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FIFTEEN CENTS

Small Sections, Job Office Undergo Changes

Experimental Classes Expand Five-Fold Next Year

By Thomas Geisler

"The small sections program is essentially an experiment," explained Associate Dean A. James Casner in a RECORD interview, "and no decision on its ultimate fate has yet been made." Results to date of this year's limited program are inconclusive, and final decision must await experience with the greatly expanded program planned for next year.

One basic disadvantage of the current program is that only a small portion of the first-year class has been involved; the three existing small sections are filled by just slightly over one hundred students. But next year every first-year student will participate in a small section of thirty to thirty-five students for at least one semester.

Also, each professor teaching a small section next year will in addition teach a regular section of the same course. This procedure is designed to facilitate comparison of the two teaching methods.

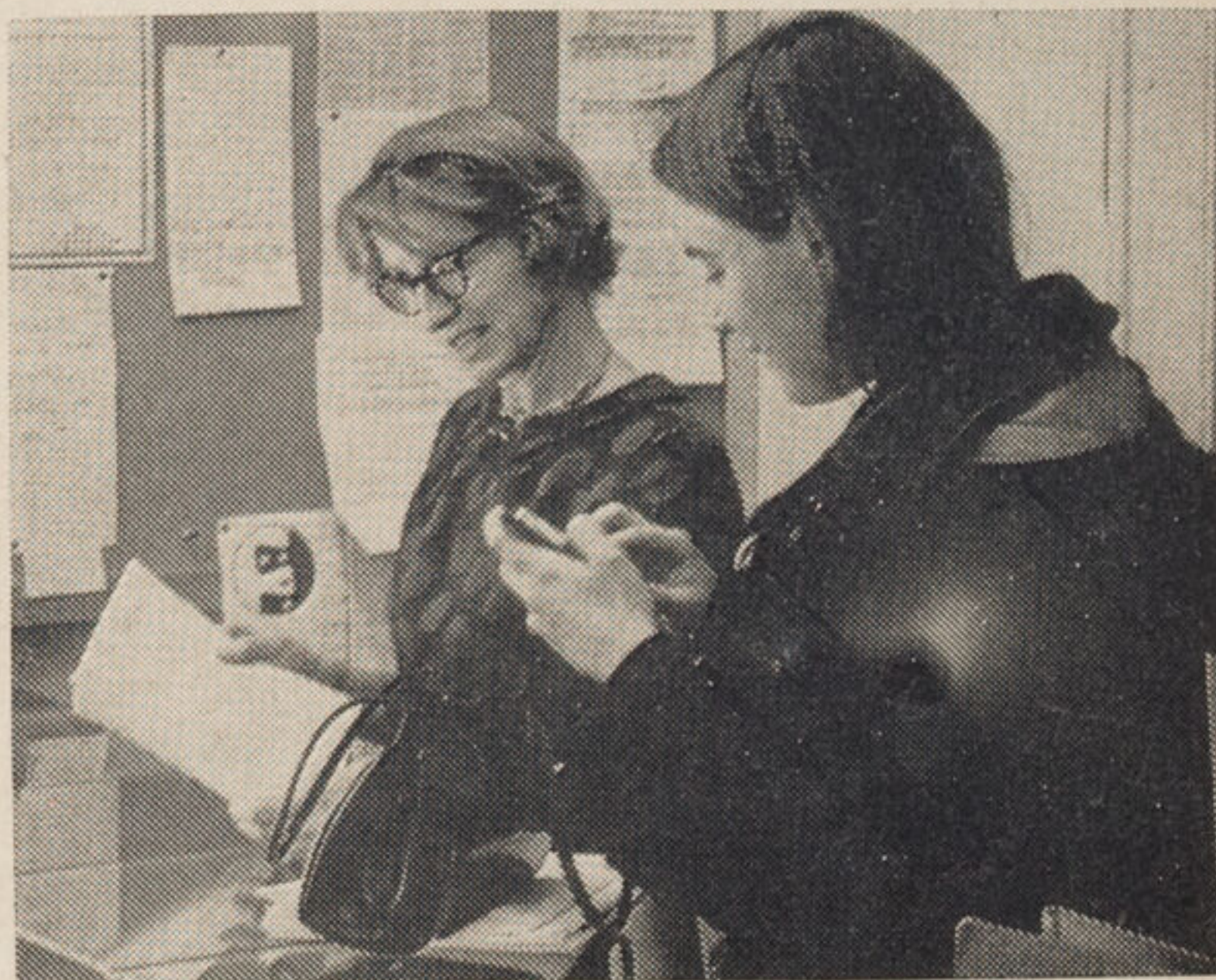
Dean Casner emphasized that it is not enough that small sections be found "somewhat" more effective than normal sections; they must be worth the extra expense and they have the burden of proof. Small sections by their very nature place an increased teaching load on the faculty. Significant ex-

(Continued on Page 12)

Interviewing by 2L's To Begin in Mid-November

The interview season for second-year students will begin later next year and end earlier, if a plan proposed by Eleanor Appel, head of the Placement Office, is put into effect.

Under the plan, the interview season would



Miss Appel aids job seeker.

begin Nov. 13, while some third year interviews are being held, and continue until the Christmas vacation.

"It's impractical to continue setting up interview schedules after Christmas," Miss Appel explained, "because the number of

(Continued on Page 6)

Prof. Attacks Commitment Code

By Edward Hines

The Massachusetts Mental Health Code proposed in the Report of the Special Commission on Mental Health in February 1967 will, if adopted, provide the state with what the Commission describes as "the most advanced and effective procedures in the United States."

According to Professor Alan Dershowitz of the Law School, however, the proposed code fails in two important respects. The first is the vagueness of the proposed criterion for involuntary commitment, and the second is the lack of a jury

determination that a patient can be committed under this criterion.

