgment. But if he does answer, then the bop is returned to the server, who must use his bam to get the bop back to the other fellow, and so forth."

"If you fail to sustain the bop when it comes to you, then you lose?"

"Right. There are lots of ways to sustain the bop with your bam. A policy argument is a hard rail or vee shot. Statute of limitations, parole evidence rule, shaky precedents are all handy technicalities which may be achieved by blipping the bop lightly into a forward corner, catching your opponent off-guard. Are you ready to file a complaint?"

"No thanks, Fenno. I'm going to go upstairs and play basketball."

HARVARD LAW RECORD

Letters to the Editor of the RECORD

Alumnus Attacks 'Antediluvian Views'

To the Editor:

The letter of Peyton Randolph Harris in your February 2 issue, in which he attempts to condone reported discriminatory hiring practices by certain new York law firms involving Jewish applicants as based upon business considerations rather than anti-semitic bias, contains antediluvian views prevalent in the thirties.

It is typical of many to conceal their own feelings by attributing them to others. Moreover, it is an old technique to say that there is no objection to Judaism as a religion but to imagined unfavorable "Jewish characteristics". Since I do not know Mr. Harris, I cannot say that he is biased or that he takes refuge in the hypothetical "beliefs of employers and clients".

In any event, Mr. Harris's premise and his broadside attack on Jewish lawyers are wholly unwarranted.

Henry E. Foley '25

Placement Office Facilities 'Inadequate'

To the Editor:

During the course of second-year interviews in the Placement Office, it became apparent to many students that the Placement system and facilities were inadequate both for students and for law firms. The main aim of the system, it seems to me, should be to further the opportunities available to the students. But the actual effect in many cases is to limit such opportunities.

Students from the West or those who are interested in western firms are perhaps most seriously affected. Many small firms do not want to or simply cannot return for the second round of interviews. It seems to me

that a system might be devised which would allow second-year students to interview such firms when they are in Cambridge for third-year interviews.

Notice should be communicated to all interested second-year students. In several instances second-year students had "secret" interviews, and were thereafter offered positions. Later, the firm would cancel its scheduled interview, having previously filled its positions. I do not think students or firms are to be blamed for this. Both want to have summer possibilities realized. Rather, the system, which forces firms to return or to wait for December and January, is at fault. A more realistic approach might be taken than to announce to firms that they should keep offers open until February.

