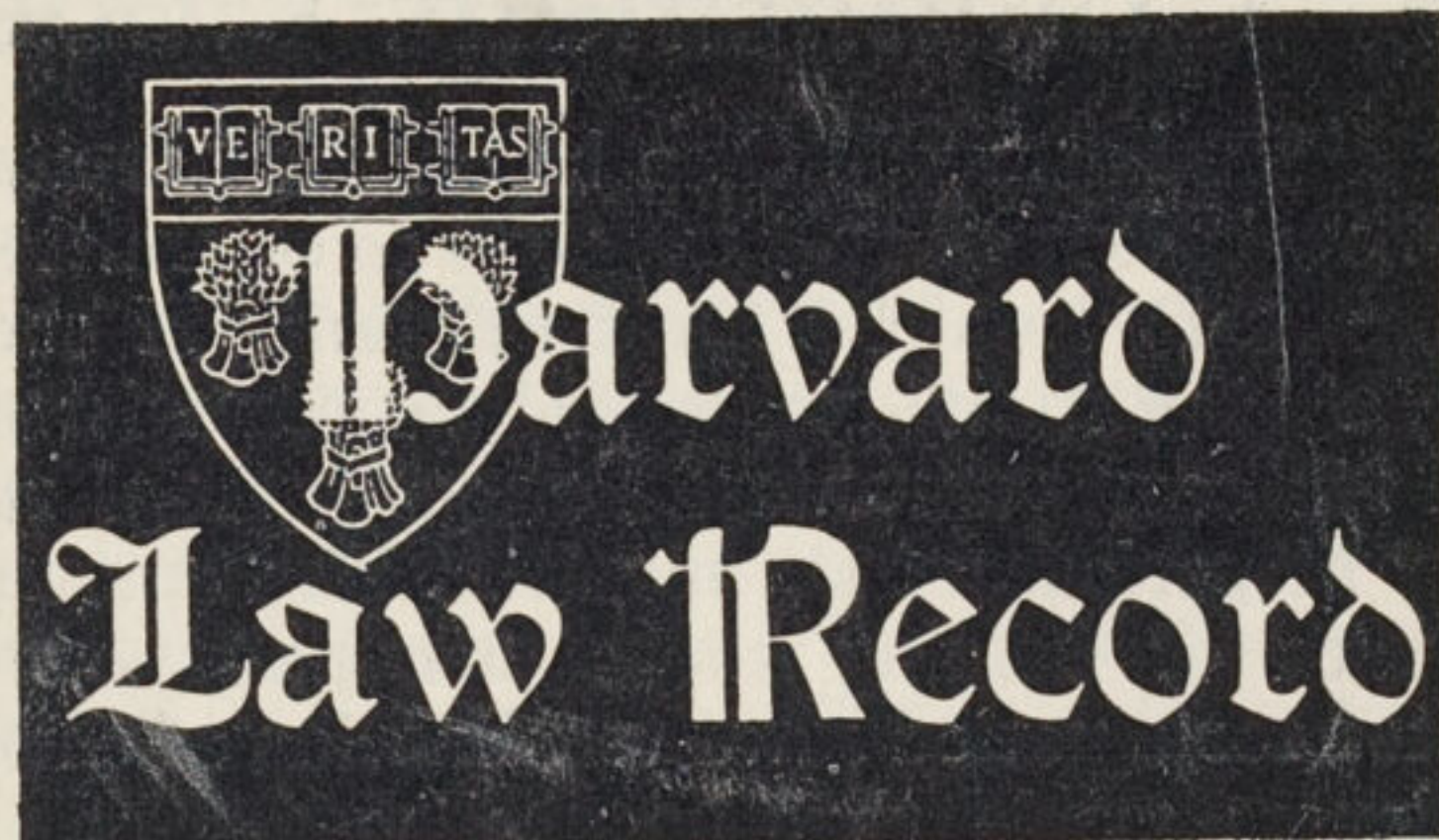




America's Oldest Law School Newspaper

VOL. 45 NO. 8

FIFTEEN CENTS

CAMBRIDGE, MASS.

NOV. 30, 1967

Thanksgiving Break— Wait Until Next Year

A Phillips Brooks House petition signed by about 325 students calling for a longer Thanksgiving Holiday this year met with limited victory Nov. 21 when a meeting of the Faculty voted to add two days to the holiday starting next year.

Their appetites whetted by success, some students are now pushing for abolition of Saturday classes.

But Professor Derek Bok, Chairman of the Continuing Committee on Legal Education emphasized recently that his committee will carefully examine the "costs" of limiting classes to only five days a week.

"One thing people have to realize," Prof. Bok pointed out, "is that you don't get advantages without incurring certain disadvantages." Possible disadvantages according to Prof. Bok include (1) extra classes during the five-day week, (2) scheduling conflicts necessitating 8 a.m. or after supper classes and causing difficulty in arranging an elective program, (3) the problem of reconciling the interests of those who favor Saturday classes with those who oppose them.

Secretary William Bruce noted that the

(Continued on Page 15)

Panel Ponders:

Media and the Riots

"Rebellion is war and war is ugly. It is happening in America, and Americans have the right to know," declared the Negro publisher of Roxbury's **Bay State Banner**, Melvin Miller, at the Harvard Law School Forum Nov. 17.

With him on the panel discussing "The Mass Media and the Riots," moderated by Professor Richard E. Neustadt, were two white, "establishment" newspapermen, Mr. Louis Cassels, a senior editor at UPI, and Mr. Martin Hayden, the editor of the **Detroit News**.

Mr. Miller complained that the big Boston daily newspapers refrained from covering the Boston disturbance last June fully and factually. His paper characterized the event that triggered the trouble as "rioting" by police. The trouble, he said, was that the editors, who were not in Roxbury, passed judgment on their own reporters' reporting, refused to believe what their re-

(Continued on Page 13)



Trial By Jury, the classic Gilbert and Sullivan operetta, will be presented by the Law School Drama Society on Dec. 5 at 8:30 p.m. in the Ames Court Room.
(See story on page 6.)

Chayet Defends New Mass. Commitment Code

"Who do you want to remove from society under a civil commitment label?" Neil L. Chayet, '63, asked Dershowitz Club members Nov. 20 during an informal talk on "Law and the Mentally Ill."