The criterion for involuntary commitment in the proposed code is a judicial determination that the person would create a "substantial likelihood of serious harm" if left in the community. The code's definition of "harm" includes: (1) physical or great social harm to the person himself, and (2) physical harm to others as manifested by evidence of homicidal or other violent behavior, or behavior which is socially destructive, "such as slander. . . ."

Prof. Dershowitz feels that the second definition of "harm" is too open-ended creating a possible potential for abuse. Likewise he feels that "substantial likelihood," which the code leaves undefined, is subject to the same abuse.

"The decision to confine someone to a mental hospital against his will for an indeterminate period of time is a critical question of public policy. Something more than mental illness must be established before commitment is justified. What that something ought to be and how it should have to be established

Highlights of the Mass. Mental Health Bill

A mental health legal aid system is set up as a separate division of the Attorney General's Office, with legal advisors assigned to state hospitals and accessible to all patients.

Legal counsel and a free independent psychiatric examination will be provided to indigent patients.

A periodic review will be made at least once a year of every mental patient committed, with immediate discharge if the patient is not in need of further care and treatment.

The criterion to be used for involuntary commit-

ment is whether discharge of the patient would "create a substantial likelihood of serious harm to the person himself or to other people by reason of the person's mental illness or other mental disability."

Any physician or police officer may file a preliminary application to involuntarily commit anyone who meets the criterion.

Those found incompetent to stand trial for a criminal offense may petition for a hearing on the issue of competency every six months, and can petition for a hearing on the merits, which may result in the patient's discharge

unless he satisfies the criterion for involuntary commitment.

Someone found incompetent to stand trial will be discharged after a period of time equal to what would have been his maximum sentence less parole, unless he satisfies the criterion for involuntary commitment.

A patient found not guilty of a crime by reason of insanity is afforded the opportunity to petition annually for a court discharge order, which shall be granted if the court is satisfied that upon his discharge he is not likely to cause danger to himself or to others.

As Having Potential for Abuse

are the critical issues of civil commitment; but they are the issues on which the proposed code is eloquently silent," he said. The question of what suffices for involuntary commitment, he commented, is abdicated to the psychiatrist and the judge.

He noted that under the proposed criteria a judge might find, as sufficient grounds for commitment, a 20 per cent chance that a mentally ill person would commit the non-criminal offense of slander.

Prof. Dershowitz then scored the failure of the proposed code to provide for a



Jury Trial Needed

jury trial under these criteria. "Once it is recognized that the decision whether to commit someone is a social policy judgment to be made by the community and not alone by the psychiatrist, a strong argument emerges for affording a person threatened with involuntary commitment the right to trial by jury," he said.

Furthermore, trial by jury, he said, would require a judicial articulation of the criteria for commitment: "In a jury trial, the judge must instruct the jury as to the meaning of the various criteria. These instructions may be appealed and the appellate courts then have to construe the statutory language.

"Thus, the common law process of clarification, growth, and development of the law is set in motion. This is particularly important in this area, where the legislative criteria are vague and where the courts tend to evade their common law responsibility."

"Substantial likelihood," he noted, might be construed by some judges as more likely than not, by others as a 5 or 10 per cent chance. The degree of likelihood of certain harms that will be required, he said, is decidedly not a psychiatric issue; it is for the legislature to decide.

As one possible remedy to the vagueness of the proposed criteria, Prof. Dershowitz suggested that a sliding scale of harm and likelihood could be used. "Harm" could be divided into three categories:

- 1) death or grievous bodily harm to others,
- 2) death or grievous bodily harm to self, and
- 3) all other harms whose prevention warrants incarceration.

One possible set of instructions the judge could give the jury could be:

"To authorize incarceration,

the jury must conclude that the person is A) more likely than not to produce harm #3 within X years (he must fall into a class where more than 50 per cent of those included will produce the harm), B) very likely to produce harm #2 within X



years (he must fall into a class where more than 1/3 of those included will produce the harm), or C) substantially likely to produce harm #1 within X years (he must fall into a class where more than 10 per cent of those included will produce the harm)."

These criteria, Professor Dershowitz feels, would at least require, as the proposed code does not, higher degrees of likelihood as the seriousness of the anticipated harm decreases.

Frankfurter Failed His:

Practice Exams Stress Relative Standing

It has now been several weeks since the results of this year's practice examination became available — and for some 1-L's they have been very long weeks of introspection.

The analysis and assessment have been going on in three increasingly informal stages: faculty members followed the release of the results with classroom discussions of the exam questions, interviews with the teaching fellows offered a more personal evaluation and many a table at Harkness Commons has been the scene of animated discussions, both euphoric and dejected.

Special Questions

The examination, given every spring, was made up of questions supplied by the teaching fellows, with some faculty assistance. Although the questions were written specifically for each of the four sections, in some cases, such as Property this year, the sections have covered substantially the same areas and are given the same problem.

During much of the history of the exam, all five questions were graded. However, for the last five years, only three of the student's five answers, chosen arbitrarily, have been consid-

ered. The faculty's decision to change the procedure was prompted by the size of the teaching fellows' work load and the impossibility of considering fully all five questions at the interview.

The Two-Step

The marks, which in some cases this year were based on more than three questions because of a clerical oversight, are arrived at by a two-step process. The answer to each question is assigned a numerical grade by comparing it with a model answer worked out by the faculty, and this is then converted to a letter grade which reflects the student's performance relative to his section. Thus, for example, in the marking of the Contracts question for section IV, the answers having grades in the highest 15 per cent of the section were assigned "E"'s, the next 25 per cent "G"'s, the largest group, 45 per cent of the answers, "S"'s, and the balance "P"'s. However, many of the marks may be somewhat misleading as a picture

of the student's standing in the section, since many students failed to answer one or more of the questions.

Results of the preliminary examinations do not lend themselves to ready comparison with those of the June exams because of the differences in grading, and no correlating studies have ever been made. However, it is felt that the importance of the preliminary examination lies not so much in the actual grades received as in the idea the student gets of his standing.