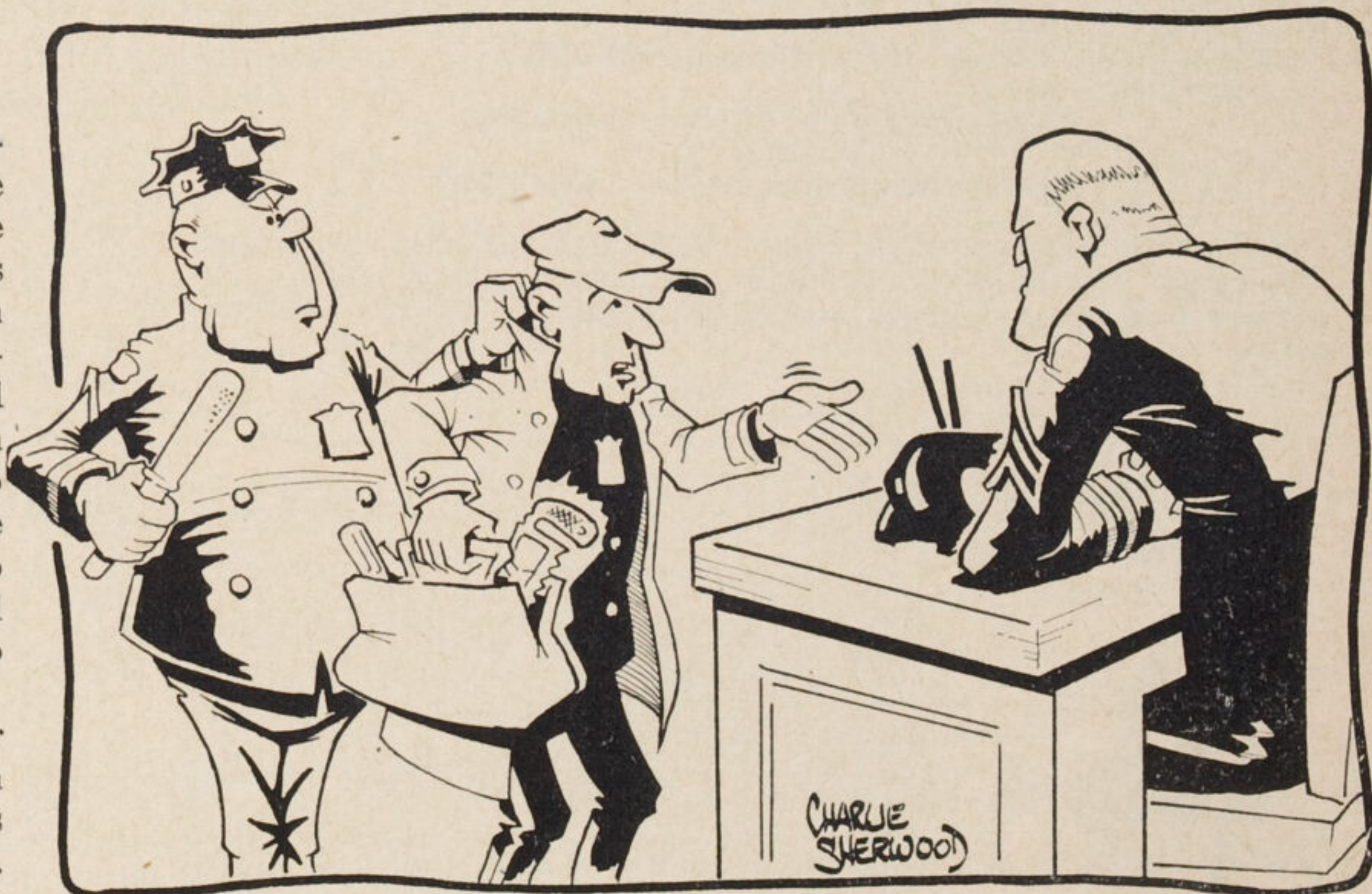
Part of this problem results from the lateness of the interviewing schedule as compared with other schools. This works against the Harvard student in that firms save a "quota" for Harvard and fill their positions up to that point

before they arrive in Cambridge. The "quota" of Harvard students might be greater had an equal opportunity been afforded them.

Further, the system of posting firm resumes in LSM is very confusing since students must scan the entire list (some of which resumes are nearly on the floor) to come up with a few firm names. A more reasonable alternative might be to have a geographical listing of the week's interviews in several places around the law school; then reference books could be compiled to contain the resumes of the firms. Correspondence opportunities could be similarly treated. This would allow students to be apprised of the interviews which were not previously listed in the second-year placement notice.

Hopefully, the Student-Faculty Committee will reach some sort of solution to Placement problems, and next year's class will benefit from reform.

Kent S. Nelson, 2L



The way I see it, Sarge —

If you can't beat 'em, join 'em.

'Law and Poverty' Conference Set for March

(Continued from Page 1)

divided into groups of 20 will discuss subjects related to the main topics.

Earl Johnson, National Director of the Legal Service program of the OEO, will discuss the general topic at the Friday night session. At the meeting, William Stringfellow, a lawyer who

was in private practice in Harlem, will speak about "Control of Legal Services — Lawyer or Laymen."

Saturday morning's speaker will be Burt Griffin, the director of the Cleveland Legal Aid Society. Mr. Griffin will discuss "Legal Services and Institutional Change — What Can Be Accomplished?" while Jean and Edgar Cahn, on Saturday afternoon, will talk on "The Case Load Problem." Mr. and Mrs. Cahn are the co-authors of one of the first articles on the theory of the Neighborhood Law Office, which appeared in the *Yale Law Journal*.