Mr. Chayet, a professor of legal medicine at Boston University, analyzed the crucial questions posed by the commitment, treatment and release of the mentally ill. He argued vigorously in favor of proposed legislation revising the procedures involved in their commitment and treatment.

Twin Problems

This proposed legislation (Massachusetts Senate Bill 1327), which attacks the twin problems of civil and criminal commitment, defines mental illness for purposes of commitment in terms of behavior that the society desires to prevent.

The clearest case is one in which an individual creates a substantial risk of physical harm either to himself or to others, "as manifested by evidence of homicidal or other behavior." Allowance is made for a "very substantial risk" of grave social harm to oneself or other people, evidenced by a loss of property, social position, or professional license. Prof. Chayet conceded that these were not easy questions, that the requirements of evidence probably ought to be greater in those instances where one wishes to commit for reasons of social rather than actual physical harm.

Balancing Act

He insisted, however, that the bill does succeed in balancing those factors which he believes must be considered if the law is to give a meaningful definition to mental illness and to offer a measure of protection to both the individual and the community.

According to Prof. Chayet, the procedural reforms effected by S. 1327 include the barring of indefinite judicial commitment and encouraging voluntary commitment. The present, often abused procedures for criminal commitment would be replaced by a provision for "emergency commitment" by which one might be confined on the signature of a police officer for a period of up to ten days for purposes of preliminary examination.

The burden would then be on the hospital to show before a court why one so committed ought to be retained for treatment. If successful, the individual would be committed, and his case guaranteed formal judicial review at periods of six months. The current practice of holding those criminally committed for a period after termination of their sentences would thus be abolished.

Services Available

Existing law, Prof. Chayet noted, failed to protect the legal rights of the individual while he was undergoing treatment. The legislation under consideration would provide for a lawyer in the hospitals full time to look after those committed — to review their status, challenge unsubstantiated psychiatric and medical reports, and insure that the patients are not forgotten. General legal services would be made available to help



Professor Neil Chayet

A Failure in Existing Law

those mental patients with domestic prob-

(Continued on Page 10)

Not as a Stranger

Prof. Enjoys the Teacher's Side of Things

Replacing Dean Griswold as a teacher of taxation is no simple task. However, according to Acting Dean A. James Casner, the Law School is "very lucky" to have obtained Keith Jones as lecturer of law to teach the Dean's tax class for the remainder of the year.

Mr. Jones, who is twenty six years old, is no stranger to Harvard University, having graduated from the college in 1963 and the Law School in 1966, in each case magna cum laude. At the Law School he was a member of the Review. Last year he taught contracts and taxation as an assistant professor at Boston University Law School (in Dean Casner's words, "with tremendous success").

He has praise for the ability of the class to adjust to the transition. "My class has responded gallantly to the change," he said. "It's not every day that the Dean of the Harvard Law School is replaced."

Being only a few years older than most of his students is the source of mixed feelings. Mr. Jones said that he felt he could sympathize quite readily with the students, though he hastened to add that this was not to say that others don't. "When people are hesitant to speak up, I feel a certain empathy."

Mr. Jones enjoys being on the teacher's side of the Socratic dialogue. He noted that a student's time and mental energy were neces-

sarily divided among all his courses. Mr. Jones feels that as a teacher of tax he is able to give the subject much more undivided attention, which lends itself to greater understanding and is "very satisfying."

Since he is just beginning to teach, he feels that he is "still learning," with a lot more to learn than someone



Keith Jones

with more experience. In a way, however, this is advantageous, since it tends to make questions raised from the floor more of a challenge.

Jones admitted to being a fan of Anthony Powell's novels, and he plays tennis to stay fit. "You'll probably want to add, he said, "that I drive an ancient Porsche — which I got in an even trade for a Volkswagen."

Before his appointment at

the Law School, Jones had been studying at the Business School toward the degree of Doctor of Business Administration under a Ford Foundation grant. His projected field there was business policy, the strategy of long-range planning for corporations and other organizations.

Dean Casner, in commenting upon the appointment, emphasized the Law School's good fortune in obtaining a person of Jones' caliber. "The goal always is to get a qualified person capable of giving a full commitment to teaching," Dean Casner said. "The problem in this instance was magnified by the fact that the academic year had already begun."

He observed that it was difficult at such a time to go "Downtown" to find a replacement for Dean Griswold, since fulltime teaching is generally too heavy a burden for practicing lawyers. The alternative of redistributing the teaching load among the existing faculty might well result in significant burdens, such as interruption of research plans.

Besides teaching taxation at the Law School, Mr. Jones is involved with Economics 140, a College course on managerial economics. He is also a resident tutor in Kirkland House, where he tutors sophomores in economics and advises undergraduates interested in law and business schools.

Diversity Flourishes in Law School's F

By Robert Sawyer

EACH INVITATION to some noted expert or celebrity states what the Harvard Law School Forum is — non-partisan, non-profit, and student-run, with no other reason to exist than to bring interesting people together with an audience which would like to hear them.

It all began in the hectic days just after World War II when thirty returning soldiers founded the Forum in memory of fellow students who had died in the War. With Jerome Rappaport as the first president, and Dean Erwin Griswold as patron, the Forum began its illustrious history of programs on March 8, 1946, with a discussion of the war crimes trials. Within two years, it achieved the status of a Massachusetts non-profit corporation, and its programs were being given regular radio coverage for rebroadcast on Sunday nights.

The publicity posters since those days line the walls of the crowded Forum office at 23 Everett Street, and three huge cabinets tell the story of the past twenty-two years with the volumes of correspondence filed under the names of the persons invited. John Day's files at WHDH radio include recordings of Forum broadcasts since 1960, and provision is now made for a permanent tape library. Without much trouble a scholar could reconstruct a history of the United States post-war period through these records. The Forum has had an uncanny ability to select the pressing issue and to attract the person who poses the solution finally adopted.

IN ADDITION TO a president, the venerable Forum constitution provides for three vice-presidents — programming, administrative, and promotional — a secretary, and a treasurer. Among these six men the responsibilities for the series are divided. Four directors and past-presidents complete the board. There are plenty of past presidents because the Forum elects new officers each

Mr. Sawyer, a member of the third-year class, is the president of the Forum.

semester, a fact which greatly reduces academic failures and greatly improves resumes. First year students spend one semester as candidates before being elected members. The 50 members meet formally twice a semester to suggest topics and speakers.

