



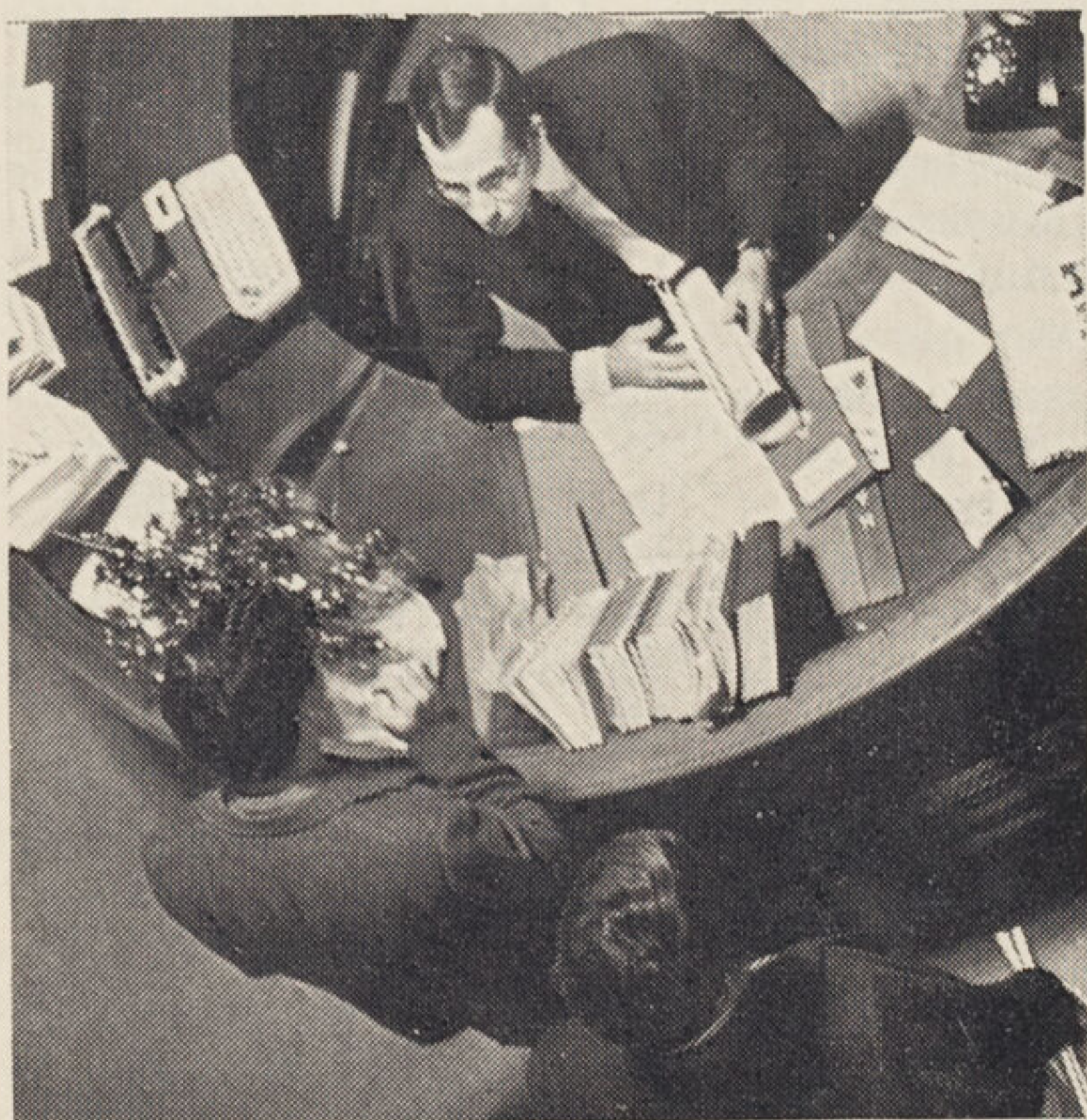
Harvard Law Record

America's Oldest Law School Newspaper

VOL. 46 NO. 2

CAMBRIDGE, MASS., FEBRUARY 8, 1968

FIFTEEN CENTS



What Reception Next Year for Applicants?