The last session, on Sunday, will feature E. Clinton Bamburger, speaking about

"Supplying the Resources — Can Law Schools Help?" Dean Erwin N. Griswold will also speak at this session.

The proceedings of the conference will be recorded and probably published, since one goal is to have any new ideas brought up as widely disseminated as possible.

Students may pick up an application form at the Receptionist's desk in Langdell, or the Legal Aid Office in Gannett House. Registration for students costs \$1.50, which covers admission to all four meetings and the seminar sessions. Non-students must pay a \$15 fee which includes two meals and a cocktail party.

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Recent Book

Unveiling the Mysteries of Insider Trading

Insider Trading and the Stock Market. By Henry G. Manne. New York: The Macmillan Co., 1966. 189 pages, \$6.95.

By Richard S. Gallagher

Contrary to the opinion of the Securities and Exchange Commission and the apparent majority of observers, Mr. Manne does not regard insider trading (trading in corporate securities by certain persons privy to publicly undisclosed material information) as an undesirable practice.

Black Market

He suggests that despite current prohibitions under Sec. 16(b) and Rule 10b-5 of the Securities Exchange Act of 1934, insider trading currently exists anyway through a "barter system" wherein information is exchanged by insiders of different corporations. Fearful that effective prohibition of such trading would necessitate "gross invasions of privacy" incompatible with our traditional notions of democracy (cf. the SEC's prayer in *Texas Gulf Sulphur* for restitution by insiders to advisees beyond even the first level), the author suggests that there is no need for a black-market information exchange since insider trading by persons other than government officials may well serve a useful economic function.

The author's evidence rests on an extensive hypothetical economic analysis.

The long-term investor, according to this analysis, has small odds of losing anything substantial because the time lag between knowledge and disclosure is so short and because any loss is proportionately small in light of the long-term gains such investors usually make; thus the only person significantly harmed is the short-term trader who assumes such risks anyway. Furthermore, such profits represent an opportunity to reimburse at accurate market judgment the efforts of the entrepreneur who must continue to exist in large-scale business if the corporate world is to escape total bureaucratization; salaries, bonuses and stock options are insufficient because legally complex, necessarily approximate, and economically relevant only to compensation of readily marketable managerial skills.

Evil Per Se

In an era pervaded with outsider judgment of insider morals, Mr. Manne's book is a refreshing reminder that