Off the Record

Supreme Court Justice Felix Frankfurter, while a student at the Law School, failed each of the preliminary examinations he took, and from these failures derived the impetus to improve his work.

For those who, with Mr. Justice Frankfurter, feel their work may not be up to par, there is always the consoling thought that the grades on the preliminary exams never appear on his record.

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Prof. Emphasizes Courses in Urban Studies

When he was still very fresh from Washington and a relatively new face around the Harvard Law School, Professor Adam Yarmolinsky was asked how he liked the Socratic method of teaching law. He replied that it was "very close to conducting a Press Briefing with a very informed and able Press."

For Professor Yarmolinsky, this is just as much a commentary on his own experiences as it is a commentary on the ability of students in his Urban Legal Studies classes; for he is just as much at home in a government Press Briefing as he is in a law school



Prof. Adam Yarmolinsky

classroom. His experiences have proved him an expert in both professions.

A 1943 graduate of Harvard College and a 1948 graduate of the Yale Law School, Professor Yarmolinsky pursued and excelled in two careers, law and government service, before coming to the Harvard Law School in 1966.

While in Washington Professor Yarmolinsky helped put together the Poverty Legislation and now expresses satisfaction with

the progress of the Poverty Program. He noted that the "present program is doing as well as can be expected despite the distraction of governmental energy caused by the Viet Nam war." He added, however, that there are not enough funds available and that the Program is "unduly restricted" in the use of those funds that are available.

Professor Yarmolinsky is especially pleased with the work of the Community Legal Assistance Office. He thinks it "very valuable" and "would like to see more clinical activities at the Law School." In fact, he indicated, he intends to offer a workshop in Urban Legal Studies, involving such community activities, next year.

"I'd like to see more discretionary Federal money available for Community Action Projects," he noted.

As Chairman of the Faculty Committee on Urban Studies, Professor Yarmolinsky is presently working on plans for inclusion of more Urban Studies courses in the Law School curriculum.

Asked his impression of Harvard Law School students, Professor Yarmolinsky remarked that he is "enormously impressed with their ability, quickness, and interest in a wide range of subject matter."

As a lawyer he clerked for Mr. Justice Reed, practiced with Root, Ballantine, Cleary, Gottlieb, Friendly and Hall, taught at American University and Yale Law Schools, and is presently Professor of Law in Urban Legal Studies and a Member of the Kennedy Institute of Politics.

In Government Service he has been Special Assistant to the Secretary of Defense, Deputy Director of the President's Task Force on the War Against Poverty, and Deputy Assistant Secretary of Defense for International Security Affairs.

Asked about the transition from government to pure academics, he remarked that he was "surprised at how little change there is" and how "active and busy" he finds himself; so busy, in fact, that he finds "not enough time for reflection and quiet thought."

More 2'ls Than Ever Before Were Hired

(Continued from Page 1)
candidates decreases greatly." This puts firms that are assigned interview dates in January at a definite disadvantage in locating summer clerks.

Furthermore, she said, students who had interviewed before Christmas wanted to have their jobs lined-up before the January interviewers arrived. This meant that the calendars of these interviewers were rarely full.

Some Firms Get Sort of a Golf Handicap

In spite of complaints to the contrary, Miss Appel stated, more second-year students than ever before have gotten summer jobs. According to Placement Office records, 280 second-year students have already accepted positions. This compares with 255 for last year's class.

The Office scheduled 8,000 individual appointments, evenly divided between sec-

ond- and third-year students. About 390 second-year students and 382 third-year students participated in interviews.

The present plan would allow some firms from the less competitive job areas to come at the beginning of the interview season for second-year students. These firms would probably interview third-year students as well.

Miss Appel explained it as "sort of a golf handicap," but she said it would not affect areas with a great amount of job competition such as New York City and Los Angeles.

"There have been general complaints that students don't hear from prospective employers as promptly as they should," she said, "and there have been complaints about the Placement Office. I'd like to register a complaint myself about those students who don't let us know when they have accepted a job."

One other problem is that some students fail to give a definite response to employers and so, in several cases, the same student is being counted on by two different employers. This is especially true with volunteer jobs, when the student says he will take the job unless he gets something else. Then, when he accepts another offer he fails to notify the volunteer agency.

The third-year job situation is still "cloudy," according to Miss Appel, although about 300 students have reported to the Office that they have accepted job offers. Many of the others will spend next year in judicial clerkships, graduate study or on fellowships either abroad or in the United States.

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Draft Chills Student Interest in Clerkships

By Jay Becker

They'll try to get you coming and they'll try to get you going, but while you're in Law School, the draft board will probably leave you alone, declared Secretary William Bruce on the effects of the draft on students at the Law School.

"No one has been drafted out," Dean Bruce reported, but he added that "some students who went to graduate school or otherwise interrupted their education before coming to law school are having difficulties with their local boards."

Long-Run Objective

However, he explained, "if the student can convince the board that the interruption is part of his long-run career objectives, he usually will not have too much difficulty in getting a deferment for the duration of his law studies."

An important aspect of the law, he pointed out, is that the student has a right to a 1S classification. This designates him as eligible for classification as 1A, but also means that he can finish the year of school in which he is currently enrolled. Thus, the students who is threatened with being drafted out of school will have at least until the summer to avoid fulfilling his commitment. And if he is not called before September, he can once again get a 1S to last him until the next summer.

The student leaving the Law School is not usually as fortunate. Assistant Dean John Wilson said that some

graduates are turning down offers of clerkships because they do not carry draft exemptions. One Supreme Court Justice lost the services of a Harvard man for this reason, he reported.

Teaching positions carry a draft exemption at the present time, and there has been a 100 per cent increase over last year in the number of students who have inquired about this type of work. Dean Wilson observed, however, that this increase is at least in part "attributable to increased student interest in service-type positions."