An average program costs \$700 and 300 single admissions must be sold to break even. Fidel Castro was the most expensive program, costing \$8,700 with a \$500 net loss.

Just how things are done is a secret recipe, passed on by the memory of generations. Invitations go to people who Forum members believe have something to say. Unlike the Forum's esteemed counterpart at Yale, the officers don't "start at the top and work down," inviting first Lyndon Johnson, Elizabeth II, and Paul VI.

Sometimes an invitation declined becomes as famous as one accepted. When the Forum invited Nikita Khrushchev to speak while he was visiting the United States as head of the Soviet delegation to the fifteenth session of the General Assembly, he replied with an eight-page telegram dated September 14, 1960, and reprinted in the September 17 issue of the *New York Times*, complaining of travel restrictions but declaring: "I am confident, however, that better times will come in the relations between our countries."

ONCE AN ACCEPTANCE is received, an auditorium must be chosen based on the expected crowd — Ames 500, Lowell 955, Sanders 1220, Rindge Tech 1500, Soldiers Field (used once) 10,000 plus. Charles Coulson at the Faculty Club orders the menu and the dinner wine to the Forum secretary's specifications. Norma Greene at Harkness Commons reports on preparations for the reception. If an ambassador or head of state is coming, William Anderson, the University Marshal, flies that nation's flag from University Hall. Clifford Fleming and his printers receive the copy for the posters (green and yellow evermore), the tickets, and the program. And through it all, Helen

's Forum of Ideas

ces keeps the buzzing staff room in reasonable order.

The IBM 407 accounting machine in the computer center whines and produces mailing address labels for the 400 season ticket holders and 100 news media which receive announcements.

Etta at Crimson Travel Service fills a request and sends out plane and hotel reservations to the speakers. The Forum operates on a limited budget and cannot afford to give an honorarium, but does pay all expenses. Through it all, Forum tickets are still only \$1.

Wednesday before, announcements are chalked on the blackboards in the seven large Law School classrooms (though constantly in danger from the eraser-wielding hands of certain teachers). Hawkers appear at the foot of the ramp in Harkness Commons; Miss Marion Balmair, the Langdell receptionist, begins receiving inquiries; and University Police Chief Robert Tonis assigns from one to twenty officers, depending on the

topic — usually these days on whether it has anything to do with foreign affairs.

Then planes are met — with flowers for female panelists.

AND SUDDENLY it is about 6 P.M. at the Faculty Club reception in room one, and the Forum staff members, their beautiful dates, several faculty members, and Dean A. James Casner, greet the honored guests, entertain them with dinner, and escort them to the lecture hall.

A long tradition requires the Forum president to introduce the evening's moderator with a monologue so witty that Johnny Carson would blush in envy. The president must prepare the audience, tickle their funny bones, feed their anomosities, draw a little blood at the expense of the speakers to prove they're human, subtly weave in enough about the topic to make all present feel like insiders, and sit down within five minutes. Speakers love this part because they look so good by comparison.

Then the moderator takes over. He may be quiet and thoughtful this night or a power to be reckoned with. When a questioner asked Ramsey Clark about a suit in Michigan against draft card burners, moderator Erwin Griswold broke in after these few words to comment: "First of all you are wrong in three things — it wasn't a suit, it wasn't in Michigan, and it wasn't about draft-card burning." But then he presented the corrected question to let Ramsey Clark grapple with it.

Opening statements by the speaker or panelists are followed by a question-and-answer period.

THE AUDIENCE claps its favorites, hisses il-liberal statements, hisses any favorable mention of law or law school, never gives a standing ovation, gives rapt attention when it wants to, laughs when the speaker didn't mean to be funny, and, so far, has never demanded its money back, although one patron of the outdoor Castro program did remark, "April in New England is

(Continued on Page 15)



Forum Office Wall

Operetta Satirizes Common Law

Pres. and Mrs.
Johnson to Attend

One of the most famous court-room trials of musical literature will come to life in the Ames Court Room on Tuesday Evening, Dec. 5, when the Law School Drama Society presents a special performance of Gilbert and Sullivan's *Trial by Jury*.

Acting Dean A. James Casner and Dr. Howard Johnson, President of M.I.T., have accepted invitations to attend the play. Members of the Law School faculty and their wives have also been invited.

This classic operetta presents a satirical commentary on the legal traditions and heritage of the common law. It is a parody of the English Courts in the 1870's as seen by Sir W. S. Gilbert, himself a barrister-at-law.

Tuesday's production will be unique, for the Ames Court Room is expected to provide not only a natural setting, but a legally sophisticated audience as well.

Trial by Jury will be performed by the M. I. T. Gilbert and Sullivan Society,

one of the outstanding Gilbert and Sullivan groups in the Boston area. The players received excellent reviews when they presented the operetta at M. I. T. earlier this fall, and the Law School Drama Society subsequently invited them to perform it for the enjoyment and edification of the Law School community.

This production is the first endeavor by the Drama Society to bring to the Law School appropriate theatrical fare from the surrounding area. If successful, the society will try to arrange similar productions in the future.

The Drama Society is also hopeful that the production will remind students of its auditions for the spring "Law School Show," an original musical comedy which is the society's major activity.

Tickets for *Trial by Jury* are priced at one-half dollar, and are available at the Harkness Commons newsstand, the Langdell Receptionist's Desk, the Kresge Auditorium Box Office (M.I.T.), and at the door.

Events of Note

"Abortion — The Issues" will be the topic of a meeting of the Law School Forum Monday, Dec. 4, at 8:30 p.m. in the Ames Courtroom. The panelists will be Dr. Allan Guttmacher, President of Planned Parenthood World Population, The Rev. Robert Drinan, S.J., and the Hon. A. Blumenthal.

* * *

For students participating in the visitation program at the Massachusetts Correctional Institution at Concord, there will be a brief meeting on Tuesday, Dec. 5, at 5:15 p.m. in ILS-1. Students who are interested in joining this program are also invited to attend.