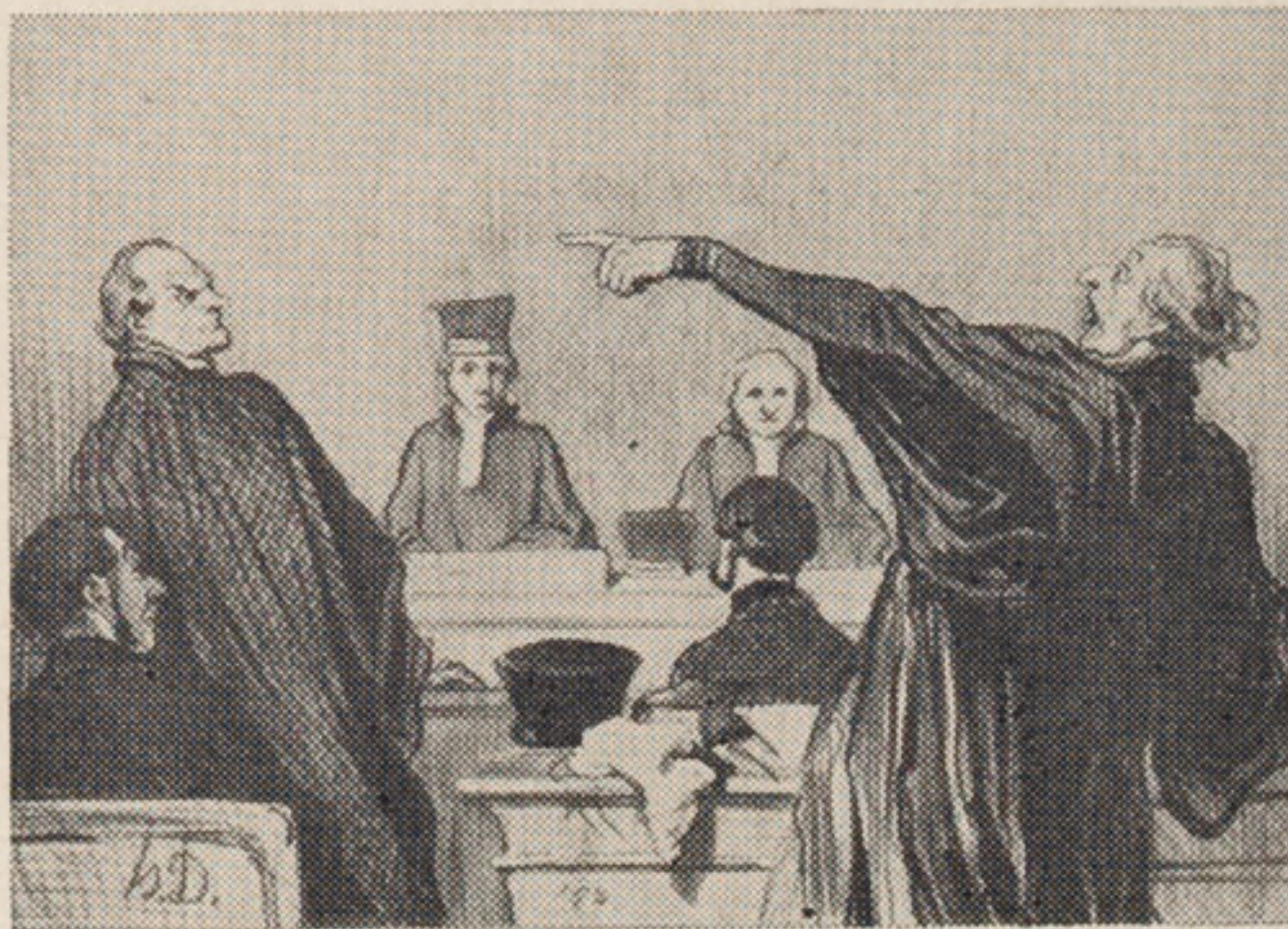
no corporate practise should be lightly classified as a general evil *per se*. Nonetheless, even granting that he calls more for analysis than new rules, his thesis falls short of persuasiveness. His most convincing argument is that insider trading may constitute compensation for the entrepreneurial skills without which no company nor economy can survive effectively.

Why Not Salaries?

But his least convincing arguments are why promotions and salaries as a reward for entrepreneurial efforts will not serve the same purpose without laying the cost of such effort on the shareholder who sells at the wrong time. And he fails entirely to answer adequately how we can be assured that it is the entrepreneur who will actually benefit from allowance of insider trading.

Even assuming that any necessary financing for investment will be available if the entrepreneur is willing

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Unveiling the Mysteries of Insider Trading

(Continued from Page 11)

"to disclose his information to someone else," may not the non-entrepreneurial financier benefit also?

And, since insider profit is perhaps at least as much a matter of timing as entrepreneurship, it is difficult to understand why corporate officials and attorneys should profit from somebody else's entrepreneurship under the

author's rationalization that this will help attract entrepreneurs to corporations and that it is rather difficult to know just where entrepreneurial skill lies anyway.

That these persons would be the most significant beneficiaries of such a system is supported by the author's own concession that "few subordinate employees in large corporations will be in a position to exploit information in any significant fashion."

The maintenance of entrepreneurial incentives in an

increasingly institutionalized society is a problem crying for analysis and solution.

But insider trading as envisioned by Mr. Manne appears to remain an unsatisfactory answer.

Undeserving Insiders

Even in a magna-corporate economy whose leaders are becoming typified by overwhelmingly responsible professional managers, there would appear to be little reason why undeserving insiders should profit from the rewards of possible market manipulation just to create otherwise available entrepreneurial incentives. And this becomes even more true when the burden of the cost is distributed on a random and unequal share basis.