Those who can't even teach may consider service-connected positions in the Coast Guard, or in the legal

offices of the various governmental departments connected with defense. While such jobs are hard to come by, they do carry a draft exemption. Dean Bruce also pointed out that Reserve Officer programs are available even to second or third year students.

Sobering Statistics

"And of course there are the sobering statistics, of the few non-volunteers who actually shoot or bomb the Vietnamese, and the comforting knowledge that, at worst, the draft will only mean two wasted years," observed a student looking up from his copy of the manual for success on the draft test.



Ten cents and 18 seconds are all it takes to copy almost anything on the new Langdell Library photocopier. Located in the main reading room, the self-operated machine replaces the copying services of the distribution center.

Secretly Arrived At

Just before spring vacation, the faculty met to take up the question of the second-year curriculum at the Law School.

Unfortunately, that is all that can be reported since no member of the faculty has been willing to divulge what went on or what proposals were discussed. On inquiry, the RECORD was told that news would be released as soon as a final decision was reached.

It's about time somebody realized that, at the very least, the student has a right to be consulted about those facets of law school life that concern him. Nor is the time for consultation after a decision has already come down, when faculty and administration positions have become rigid.

This is especially true since the matter under discussion, the curriculum, is of such vital student concern.

The second-year curriculum, we believe, should be made almost entirely elective. It is true that Accounting, Constitutional Law and Corporations are important in a law student's education. So, for that matter, are Commercial Transactions, Evidence, International Law, Business Planning and many other presently elective courses too numerous to mention.

In all probability, under an elective system, most second-year students would still take those courses that are now required. On the other hand, those who want to concentrate in one field or another or those who have special interests should not be forced to take these courses. Students attending the Law School are fully able to choose their own programs.

The foregoing, however, is only one man's opinion. Many of the students at the Law School may have other ideas. We urge them to contact individual faculty members and express their opinions before a final vote on the curriculum is taken next week.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

Dismayed by the gap between appearance and reality of the course descriptions in the new catalogue, I walked into Bence's to soothe myself with a chocolate milkshake when what should I find on the counter but the "Insider's Guide to Harvard Law School Courses" where I read:

Torts. Prof. Pooh-Bah. 3 hours. This course will run through an exciting series of fights, gory automobile accidents, dynamite explosions, dead mice found in Coke bottles and sales of houses full of termites. Students will become acquainted with the Deeper Pocket Doctrine — known variously as "compensate the plaintiff" or "Soak the insurance company" — which 99 per cent of Law School graduates will have to unlearn when they go to work for defense-minded firms with profitable insurance company clients.

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Constitutional Law. Prof. Guilderstern. 2 hours. A personal development course, teaching the student to take value he happens to espouse and clothe them in reasoned elaboration so that his values attain the fatalistic beauty of truth.

International Law. Prof. Heifledorfer. 2 hours. An exhaustive analysis of the alleged legal relations between nations. The course eventually reaches the conclusion that there is no such thing as international law.

After perusing a realistic appraisal of Harkness food and a laudatory chapter on the enumerable benefits gained by writing for the RECORD as an extracurricular activity, I downed my milkshake and went out to stand on the sunny street corner to look for a date for Saturday night.

HARVARD LAW RECORD

Letters to the Editor of the RECORD

Noise in Library Hinders Study Efforts

To the Editor:

The latest innovation in the Langdell Library is here: and strategically placed it is, too.

Already the library seems subject to a régime where much madness is often mitigated by a little method. Articles are sporadically razor-bladed out of law reviews; important reference works disappear for the duration of general need; the titles in the file-card catalogue concededly afford no meaningful key to locating the work in the stacks. But the greatest impediment to efficient use of the library of course, is the abortive soundproofing which carries most conversations—and telephone calls—farther than in many classrooms.

In this setting, then, there must

be some higher irony to the recent installation of the new duplicating machine which offers its services for considerably more than most private competitors in the Square at quality considerably less than that found elsewhere in the University. And as a price, students are henceforth foreclosed from the copying service at the Distribution Center.

When asked why, of all places, the noise was put right in the middle of the reading room instead of outside, for example, by the electrical outlets in one of the hallways, the Assistant Librarian for Reference found the answer sufficiently simple: students had asked for such a machine "*in the library*" (emphasis supplied—by the librarian).

To make it even more a part of the library as we know it, perhaps it could be keyed into the old telephone bell

Peter Sobol, 3L

Reader Praises Articles in 'Record'

To the Editor:

I have read (or at least perused) every issue of "America's Oldest Law School Newspaper" since its birth. I have difficulty in recalling a better RECORD than that of March 23.

I speak (i.e. write) from prejudice—an influence which law students will encounter from time to time when they become lawyers. Paul Freund is my classmate. The article on Prof. Freund is superb. I envy Mr. Johnson his writing style and ability. That he is a mere staff member I find incomprehensible. However, I am unfamiliar with the current facts of life concerning rank in Law School organizations. . . .

Mr. Gernant's article obviously had less personal appeal to me, but was on a par with the Freund profile. Mr. Spitzer's story comes a very close third.

I shall continue to look for these names in your masthead. When they are gone, I hope their replacements will continue to engage my interest.