* * *

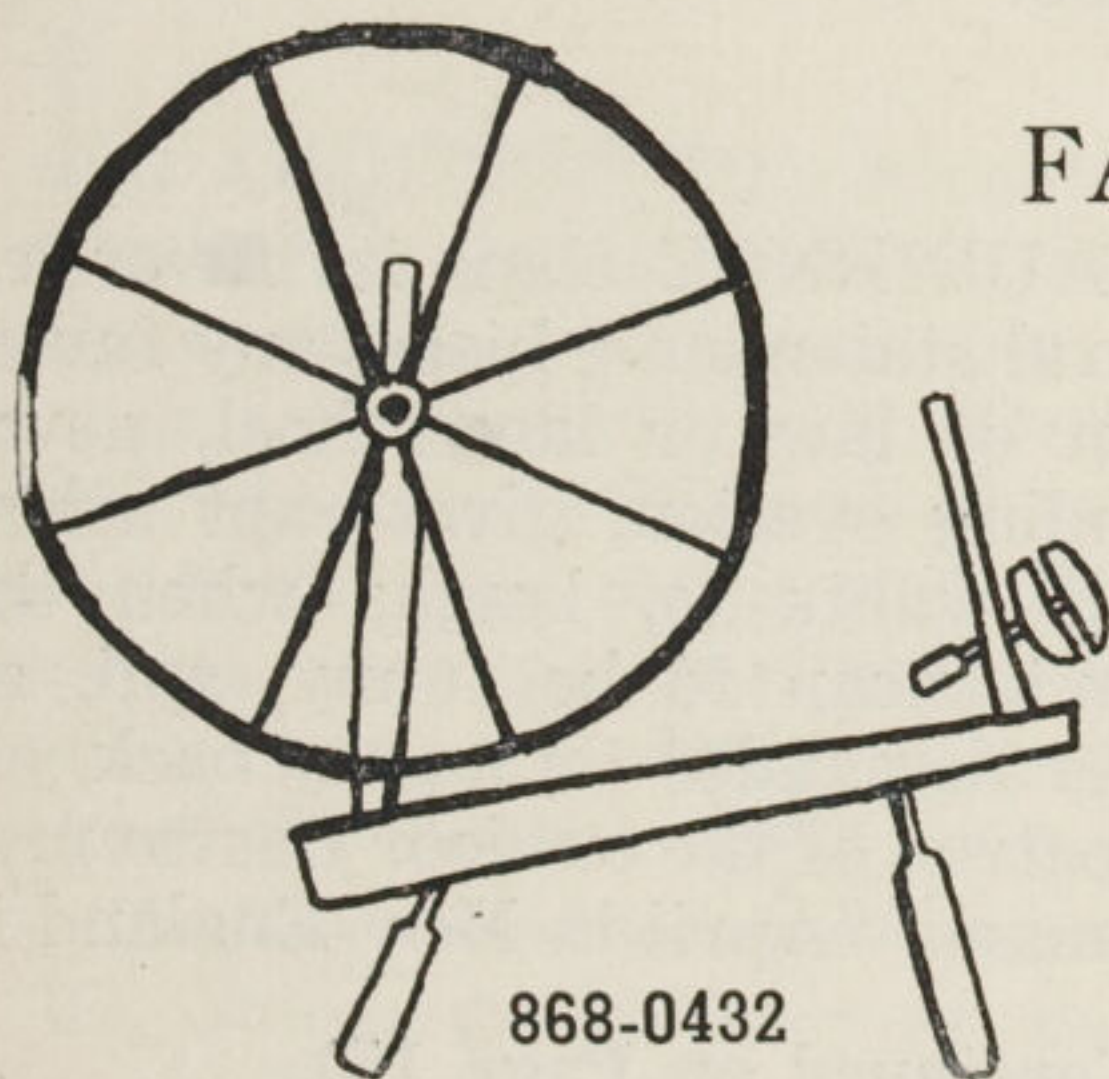
Auditions for the 1968 Harvard Law School Show will be held in the Meeting Room of Harkness Commons on Wednesday and Thursday, Dec. 6 and 7, from 7:00 to 10:00 p.m., and Sunday, Dec. 10, from 2:00 to 5:00 p.m. Actors, singers, and dancers are needed, and all interested persons are urged to try out. The Show will be performed in March.

* * *

Prof. Myres McDougal of Yale Law School will speak on "International Law Theory Today," Friday, Dec. 1, at 4:15 p.m. in the Harkness meeting room. Following the talk there will be a reception for Prof. McDougal, the faculty, and members of the International Law Club.

* * *

The International Law Club announces the election of the following students to the Executive Committee for the academic year, 1967-68: Herbert Morais, Vice President for Graduate Students; Robert Forward and Gary Sutton, Second Year Representatives; and Duncan Galder, Frank Mwine, and Constance Vecellio, First Year Representatives.



FABRICATIONS

Widest Selection
of Worsted Wool Knits
in Cambridge
also

Graphics
from London Arts
1724 Mass. Ave.

868-0432

Lincoln's Inn Gets an Extra Lease on Life

By John Spitzer

Threatened by "a deteriorating financial condition," the future of Lincoln's Inn looks brighter now after the first two weeks of an alumni fund drive for capital repairs. As of Monday, Nov. 27, a total of \$17,648 from 475 alumni had been received.

"The plumbing is full of leaks and the wiring is dangerous," commented William Samuels, 3L, President of the Inn, as he pointed to the ceiling cracking above a dining room from water seepage. "There is a roof beam about to break and this house hasn't been painted in seven years."

A trip to the kitchen revealed woefully obsolete facilities packed into a tiny area of about 80 square feet. "Most apartments I've seen have bigger kitchens than this," Samuels asserted. "A housewife would have difficulty making a meal for a single family in here, while Mr. McFarland has to prepare meals for a 100."

Harvey Clapp, 3L, chairman of the drive, pointed out that the Inn had two alternatives to avoid going under as the Chancery Club did when subsidized meals were made available at Harkness: raise dues or conduct the alumni drive.

"We decided on the latter because we didn't want to raise fees to the point where wealth became a very important factor in joining the Inn," added Samuels. "The

feeling of the Board of Governors was that if the Inn was only for wealthy students it had outlived its reason for existence at the Harvard Law School."