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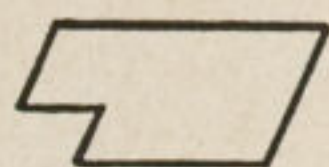
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Ghetto Organizer Opens Fire on War on Poverty

By John Spitzer

The War on Poverty is little more than piece of "political pornography," declared Saul Alinsky to an overflow crowd in Hunt Hall Feb. 7. He is director of the Industrial Areas Foundation which has helped to organize poverty ghettos across the country.

"Sargent Shriver has a zookeeper mentality," he continued. "The day after the Watts riot, he testified that the people there needed more money. Does he think they're animals? What the poor need most is a sense that they have a voice in the government."

Need Political Power

He hinted that the process of giving the poor political power cannot be accomplished without some "conflict," but stressed that once the poor have political power in proportion to their numbers, they show little tendency toward violence.

In response to the opening question, "Are you a communist?" the mild-mannered political organizer replied that he was not a communist

although he pointed out that many of the things he supported for the poor were also supported by the Communist Party. But he emphasized that the communists think they have "all the answers" with Marxist theories on capitalism, the proletarian revolution, etc., while his group is currently undergoing an "ideological crisis" trying to figure out what basic principles they stand for.

Democratic System

"Speaking for myself," he asserted, "if I have one principle, it's the complete acceptance of the democratic way of life, a faith in the people, that their wisdom is best in the long run." He added that he realized there were many drawbacks to a democratic system, but that it seemed to work better than other systems.

"My chief complaint with the communists is that they have no sense of humor," he said. "They always think they're absolutely right. We know we're operating in gray areas."

He explained that as an activist, it was necessary for

him to speak in black-and-white terms, but that in his own mind he could never be sure he was right. "You can't motivate the poor with a 55 per cent argument. You've got to make extreme statements."

Race Restrictions

In the Constitutional Law area, the soft-spoken organizer asserted that his experience with civil rights has shown him that the 1948 decision barring racial restrictive covenants in *Shelley v. Kraemer* has had a much greater impact on integration in this country than the 1954 decision of *Brown v. Board of Education* requiring integrated schools.

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Ambassador with An Afternoon at the Opera

By J. David Gernant

Overture

Outside Sanders Theatre Sunday, it was clear and biting cold. President Johnson's Ambassador to the United Nations was to speak, and the line of students stretched far from the door. Near the group of blue-uniformed policemen checking university ID's stood a dignified-looking man, resplendent in the white uniform of the "Polish Freedom Fighter," carrying a large sign: "For God and Country — Fight Communism and the Red Dogs."

Inside, an hour before the curtain was to rise, the chorus and the cast of extras already filled most of the 1200 seats. In another forty-five minutes, all were in their places.

As the ambassador, the Hon. Arthur J. Goldberg, stepped onto the stage at precisely the appointed hour, three-fourths of the audience stood to greet him with respectful applause.

This support — or sympathy — for the ambassador in a difficult situation remained evident throughout the meeting. The remarkable thing was that not one member of the panel and not one questioner from the audience showed any sympathy for the views the ambassador represented.

The tone of two of the questions bordered on rude disrespect. But Mr. Goldberg throughout remained utterly unflappable, refusing to rise to the bait of his more radical interrogators.

The One-Act Opera

Ambassador Goldberg began the meeting by expressing the hope that the proceedings would be conducted in the great tradition of the New England Town Meeting, where all would have the right to speak but not to make "boors" of themselves by interrupting either himself or his questioners before they had had their say.

Chorus: The Death of a 'Dialogue'

With the tone thus set, the play began. "Play," because everyone's lines had been carefully rehearsed, either written down or memorized. Even Professor John T. Dunlop made his moderator's remarks from written notes. The spontaneity that should mark any dialogue of true give-and-take was lacking, except in the cheers, hisses, applause, and snickers of the chorus of extras in the audience. Even these became predictable, and the only question was whether the applause of the Administration supporters would drown out the hisses of its opponents, or vice versa.

The leitmotiv of the afternoon — the stock defense of the ambassador against pointed questions, pointedly put — was the cliché . . . not so much Doublethink as Unthink.