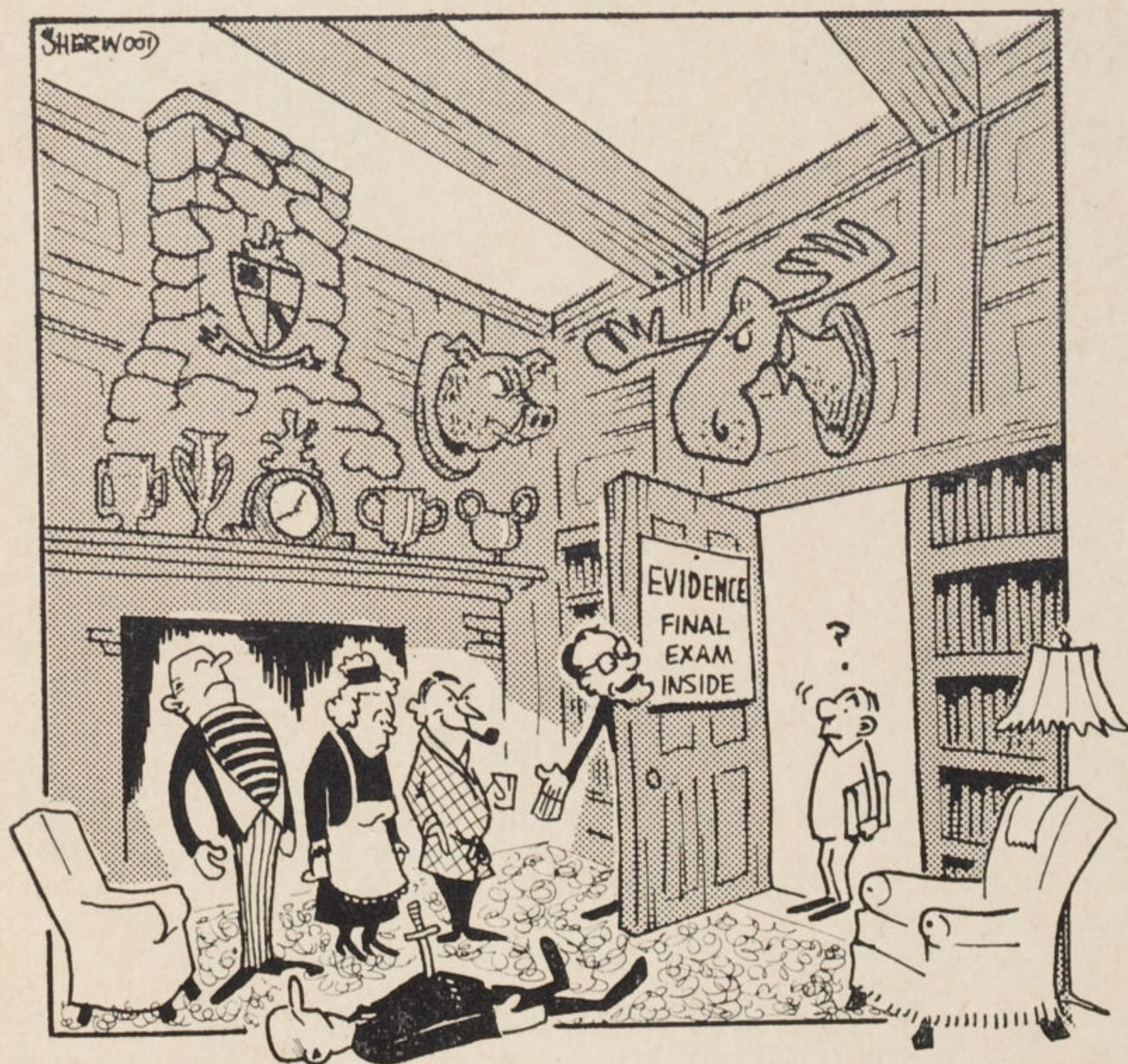
Hyman J. Cohen, '31
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H.L.S. Recognizes Obligations to Society

To the Editor:

Harvard Law School has finally begun to fully meet its obligations to society. The new Catalogue for the Law School announces an attack on the problems of "civil rights, slums, crime and poverty" and a purpose to instill in its graduates a commitment to seek solutions. It is inspiring to see this law school recognize its increasing responsibility "for attracting and training able people for the conduct of urban affairs." (P. 18.)

(Continued on Page 16)



"You Asked for Reform . . ."

Dershowitz, Ohlin Appointed as Full Professors

Assistant Professor Alan M. Dershowitz and Professor Lloyd Edgar Ohlin from the Columbia University School of Social Work have been named professors of law at the Law School, effective July 1.

Teaching at Harvard since 1964, Prof. Dershowitz has concentrated on the relationship between law and psychiatry. He has taught courses in criminal law, the legal status of the mentally ill, and psychoanalytic theory and the law.

Supreme Court Clerk

A graduate of Brooklyn College and editor-in-chief of the **Yale Law Journal**, Prof. Dershowitz served as law clerk to Chief Judge David Bazelon of the U. S. Court of Appeals for the District of Columbia and as law clerk to Justice Arthur Goldberg of the U. S. Supreme Court before joining the law school faculty.

Prof. Ohlin, a sociologist, will specialize on

the problems of cities and criminal law. He graduated from Brown University and earned an M.A. at Indiana and a Ph.D. at the University of Chicago.

Criminal Justice Expert

Professor Ohlin has served with the Illinois Parole and Pardon Board, as director of a project on probation and parole activities at the U. of Chicago, and as part-time consultant for the survey of the administration of criminal justice conducted by the American Bar Foundation. He is the author of **Selection for Parole** (1951) and co-author of **Delinquency and Opportunity: a Theory of Delinquent Gangs** (1960).

His most recent position has been as Associate Director of President Johnson's Commission on Law Enforcement and Administration of Justice, where he has been working closely with Prof. James Vorenberg, who has been on leave from the law school, serving as Director of the Commission.

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Recent Book

A Retouched Portrait of the Hanging Judge

Jeffreys: A New Portrait of England's Hanging Judge by P. J. Helm. Thomas Y. Crowell Company, New York, 1966, \$5.95.

By Thomas Geisler

Rehabilitation, it is said, represents a major goal of an informed legal system. P. J. Helm's new book should therefore be the source of general rejoicing, for he has undertaken to rehabilitate that arch-fiend of Whig history, "Bloody" Judge Jeffreys, England's hanging judge.