"It was hoped that the alumni of the Inn would come to the Inn's aid, which would allow it to invest in improvements to make the Inn more self-sufficient." Samuels explained that if the drive continues (toward the goal of \$34,000), the Inn will be able to buy modern kitchen equipment such as a freezer, an oven to bake cake in, a french fryer, and a grinder for left-overs.

"We've been gratified by the generous response of the alumni so far," added Samuels. "While we realize that there are other causes which may be more crucial in today's society, the students at the Inn appreciate the benefits that will spring from the continued existence of the Inn, a place which de-

creases the impersonality of graduate life at Harvard."

Samuels hoped that the Inn will continue to have a broad appeal to the student body. Foreign students are given free memberships in the Inn and those unable to meet initial dues (now about \$110) are given long term loans with no interest. A student wishing to join should ask a present member of the Inn to put his name up for a membership smoker held early each semester.

Founded in 1908, the Inn has moved several times before acquiring its present house at 44 Follen St.

Lincoln's Inn is the last extant Law School eating club. Financial burdens caused the Chancery Club, begun in 1926, to shut its doors in 1963. The only other eating club at the Law School, King's Bench, disbanded in 1956 after nine years of operation.



Luncheon at Lincoln's Inn
Financial Food for Thought

Of Turkeys and Sour Grapes

The decision at the plenary meeting of the Faculty last week to abolish classes on the Friday and Saturday after Thanksgiving was a wise one and consonant with the realities of life. These days are already part of a Thanksgiving Recess for the greater part of Harvard University, and law students even before this decision have been known to take a *de facto* break. Abolition of classes on these days will put a little more "thanks" in Thanksgiving, for all concerned.

The change, however, is only prospective, which brings to mind the observation that the present third-year class has the distinction of being the last to know "the way things used to be" at Harvard Law School. The Class of 1968 will be able to cherish fond memories of classes in the first year which bulged against exams without any reading period, a complete absence of small sections (except at such times as the Friday and Saturday after Thanksgiving), the security of a full phalanx of second-year required courses (which cut to a minimum the trouble of schedule-making), and three years of post-Thanksgiving classes. The Class of 1968 seems, in the strictest sense, to have been a catalyst, since it has helped initiate changes, but has remained virtually untouched by them.

R.S.V.P.

Please return the surveys!

Harvard Law Record

John D. TePaske President
Allan Roy Freedman Executive Editor
Thomas Geisler Managing Editor
Jack Tate News Editor
John W. Harris Photo Editor
John B. Spitzer Corporation Secretary
Richard Goldman Business Manager

Photographers: Steven L. Stern, John Cooper, Ira Finkelstein and Alex Humphrey.

Cartoons by Charles Sherwood.

Staff: Raymond Sawyer, Edward Hines, James McPherson, J. D. Gernant, Stephen Goddard, Robert Bares, Richard Hoffman, Lawrence Gartner, Chris Walker, Roger Lowenstein and Jack Chenoweth.

Published on Thursdays ten times each semester by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge, Massachusetts 02138. Subscription price: \$2.50 per semester \$4.75 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 868-7600, extension 4418.

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.

TONGUE 'N CHEEK

By Fenno

About a week ago I was wandering along some corridor in Langdell trying to regain enough energy to face estate planning again when I heard a discussion crackling behind a locked door and smelled an unidentifiable aroma mingled amidst the usual pipe tobacco smoke.

"... all right, all right you guys, settle down. So we've decided not to give the little devils a Thanksgiving vacation this year. Professor Xerxes, would you like to handle the ceremonial burning of the student petitions?"

"I'd get a kick out of that, sir — something to talk to the wife about tonight. But don't you think we ought to give some reasons before we go ahead with the burning?"

"Reasons. Of course we must have reasons. Come on you guys, let's get some reasons out so we can go home."

(Silence.)

"Come now, you must be able to think up some reasons. You there?"

"I'd rely on the Slippery Slope argument, sir. If we give them Thanksgiving off, then it will be St. Patrick's day next, then the Princeton game, perhaps birthdays — when will it ever stop? I don't see how we can draw the line at Thanksgiving."

"Excellent. Excellent. Some more now."

"Not a timely filing of the petition, Mr. Chairman. We didn't have enough notice to adequately weigh the request."

"Now we're going —"

"The reliance interest, sir, that's always a good reason. So many students have already relied on coming to classes Friday that it would upset them terribly to have to rush around making vacation plans now."

A broad chuckle broke out among those present, and I sadly began to wend my way back to the Main Reading Room, not being able to help from thinking along the way that law professors are going to pot.

Letters to the Editor of the RECORD

Ice Skating Rink For Law Students

To the Editor:

A friend recently sent me an editorial which appeared in the *Columbia Law School News* regarding the J.D.-LL.B. controversy now raging at Columbia. A portion of the editorial is of interest to Harvard lawyers, and I am pleased to pass it along for its amusement value: "In spite of the opposing arguments of many faculty members, it seems that the faculty resistance stems not so much from these stated arguments but from the unstated one that Harvard has not contemplated the change. If Harvard were to convert to the J. D. tomorrow, one cannot help but feel that Columbia would do so the next day. If Harvard were to convert its library into a gymnasium, would Columbia also follow?"

Sound policy considerations would seem to militate against converting Harvard's library into a gymnasium. For one thing, ade-

quate facilities are already available for those who enjoy indoor sports.

I have, however, another suggestion: Why not flood the library floor with water on weekends? A few minutes at normal room temperature in the library would result in a charming ice skating rink. The School could charge a small admission fee and use the profits to defray the medical expenses of students who suffer from frostbite because of library use during the rest of the week.

Of course, some reasonable restrictions would have to be imposed. For example, large bonfires would have to be forbidden—smoky ceiling, etc. On the other hand, I wonder whether it might be possible for students who use the library during the week to bring a little firewood along in their briefcases. The friendships which would develop while huddling about the small fires would indeed be pleasant consolation in this large impersonal school of ours, and, as a practical matter, thawing out one's extremities occasionally

would certainly facilitate page turning, writing, and so on.