'Standards Stay Same' Says Admissions Head

By Lawrence Gartner

While the war in Vietnam, by way of the draft, may summon a large part of this year's first year class, next year's law school entrants are expected to be up to par numerically, without a drop in admission standards.

According to Russell A. Simpson, Director of Admissions, the school's academic standards will not be lowered, although applicants who might have been turned down in previous years will probably be accepted this year.

This situation can be explained, Dean Simpson says, by the school's system for classifying applicants. They are put into three categories: those who are clearly academically superior, others who are capable of doing the work at the law school, and the rest, who aren't.

About 300 to 400 are in the first category and approximately 1500 fall in the second. Those chosen from the second category are selected not so much on the basis of academic performance as contribution to the class' diversity. Factors such as geographical mix, extra-curricular activities, and fu-

Six 3L's Win Fellowships

Kenneth Letzler, 3L, has been awarded the Frederick Sheldon Fellowship for the coming year and five other third-year students, David Kirp, John Langbein, Philip Mause, David Reber and Gregory Smith, have been selected to receive Frank Knox Memorial Fellowships.

With the exception of Mr. Kirp, all of the recipients are editors of the **Harvard**

Law Review. Mr. Kirp is a member of the Legal Aid Bureau.

The Sheldon Fellowship provides for \$3,500 and is to be used for "further education by travel after graduation." The Knox Fellowships, which also carry a stipend of \$3,500 for one year, must be used for study within the British Commonwealth.

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Psychiatrists Treat 1 Law Student in 12

By Richard Hoffman

Holyoke Center wasn't designed to attract people troubled by the impersonality of large educational institutions, but a law student who treks through the coolly efficient, mechanical corridors of University Health Services to psychiatrist Preston Munter's office discovers a doctor who's not at all restrained in his fascination with lawyers.

Perhaps that's one reason why he can be found at the Austin Hall clinic three afternoons a week. And his accessibility may account for the total of 733 visits paid to Dr. Munter and his aide, Dr. Mary Sheldon, by 143 law students last year.

"I'd always been told lawyers were rigid, obsessive-compulsive sort of people, but that's patently untrue," Dr. Munter observes, adding

Emotional Problems:

Depression, Anxiety

that "the bright law school population is afflicted with the two emotional problems of our time: depression and anxiety." Indeed, the 8.3 per cent of the law school student body which utilizes Harvard psychiatric services is less than almost any other division of the university.

"About once every other year we see someone with a severe breakdown which requires withdrawal, a psy-

chosis," he notes, "but we've reconstructed a lot of these people who weren't supposed to be able to be reconstructed."

Those who believe the law school to be some kind of attorney-producing factory win scant sympathy from Dr. Munter. "The myth is that it's an impersonal place where no one gives a damn about the individual student, when actually it's the reverse. Harvard Law is fraternalistic if not paternalistic, and there's enormous concern about students, concern which often remains behind the scenes.

"Sure, you used to see lots of obsessive competition," the doctor admits, "but I think the atmosphere is somewhat easier and I think the new dean will push this along. You have to work at it to get thrown out of the Harvard Law School."

What kind of problems does Dr. Munter discover among law students? "Marital problems, problems with parents, weight, insomnia, some academic pressure, and people without real commitment to law who are either searching for a base of operations in life here or who are truly confused about a career.

"In medical school, we didn't have that much quasi-commitment to the profession," the doctor contends, "but maybe it's a tribute to law students that they know the weight of their decision."

Other problems center around the third-year paper, Dr. Munter says, which

"often is a symbolic event and sometimes it's a long ride till they get it done." Second-year law students fret about what they see as stratification in the profession, so "they push to make that second year as good as it can be as if their whole career depends on it."