Jaws of Death

Generations of Whiglets have shivered at their parents' tales of the fiendish, blood-quaffing Jeffreys casting his prisoners into the jaws of insatiable Death. No more. Mr. Helm's investigations have unearthed another Jeffreys, a man no crueller than his England, a Tory whose good name was besmirched by hate-ridden Whig propagandists and pamphleteers.

Jeffreys bounded up the

greasy pole under the later Stuarts and became Lord Chancellor (at the unheard-of young age of forty) several months after the death of Charles II, history's unrepentant Prince Hal. In 1680 he had cut his links with the City of London, a hotbed of anti-Stuart Whig sentiment, and had chosen the higher path of the Court. His rapid progress through the positions of Sergeant-at-law (1680), Chief Justice of King's Bench (1683), and Lord Chancellor (1685), seemed to attest to the wisdom of that choice.

Unfortunately for Jeffreys as well as for all Tories, Charles was succeeded by his thick-headed brother James II, who soon fulfilled his late brother's unhappy prediction: "I am very much afraid that when he comes to wear the crown he will be obliged to travel again." Fears were rife that James' Catholicism was preparing the way for return of Papal power to English soil.

James' clumsiness in managing his nation only exacerbated the already pre-

carious situation. And when you considered how charming that William of Orange was . . .! Birth of a male Stuart heir was the last straw. Jeffreys, ever-loyal, remained at the helm even as the Glorious Revolution inundated the land. Upon his delayed attempt at flight he was ingloriously seized and locked in the Tower, where he died several months later of natural causes.

Fiery Temperament

Helm's portrait of Jeffreys is of a man bursting with ability, ambition, and ruthlessness to achieve that ambition. His was a temperament of fire: "(h)is anger would come blazing out of a clear sky as the adrenalin was pumped into his system." At the same time Helm argues, somewhat inconsistently, that his darker qualities were well-nigh invisible on the bench, or that at least he was no crueller than the entire legal system.

What is relatively clear is the devotion of Jeffreys to

(Continued on Page 15)

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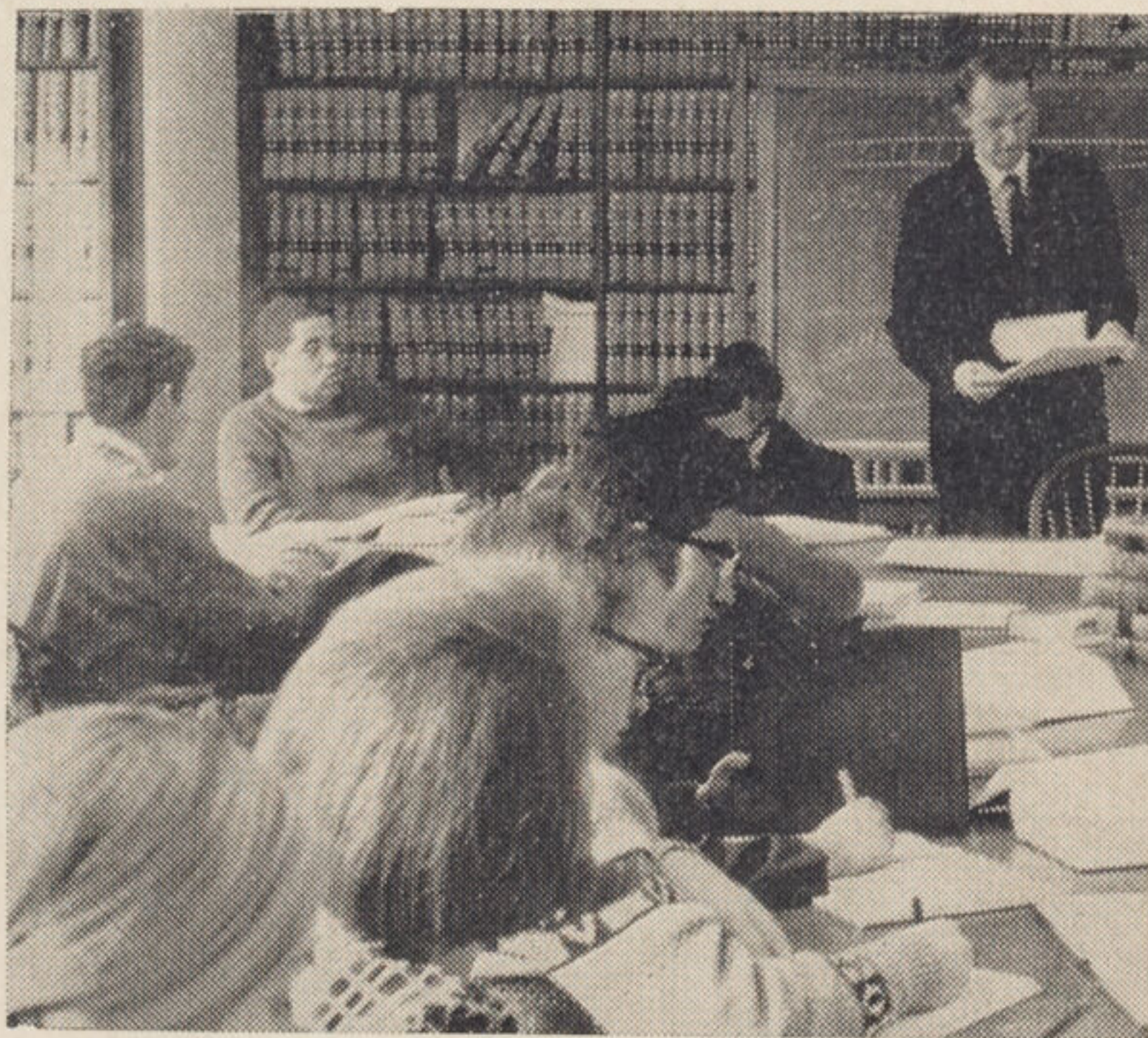
Teaching Fellows

(Continued from Page 1)

pansion of the faculty to relieve this extra load might well weaken the camaraderie afforded by the faculty's present size. And there would be the further problem of maintaining the present quality of the faculty; any expansion which diluted this would hardly be to the students' advantage.