Robert A. Johnson, 2L

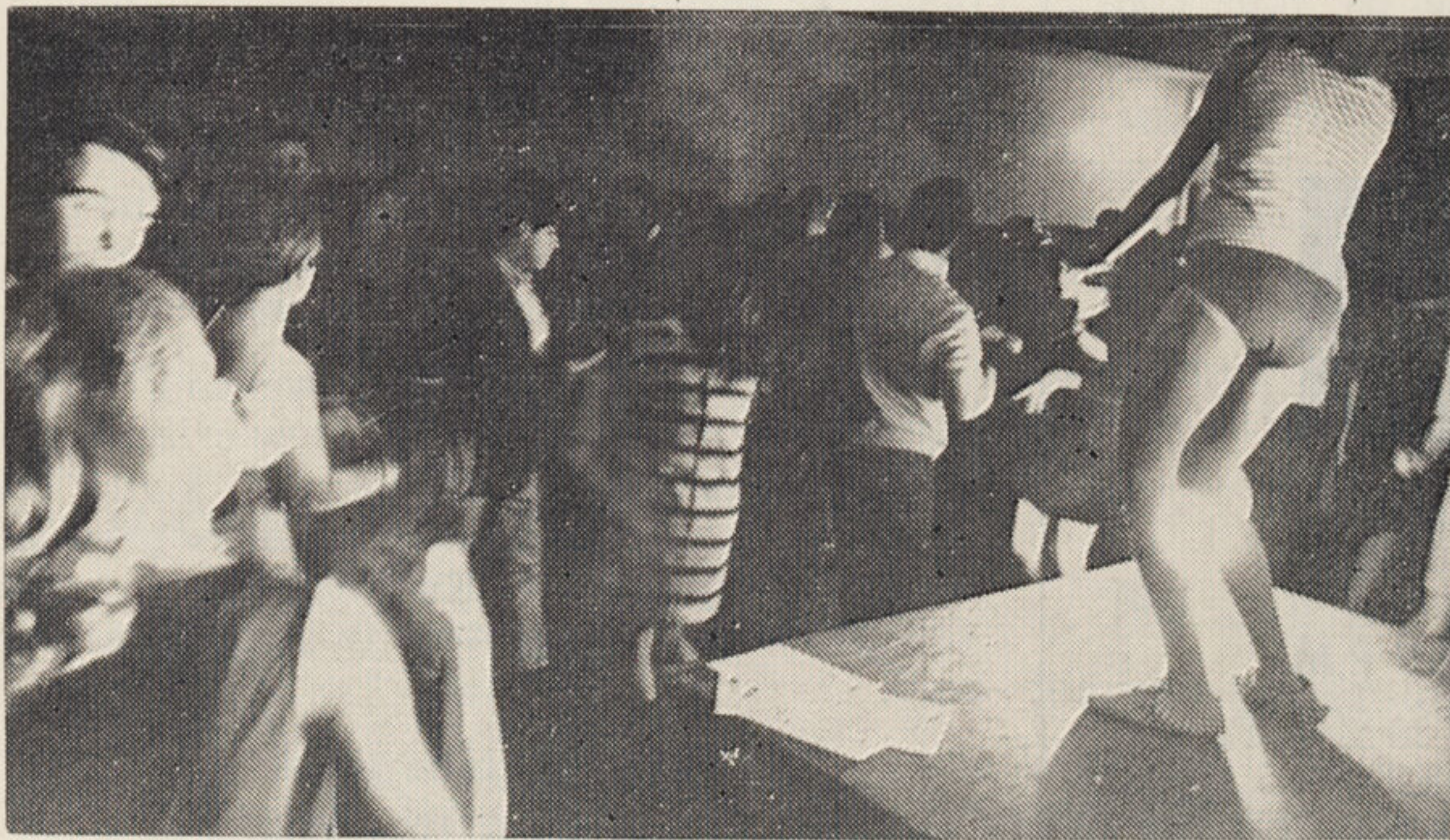
Voicing Dissent To the Dissenters

To the Editor:

Can it be that at an institution such as Harvard Law School there is an unanimous point of view with respect to the Vietnam situation? Assuming that your editorial "A Model Meeting" indicates some modicum of dissent to the dissenters, what voice has been given them? How are they to make a ripple against the radiated wave contemplated?

Despite the half-hearted efforts to avoid a "Harvard Law School position" as distinguished from that of a portion of the faculty and student body, I for one oppose vigorously any identification whatsoever of the Law School with a position which must prove historically embarrassing.

Arnold R. Krakower, '38
New York, N.Y.



Photos by Alex Humphrey

Go-Go Girls at a Law School Mixer

De Minis Curat Lex



Law Text and Reference Books: First Resort to the Coop.

Look no further than the new Coop Bookstore on Palmer Street for Law text and reference books. A special section on the Third Floor is devoted to Law text and reference material. All books are prominently displayed along wide carpeted aisles and arranged so that you can find what you're after as quickly and easily as possible.

Looking for leisure-time material? Drop down to the Second Floor of the Bookstore. You'll find more than 20,000 paperbacks plus a varied selection of records unequalled anywhere.

For study-time or leisure-time material, use the Coop Bookstore as your convenient, one-stop Book Shop.



1400 Massachusetts Avenue
Cambridge, Mass. 02138

Thurs: Open 'til 9 P.M.

Reg. Hours: 8:50-5:30 Mon.-Fri.
Sat: 9:00-6:00

Park free at the Church Street Garage for 1 hour
with a purchase of \$3.00 or more at the Coop.

Chayet...

(Continued from Page 2)

lems, outstanding debts, or claims against property rights.

Changes in the attitude and approach to the problems of mental health are slowly coming, Prof. Chayet observed. Publicity and improved medical techniques have corrected a number of the more flagrant abuses.

The greatest abuses, he noted, have occurred in the area of criminal commitment. The professor documented his point by reference to several cases wherein men awaiting trial for misdemeanors have been allowed to languish in Bridgewater State Hospital for periods of nearly fifty years. "Should they be in a maximum security institution with the poor facilities Bridgewater has," he asked, "without the benefit of independent determination of their ability to stand trial, forgotten even by the law which placed them there?"

Heal Thyself

Prof. Chayet was only somewhat less critical of the role of the physician in determining whether or not one accused of a crime is competent to stand trial. "Ask any doctor," he said, "what constitutes incompetency for purposes of trial. Most will answer that [the accused] are 'sick,' 'in need of help.'" Questions that relate to whether or not the man understands the nature of the proceedings against him and whether he can cooperate with an attorney in preparing a defense "are neither asked nor answered."