Third Year Paper Often a 'Long Ride'

But Dr. Munter's statistics are harder to come by when he talks about drug use at the law school. Apparently, enough of his patients resort to narcotics for the doctor to make the "do you use..." question a routine one. "It's rare that someone says, 'I want to talk to you about my using marijuana,' so I don't know about it unless I ask and I never worry about whether they tell the truth."

Dr. Munter says he hasn't seen a case of addiction at the law school for years. He thinks drugs are incidental to other, more ordinary problems.

"The things that concern me," he says, "are the whole category of characterological disorders. People aren't so much emotionally as they are behaviorally hung up, particularly involving their relation to authority.

To be sure, if there are some psychological troubles peculiar to the law school, there are also some good points. Forty per cent of Dr. Munter's law school pa-

(Continued on Page 7)

Prof. Chayes Analyzes Pueblo Incident

By Frank Burgess

Professor Abram Chayes told an International Law Club audience of more than one hundred Monday that he thought the general shape of United States policy in response to the Pueblo incident was sound.

Relieved that the government did not use force, he said that "you don't commit force of the kind that was being talked about unless you can make an arguable case that our vital interests are involved."

Professor Roger Fisher, who attended the meeting, was more strongly critical of the United States response. He said that the government's first reaction — "that we were right and they were wrong" — accentuated the crisis.

Prof. Chayes, former legal advisor to the State Department, referred to the "many levels of reality" in the United States efforts to regain the ship and the prisoners.

He said that while recourse to the Soviet Union and the United Nations for help rightfully met criticism, these moves were necessitated by political pressures and in the end helped cool off the crisis.

Prof. Chayes questioned the assumption that the Soviet Union could get North Korea to return the Pueblo and the crew. "That's like saying, 'Hey, Edgar Bergen, make Charlie McCarthy give us our boat back,'" he observed.

"But," he added, "how can you not approach the Soviet Union publicly when everybody else is saying take every step possible to get the ship back?" He noted that there may not have been better channels than the Soviet Union, and that "in the end it's going to have to bear some of the burden in working this out."

Moreover, according to Prof. Chayes, the Soviet Union has an interest in maintaining the regime of "eavesdropping" and realizes that "you can't maintain it if countries do things like this."

Turning to the wisdom of bringing the Pueblo issue before the Security Council of the United Nations, Prof. Chayes said that it was hard

represents a "major misapprehension" of the role of the UN. "The UN is the furthest thing one can image from an adjudicatory body."

And yet, he observed, the reference to the United Nations was necessary to "cool off" the situation. "There's nothing that can reduce crises to a more boring situation than watching a four-hour debate in the Security Council," he said.

The irony in going to the U.N., according to Prof. Chayes, was that it accepts the controversy "at damage to itself yet reference to the U.N. makes a positive contribution to a settlement."

He noted that for people interested in international law it was of "great significance" that both parties took

Prof.
Abram
Chayes



Photo by Andy Levin

to see how any President could not go to the United Nations, but that "it was the worst place to go for a judgment on an issue of fact" (whether or not the ship was in international waters) "since the UN is still at war with North Korea."

To submit to the United Nations an issue of fact for adjudication, he went on,

the same view of the applicable law. He pointed out that the United States has acted as if it believed that if the ship was within the twelve-mile zone, North Korea was right to act in the way it did. North Korea, he continued, apparently would admit that it was wrong if the ship was in international waters.

Law at Harvard, Rainy Bombay

THERE WERE LETTERS and more letters on Derek Curtis Bok's desk in Langdell. "It's amazing," he said. "I've gotten as much mail in the past two days as I did in the previous six months."

The sudden inundation was not, in fact, very surprising, since Prof. Bok had just a few days before been named the next Dean of the Harvard Law School, to take office July 1 upon approval by the Board of Overseers. The letters and telegrams would, of course, mean a good deal of paperwork to be done, but Mr. Bok gave the impression of slowly accepting the consequences of his new appointment.