While noting that "experiments" sometimes acquire a self-perpetuating life of their own, Dean Casner expressed the hope and belief that a rational choice will be made as to whether small sections should have a place at Harvard Law School. Since no final decision is anticipated before plans for the 1968-69 academic year must crystallize, the program will extend at least through that year.

The general reaction among those students questioned about this year's program was



'Timid students speak out more easily.'

favorable; most appeared to like the "closer" relation between student and professor. Although the greater informality of small sections was generally praised, there was some feeling that small sections, where each man is shorn of his relative anonymity, may actually increase pressure.

Perhaps the most widespread criticism of the current program was that students felt like guinea pigs who might ill survive the experiment; there was fear that grades would suffer. However, Professor David Shapiro, who teaches a small section in civil

Feel Students Wrote Better Exams

procedure, stressed that this year's participants had been chosen at random, and that there would be no difference in grading at all. It might be noted that this criticism, since based on the limited extent of this year's program, should disappear next year.

Mid-year practice exams for small sections were graded on scales separate from but identical to scales for the larger sections. Hence they provide no objective basis for comparing the two methods. There was, however, at least some subjective feeling among the teaching fellows who did the grading that the books of small section students were somewhat better.

Professor Roger Fisher, who is teaching a small section in criminal law, stated that he remained dubious whether small sections represent the best use of time. Although students talk more often, there is a tendency to relax which results in participation without preparation; the discipline of speaking before a larger group has its value.

Professor Fisher said he feels freer to spend more time on interesting tangential questions and has had his class do some written assignments. Nonetheless, small and large sections are basically similar, too much so; Professor Fisher speculated that the advantages of "smallness" might better be utilized in other ways.

Professor Shapiro said that the small section format gave him the chance to do things he otherwise wouldn't do, such as assigning a take-home written memo on an *Erie*-type problem. He has not noticed any difference in class unpreparedness, despite the greater informality, and has noticed that the more timid students speak out more easily.

Professor John Mansfield, teaching a small torts section, initially suspected that the quality of discussion would be lower in a small section; happily, this suspicion has not been borne out by experience. Although he is interested in giving written assignments, the very great amount of time which they involve has to date limited him to assigning one.

The basic Socratic method remains the

same for Professor Mansfield. But he finds it much easier to be aware of incomplete understanding by the class because the class is freer in expressing its confusion. Thus he knows when to linger over a subject until everyone in the class understands. Though this approach means the class covers somewhat less ground, by this method Professor



'Interesting Tangents'

Mansfield is assured that what he has taught has been learned.

Next year's program of having a professor teach both a small and a large section of a given course may, in Professor Mansfield's opinion, jeopardize the benefits of the small section. The tendency, he believes, will be to keep the two sections in tandem, treating the small section as merely a second run-through of the larger.

In this way the advantages of following the natural rhythm of the small section will be lost. Comparison between the two methods should be made upon experience accumulated over a number of years rather than by a direct A/B comparison which may not adequately represent small sections.

The experimental program of small first-year classes was first approved by the faculty in March of 1966. The current program consists of three small classes of about 35 students each in the fields of civil procedure, criminal law and torts. The students in these classes were chosen by lot.

Young Dems Issue Magazine

"This magazine will help fill the need for Young Democratic Clubs to express themselves on the issues," Mark Ginsburg, 2L, said about **The Harvard Democrat**, of which he is editor. "Obviously Harvard is a good place to begin," he continued, "Since it has a lot of people with good ideas, and with things to say."

Recalling the friction between the Young Dems and the national Democratic Party organization which flared up into the open several months ago, he emphasized that the magazine "allows Young Dems to express their own views on an independent basis." But at the same time, he noted, it is intended to present student and academic opinion together with the views of nationally known Democratic officials.

The first issue, which appeared just before the spring vacation, included articles by Kenneth O'Donnell, former assistant to President John Kennedy, Professor Charles Nesson, and Harvard undergraduate, graduate and law students.

The Harvard-Radcliffe and the Law-Graduate Democratic Clubs cooperated in carrying out the project, and each has "loaned" \$150 needed for the initial financing. Eventually, "we hope the paper will be self-supporting," since it will appear three to five times per school year, Mr. Ginsburg reported,

but "that is always difficult to predict."

The next issue, which is scheduled to appear early in May, will focus on the draft and will include an article by Professor Adam Yarmolinsky.