Revision of the statutes governing criminal commitment to set forth new criteria by which competence to stand trial would be measured is necessary to provide a greater measure of protection for those accused but thought to be incompetent to stand trial, he said.

What Is to be Done

There remains much that should be done, not the least of which is a reexamination of the law as it relates to the mentally ill. "The law," Prof. Chayet concluded, "must be changed to meet the demands pressed upon it."

Atkins Aftermath:

The Making of a Boston City Councilman

By Roger Lowenstein

Harvard Law School student and faculty participation is being credited by Boston City Councilman-Elect Thomas Atkins, 2L, with making the crucial difference in his remarkable seventh place victory in the Nov. 7 election. Altogether three hundred student volunteers worked throughout the campaign, either coordinating student recruitment in the Greater Boston area, training and acting as poll watchers, or merely stuffing envelopes and organizing campaign literature in the basement of Langdell Hall.

Two professors played key roles in the campaign. Prof. Charles Nesson was chairman of the overall strategy committee, a group of Atkins' top advisers who met every Monday at the Law School to plot the course of the campaign and meet the crises as they arose. Prof. Frank Michelman was in charge of many of the substantive campaign issues as Atkins' director of research, and

played a major role in the successful development of the primary issue, Atkins' demands for "structural



Tom Atkins

changes" throughout the municipal administration.

A unique feature of the Atkins campaign was an individualized letter writing campaign to people in each ward, engineered by Prof. Michelman. This technique, added to the blanketing of every precinct with volun-

teers on election day, contributed to the "welding of the most effective political group in the city," according to Atkins.

Atkins is thankful not only to the Law School personnel who actively assisted his campaign, and to the numerous alumni who wrote in following a previous RECORD article to wish him luck, but also to the professors and administrators who have been more than understanding in his attempt to be a full-time candidate and student in the weeks prior to election.

Prof. Nesson believes that never before have so many law students acted in a coordinated fashion to affect an event outside the school. He attributes the great interest aroused by the campaign to a growing student demand for direct participation in political action.

Some of the law students most involved in the campaign coordination were Ed Dauber 2L, Charles Beard 2L, Diane Van Wyck 2L, Jane Lakes 2L, Edward Howard 2L, Monte Estes 2L, and Peter Burling 1L.

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

The shortest path to
person-to-person banking

YOUR HARVARD TRUST
FULL-SERVICE OFFICE

Berlin Judge Supports Four Power Talks

"It is time to have negotiations, under Four Power control, to rebuild communications between East and West Berlin," Dr. Ernst Pakuscher, Judge of the Supreme Court of Berlin, told the International Law Club at a luncheon on November 15.

Speaking on "The Legal Status of Berlin," Dr. Pakuscher briefly reviewed the origins of the Four Power status of Berlin and the subsequent developments that resulted in gradual incorporation of the sectors into the two Germanies. The first step in the separation of the city came when West German currency was declared to be the only valid currency in the western sectors. Until

that time the weak East German currency had been acceptable as well, preventing rapid economic development in the western sectors.

Since 1951, the Judicial Courts of the Federal Republic (West Germany) have been allowed to take Berlin cases, according to Dr. Pakuscher, "with the exception of those under the Federal Constitutional Court."

Despite the 1961 Wall and great differences in political orientation of the two halves of Berlin, Dr. Pakuscher noted that the relationships of the two Berlins to the two Germanies are almost identical. Any law passed by either of the two national parliaments must be passed

by the city governments as well.

Neither East nor West Berliners are allowed to vote directly for the national parliaments, but only for city councils which delegate members to sit on the national bodies without voting powers. And neither East nor West Berliners are draftable into the respective armies.

Since it is the "desire of all four powers administering Berlin to keep their control alive," Dr. Pakuscher did not think that any meaningful negotiations aimed at reunifying the city could be effected except under Four Power auspices. The great need for movement on the part of the powers is underscored by the effect which the Wall has upon the lives of East and West Berliners alike. "Citizens of West Germany can cross the Wall," he pointed out, "but West Berliners cannot."

Harkness doldrums? Try

The Tasty

*"A little restaurant
with lots of esprit."*

Right in the Square

**THE MISSES
LITTLEFIELD**

HARVARD SQUARE

*Professional
Typist*

Room 306

4 Brattle Street TR 6-7495

SQUASH RACKETS

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
#1 Tennis Retailer 1967

MOVING?

Reserve Your Date Now

Boston's Oldest Moving Company

United Van Lines Agent

Free Estimate and Advice on Packing, etc.

William McDonald Co.

34 E. Concord Street

Boston, Mass.

CO 6-3388

SAKS FIFTH AVENUE

UNIVERSITY SHOP

*Complete selection of
MEN'S CLOTHING
in traditional styling.*

SAKS FIFTH AVENUE

73 Mount Auburn Street

Cambridge

EL 4-7120

The Media Make the Message

(Continued from Page 1)

porters saw, and so refused to print their reporters' stories. He assailed the editors' "desire to keep everyone hermetically sealed" and "protected" from the truth.

Mr. Hayden discussed the problems news media have in covering riots. The main one is that the normal source of news for what is happening in a city is the police department and its official, public records. During the Detroit riot, the police radio broadcast the wildest rumors and reports that were called in. There was no time

tion became difficult or impossible.

Court dockets became so clogged and confused that that source of information was closed. The fire stations ceased all record-keeping: fire trucks never went back to their "home" stations; they returned to a field for dispatch anywhere in the city, and so another normal news source was choked off.

What did the press and television contribute to the riot mania that gripped the nation last summer?

The concerned newspapers had for some years printed articles on how deprived and underprivileged the ghettos were; that led, thought Mr. Hayden, to a feeling in the ghettos that they should do something about it.

More specifically, television especially, thought Mr. Cassels, contributed to the feeling of actual **need** to outdo in property damage the destruction of the previous week's riot in another city. "Rioting," he said, "became almost obligatory to make clear the depth of their grievances." He noted in Detroit, where he was sheltered from National Guard fire



Louis Cassels

The TV Tube Distorts

("far deadlier than snipers' fire") by Negro families, a feeling almost of "civic pride" in some rioters that they had surpassed the destruction figures of Newark.