Although the new Dean-designate has taught at Harvard since 1958 and received his LL.B. here in 1954, his association with "Harvard" reaches back to the time from 1943 to 1947 when he attended the Harvard Military Academy in Southern California. Though he was born in Bryn Mawr, Pennsylvania, his family moved out to the West Coast when he was only four (after a year in England at the age of three, which is not well remembered).

HE MAJORED IN political science at Stanford (B.A., 1951), which he chose because of "its great reputation for good education and because it was in California, whose climate I enjoyed very much." Now and again Prof. Bok would glance out onto the Law School commons outside Langdell, where the mounds of dirty snow from a recent storm still lay.

Prof. Bok decided to attend law school not because of "any fixed ideas of becoming a lawyer," but because he felt it left the "maximum number of options open." He arrived in Cambridge in September, 1951.

The School was a good deal different then. A much greater percentage of a student's schedule was required, rather than optional courses, and there were fewer electives in any event from which to choose. Small sections and seminars were not nearly as nu-

merous as they today are. "Over the years there has been a continuous effort to remain contemporary. The result has been a much greater interest in urban legal matters and criminal law, to name only two fields." As a consequence, the size of the faculty has expanded.

"The case method is and should be the backbone of legal teaching. But we must consider the possibility that the method may be dulled by constant repetition. We must see whether there may be variation in the methods of instruction as well as in the skills taught."

SOME OF THESE CHANGES, it might be observed, have come as the result of action by the Continuing Committee on Legal Education, the School's chief curriculum committee. Mr. Bok is in his third year of chairing that committee, but he expects to resign that post when he becomes Dean.

The committee, which replaced a series of temporary committees which were organized and "worked very hard" every ten years, has no fixed agenda, though an attempt is made at the beginning of each year to outline the major issues. Additional issues arise throughout the year, however.

The two most important recent projects of the committee have been the development of alternative courses to supplement D.L.I. and the abolition of second-year required courses. On the latter point, the committee plans a system of assigned faculty advisors for each student to assist in preparing the second-year schedule.

While each student will be able to make the final determination for himself, this system will hopefully make the process of choice easier. "And a subsidiary benefit of the plan," said Mr. Bok, "is that it will give each

y And Professor Derek Curtis Bok

student the chance to have personal contact with a member of the faculty."

MR. BOK ADMITTED to having some trepidations when he arrived at the School. "To me it was very hard. Coming from the West Coast, I had a very elevated impression of the degree of difficulty of the Harvard Law School."

An experience he had while eating at Harkness the first day didn't help. A girl with long, black hair walked by, surrounded by studious young men. He caught just a few words of her conversation: "But you see, it's an incorporeal totality quite outside of time . . .," before she exited, but that was enough to raise some doubts about Cambridge.