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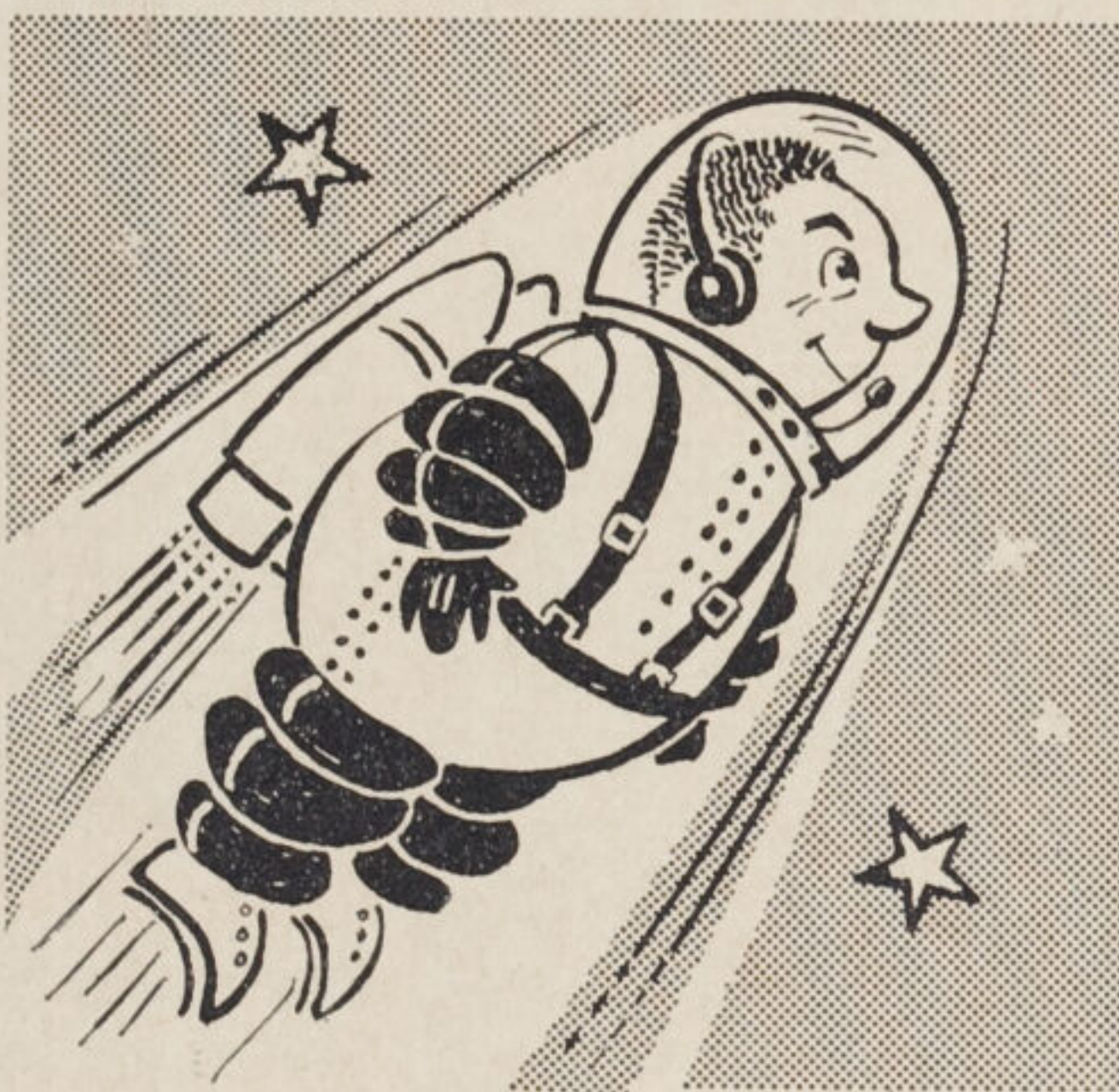
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Study Shows Reports of 'Sadism' Unfounded

(Continued from Page 11)
throne and dynasty. Unlike Coke, he was content to be a lion *under* the throne. His political philosophy was epitomized by the inscription in a ring given the King by Jeffreys as a newly-appointed Sergeant-at-law: *A Deo rex, a rege lex*. Such loyalty did not endear him to the Whigs.

Helm maintains that Jeffreys' purported cruelty is largely the result of pamphlets, such as *The Western Martyrology or Bloody Assizes* (1705), published by Whig propagandists who despised the late Lord Chancellor. These sanguinary accounts were snapped up by such eminent historians as Macaulay. (Helm has few kind words for Macaulay's devotion to accuracy). The "Bloody Assizes," at which Jeffreys tried many of the rebels involved in Monmouth's premature rebellion against James in 1685, illustrate the point.

The usual picture of Jeffreys at the assizes is of a sadistic demon, but Helm's research shows him to have been temperate both in speech and in actions. For example, during the trial of one Alice Lisle, he took pains that her husband's earlier misdeeds would not

reflect ill upon her. And after her conviction for high treason, he gently hinted that she petition the King for mercy. If James only commuted her sentence from the customary burning to beheading, at least Jeffreys does not emerge from the affair a monster. Other instances of purported sadism similarly vanish in the light of Helm's investigations.

Helm's thesis is well presented and apparently well documented; whether it will prevail remains uncertain. As a biography, the career of Sir George Jeffreys is none the less interesting for having been reduced to life-sized proportions, especially as Helm does include some of the juicier excerpts from Macaulay and the pamphlets. Lovers of doggerel will be pleased at the ample quotations from Restoration broadsheets. The book is well-written and a pleasure to read.

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Letters . . .

The catalogue describes these problems as resulting from "the movement of men into cities." (P. 18.) Actually many of these problems also stem from the flight of men (and women) from the cities to the suburbs.

To provide the necessary training the school has added several new courses. Next year Professors Michelman, Nesson, Ohlin, Yarmolinsky, Musgrave and Hall all have new course offerings. . . .

Along with this trend, second-year students are given a larger "zone" of freedom, although they are still stratified in their course selection by the rigid requirement that one must take 2 Division A courses prior to graduation. Symbolic of this new spirit is Introduction to Urban Legal Studies, a new course, and Crime and Society, an old course revised and made available in the second year.

This first step, although long overdue, is in the right direction. With it Harvard has asserted its leadership in an area of pressing concern. The school, its students and society will all profit.

Robert Schafer, 2L

Events of Note

Although "Copyright and Unfair Competition" is not scheduled to be given during the coming academic year, it will be offered if enough students request it. Students who are definitely interested in taking the course are advised to see the Receptionist in Langdell Hall.

* * *

Chief Judge Yorihiro Naito of the Family Court of Tokyo, who is a lecturer this semester at Northwestern University School of Law, will give

a talk and answer questions about the Family Court for members of the classes in Family Law, Juvenile Delinquency and Comparative Law on Friday afternoon April 14, at 4 p.m. in Austin East. Other students are welcome to attend.

The Family Courts in Japan are an institution which has attracted world-wide attention because of the Courts' effective use of lay conciliators in divorce and other cases between husbands and wives. The Courts also handle all juvenile delinquency cases.

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