Thus, to a question itself not entirely clear, he observed obliquely: "Any [South Vietnamese] government that is a government must act like a government."

Someone asked, if the war really does involve foreign elements, why didn't the UN support the United States? "The UN has great problems in regard to handling the Viet Nam conflict." He elaborated, of course, but this constant repetition of the obvious grated on the nerves.

By the second hour of the meeting, a more irritating refrain that became the initial response to almost every question was drawing audible snickers: "The answer to that is this," the ambassador would say ponderously, rather like the Mr. Nixon we used to know.

Or, worse, and more often: "The answer to that is very simple"; "Our policy is simple"; "The simple facts are these"; or again, "The answer is simply this" — and there would follow, most maddening of all, not an "answer" in the sense of being a contribution to a meaningful intellectual exchange, but phrases strung together . . . Unthink. It represented not so much the statement of a coherent policy as a defensive reflex.

Nor were the questions much better.

Why haven't our allies understood the "compelling logic" of our position? one student asked. The ambassador's response drew hisses: "In the present world, allies don't agree. It's a different kind of world"

from the immediate post-war period when there was allied unity.

Asked whether the war was worth the cost, the ambassador thought that if "the peace and stability of the entire world is furthered, then the cost is worthwhile." But if that peace is "menaced" by American actions, then, he said, the war will have been a "disaster."

Finale

The president of the Harvard Undergraduate Council, Gregory Craig, complained that the expressions of "moderate" students were considered by the Administration no more seriously than the demonstrations of the New Left. He warned that the "most loyal and idealistic young people" are being left by the actions of their own leaders with "less loyalty and with less idealism."

His remarks were greeted with sustained cheers and applause. Mr. Goldberg was sympathetic, but observed that the "search for peace is agonizingly slow"; that "the search for peace can't be one-sided."

The ambassador concluded his remarks by saying, "Sometimes limited action can prevent a more tremendous holocaust; that is the justification of our policy." His voice at last was firm, and one felt that this was probably also his personal belief.

Altogether, it was a sad drama that was acted out in Sanders last Sunday. The extras had trooped in by the hundreds, not exactly expecting to hear anything new, but not expecting either that the old would be paraded before them in costume so unenlightening.

As an ambassadorial apologist for another's policy, the brilliant mind of Mr. Justice Goldberg is not shown off in its best light. His eloquence escapes him and he is reduced to platitudinizing dissimulation, to mask his own views.

A note of pathos thus edges the remarks of the Justice in the role of an ambassador. But one realizes that precision of expression is not the mark of a diplomat, and that the measure of an ambassador cannot be taken on the basis of a single performance before the Harvard community.

Unveil Plans for New Buildings Next Week

Before the beauty of big piles of dirt and the songs of bulldozers and diesel trucks add variety to life at the Law School, students and faculty alike will be given an official introduction to the Law School's proposed building plans and an opportunity to voice questions and comments.

Open Meeting

Vice Dean Joseph Leininger reports that the latest plans for two new buildings will be submitted to the faculty at its meeting on February 21.

Soon after, an open "student Meeting on New Buildings" will be held in the

Harkness meeting room from 2 to 4 p.m. on Friday, Feb. 24. At this meeting, Professor Albert Sacks, Chairman of the Faculty Committee on New Buildings, will offer explanations and answer questions.

\$6 Million Worth

The two new buildings about to be unveiled are an office wing addition to Langdell Hall and a large, multi-purpose building. The office wing, expected to cost in the area of \$1,000,000, will replace the grove behind Langdell, north of Austin Hall. It will balance the ILS building, and will house administration and faculty

offices.

The second building, costing upwards of \$5,000,000, will replace the parking lot and part of Jarvis Street, northwest of Langdell Hall. Housing classrooms and conference rooms of varying sizes, as well as other student facilities, it will reduce seminar and class room shortages, provide new facilities for the offices located at 23 Everett Street, and serve as a general law student center.

Construction of the new buildings is scheduled to begin next fall, but efforts are being made to advance some of the noisy excavation work to the summer.

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