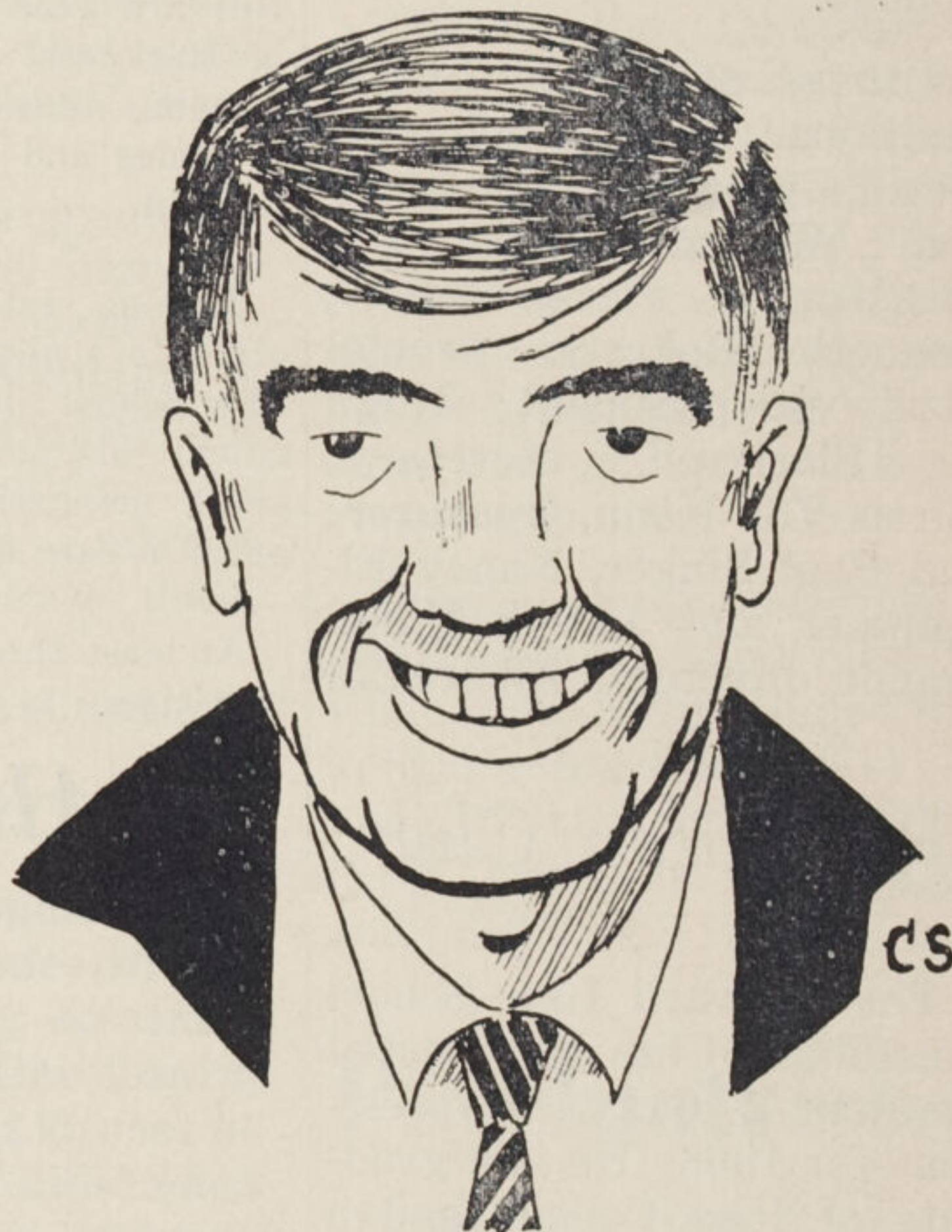
The story of Mr. Bok's first year should warm the hearts of all first-year students who have just taken their practice exams. He worked hard and reviewed diligently the first semester, but found his practice exam returned to him with a large C- on it ("or was it D+?"). He had flunked a number of questions.

Attended Law School Because That Left 'Maximum Number Of Options Open' for Him

HE DECIDED TO FINISH out the year, however, and redoubled his efforts. "I felt it was important to work harder. Otherwise, if I didn't do well in June, I would never know whether it was because of lack of capacity or lack of work."

The results, were, to say the least, successful. He left Cambridge after exams with lingering doubts as to whether he would be

returning in the fall. He travelled to India, where he combined tourism with Point Four work. "I was in Bombay," he said. "It was raining there. Eleven inches a day." It was there he received the telegram notifying him



Prof. Derek Bok

he had made Law Review.

After finishing Law School, Mr. Bok went to Europe on a Fulbright Scholarship, where he wrote a monograph on the Schumann Plan (published by the Princeton University Press). He also met and married his wife, the former Sissela Ann Myrdal, daughter of the Swedish sociologist Gunnar Myrdal.

BACK IN THE UNITED STATES, he served in the Army from 1955 to 1958. Although his time was largely spent in the Office of the General Counsel in Washington, he did a substantial amount of court-martial work.

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Recent Elections

Forum

Mark Andrews, 2L, has been elected president of the Harvard Law School Forum. He is a resident of Redlands, Calif., and attended Harvard College.