Mr. Cassels regretted the vivid portrayal of rioting that is possible on television, and thought at least that television cameras, and microphones could be made more inconspicuous, so that rioters would not "perform" for the cameras and thus distort the coverage.

— GERNANT

A desire to outdo previous riots

to make records of people arrested. "No city," said Mr. Hayden, "is set up to arrest 3000 people within 48 hours and 7000 in a week." Those arrested were locked up, and finding a particular person in a particular jail or institu-

PROTECT YOUR APARTMENT

If you occupy an apartment, the most efficient and economical way of insuring your PERSONAL PROPERTY is through the "New tenant's package form." Complete protection against loss by fire, theft, liability and many other perils is provided by a single policy and premium.

W. T. PHELAN & CO.

INSURANCE AGENCY, INC.

Harvard Square at 11 Dunster Street, (street floor)

Telephone 876-0876

Travelers Insurance Co.
Hartford Fire Group

Aetna Casualty & Surety
National Fire Group

Insurance since 1898

Francis W. Phelan

Paul J. Aiken

Richard R. Ramsey

BRODIE AUTO RENTALS

Lowest Rates
in Harvard Square

491-7600

90 Winthrop St.

Rackets Restrung Tennis and Squash Shop

#1 Tennis Retailer 1967
67A Mt. Auburn St., Cambridge

DISCOVER . . .



**. . . 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, (based on 1967 dividend scale, which cannot be guaranteed), costs only \$24.70 a year, starting at age 24 — that's really economical protection! And it is **AUTOMATICALLY 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.

***NO ONE WILL CALL ON YOU.**

Life Insurance Department

Phone: 864-8700

CAMBRIDGE SAVINGS BANK

Right IN Harvard Square

Forum...

(Continued from Page 5)

no time to be sitting out at night."

After the program the speakers and their guests retire with the Forum members and other lucky invitees to a reception and refreshments. Speakers generally love this final touch as they stand or sit with a band of avid disciples who hang on their every word and tipple.

The Forum has been blessed from the beginning with the support of the Law School and good reputation throughout the land, no mean trick given the variety of speakers and the currency of guilt by association. For Forum believes, of course, that even a threat is to be heard, subject to questioning, and evaluated, with faith in the ability of people to choose for themselves.

Thanksgiving...

(Continued from Page 1)

Committee will probably take into consideration, not only the technical scheduling problems and the opposing viewpoints on the merits of Saturday classes, but also the impact the absence of Saturday classes would have on Harkness Commons Dining Facilities.

Several student critics of the present system have indicated that the scheduling problems may be illusory in the sense that they could be solved by beginning the School year a week earlier, reducing the course load, or reducing the hours per course.

Professors on the Continuing Committee on Legal Education include, in addition to Mr. Bok, Acting Dean A. James Casner, Archibald Cox, Clark Byse and John Mansfield.

Law School Supplies
Brief Paper and Brief Covers
BENCE PHARMACY
At the end of Everett Street

CRONIN'S
114 MT. AUBURN ST.

Famous for Steaks
Chops & Sea Food

\$.99 SPECIALS

Good Food on a
Student's Budget

Choice Liquors, Wines and
Imported Beers

—SAMPLE DAILY SPECIALS—

Soup or Juice

Roast Rump of Beef

French Fries — Tossed Salad

Rolls & Butter — Beverage

Dessert

\$1.50

Tel. EL 4-1366

COIN — OPERATED

Dry Cleaning
POLY CLEAN

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

1685 MASS. AVE.

(between Harvard
& Porter Squares)

Used & New Law Books
LAW SCHOOL AIDS
Bought — Sold
HARVARD BOOK STORE
1248 MASS. OPP. LAMONT
TR 6-9069

Correction

A story on I. N. Maisels (RECORD, Oct. 19), a justice of the Supreme Courts of Lesotho, Botswana and Swaziland, erroneously referred to these countries as "bantustans or native homelands created by the [South African] government under its policy of apartheid." The three are former British colonies which have become politically independent countries; they are not and have not been a part of South Africa. The RECORD regrets the error.

LENNY'S GULF

• **Complete Car Service** •

1725 Mass. Avenue, Cambridge, Mass.

Snow Plowing

Road Service



Howard Garfield
Thumbs Up

Ames Semifinals End Tonight

Tonight at 8 o'clock the Bevins and Learned Hand Clubs will engage in verbal combat in this fall's second Ames Semifinal Argument.

Oralists Raymond Andrews, Randolph Shreve, for Bevins, and Douglas Pipes and Andre Zdrazil, for Learned Hand, will contest two basic issues: (1) Whether Negro tenants residing in buildings to be condemned by the Respondents, have standing to contest the proposed construction of the project, (2) whether construction of the project is violative of the 14th Amend-

ment and the Civil Rights Acts of 1871 and 1964.

November 20, the Marshall Club proved victorious over the Blackstone Club in a case involving questions of American labor law, including the effect of mergers on the rights of each of the two groups of employees in the consolidated company, as well as the validity and scope of review accorded an arbitration award.

Winning oralists were David Beller and Howard Garfield. John Griffin and Mary Mullarkey argued for the The Blackstone Club.

EXETER STREET THEATRE

Exeter and Newbury Streets
Boston

New England Premiere!

FESTIVAL

(Newport Folk Song Festival)

Joan Baez, Bob Dylan,

and Many More

KE 6-7067

2:00, 3:50, 5:45, 7:40, 9:35

Professional Dry Cleaning
and Shirt Laundry

at

Rite-Way
CLEANERS

KI 7-8008

4 Hudson St., Cambridge

(off 1672 Mass. Ave.)

HARVARD SQ.

UN 4-4580

Paul Scofield in Robert Bolt's

**"A MAN
FOR ALL SEASONS"**

1:30, 5:35, 9:50

plus **"THE COLLECTOR"**

3:30 and 7:45

Next week: "Bonnie & Clyde"

BRATTLE SQ.

TR 6-4226

Through Saturday, December 2

"BREATHLESS"

5:30, 7:30, 9:30; Saturday mat. 3:30

Sun-Mon-Tues, December 3-4-5

**"THE SHOP
ON MAIN STREET"**

5:15, 7:30, 9:45; Sunday mat. 3:00

ENTERED AS SECOND CLASS POSTAGE. BOSTON, MASSACHUSETTS.

RETURN ADDRESS:

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