Others named to Forum positions include Jerome Merin, program vice-president; William Stephens, administrative vice-president; Kenneth Roberts, promotions vice-president; Hugh A. Blackwell, secretary; Curtis Von Kann, treasurer; and Paul Singer, Nancy Elsenpeter and Joseph Hildebrandt, directors. All are 2L.

Republican Club

The Harvard Law School Republican Club has elected Kenneth E. Gray, 2L, president for 1968. He is a graduate of Iona College and a resident of Yonkers, N. Y.

Ronald Walenfang, 2L, was chosen vice-president, while Michael Merz and Oliver Janney, both 1L, were elected secretary and treasurer, respectively.

Directors for the year are Stephen Suffern, 2L, and Marc Fairman, Mark Glass, William Johnson and Robert Woodburn, all 1L.

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Events of Note

The Harvard Law Wives will hold their annual Valentine Day Wine Tasting Event Feb. 14 at 8 p.m. in the Harkness Meeting Room. Taylor Wines will be featured and cheese and crackers will be served. Husbands are invited.

* * *

A Bake Sale, sponsored by the Harvard Law Wives, will be held in Harkness Feb. 15 from 4 to 7 p.m. Chocolate chip cookies, brownies and other "goodies" will be sold.

* * *

Anyone interested in contributing to a newly founded Harvard Law School literary magazine may submit his poetry, short fiction or prose manuscripts to the RECORD office in care of Roger Lowenstein.

* * *

At least three law students will participate in the National Squash

Championships, to be held Saturday, Sunday, and Monday, February 10-12, at Hemenway. Allen Terrell is entered in the singles, while Edward Robinson and John Thorndike will play on the Boston team. Play begins Saturday morning.

* * *

Professor Louis Sohn will speak on the Nuclear Non-Proliferation Treaty before the International Law Club today at 1 p.m. in the Mallory Smith Room of Harkness Commons.

* * *

Two first year students, Marc Glass and Covert Parnell, have been chosen for the Joint Student-Faculty Committee. Their names were drawn by lot from a list of those who had expressed interest in joining the committee.

Alumni Express Sympathy

By Roger Lowenstein

With the Vietnam statement on its way to the printer with 719 student and 36 faculty signatures, and the non-credit Vietnam "course" about to begin Monday evening, Feb. 19, the alumni in several communities have voiced both support and criticism for the Law School's growing preoccupation with the conflict in Southeast Asia.

Cincinnati alumni reflect a wide spectrum of opinion, according to an article in the *Cincinnati Enquirer*. Irwin Rhodes, '24, criticized what he termed "politicalizing" at the Law School, saying that the faculty ought to stick to their educative function. Mr. Rhodes is a former chairman of the American Bar Association's

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Lack of Interest Halts Williston Competition

That ancient nemesis of student activities, general apathy, claimed a distinguished victim last week: the Williston Competition. Faced with a need for eight teams as a minimum, but only six entries, the Board of Student Advisers scrapped the second-year drafting competition for this year.

The program was initiated in 1951 by law school faculty members disturbed by the lack of opportunity for students to learn legal drafting. Last year, there were 11 teams entered. Each team consists of three or four men.

"At first, I thought the de-

cline could be attributed to the Second-Year Writing program," said Bruce Wolf, 3L, who is in charge of the Williston Competition, "but they're down to about two-thirds of last year's size. Everything but CLAO and the Voluntary Defenders has suffered a lapse this year, but up to now, it hasn't been as great as this."

In 1956, the program acquired its present name in honor of the late Dane Professor Samuel Williston, a member of the faculty for 48 years. Competitors are asked to draft a contract, statute, or corporate document.

Puzzled by a small turnout

for the program in 1960, Prof. Abram Chayes wrote then, "In terms of correlation between school and this aspect of practice, the Williston Competition may well be the most realistic feature of Harvard Law School.

"When the Competition begins you are handed an assignment from the senior partner who has talked with the client. In the first rounds of the Competition this will be a relatively simple problem; yet you will be surprised at how it taxes your ingenuity."

What may revive the Competition in the end may be what some have claimed has kept it going since 1951: the hope of winning one of the three prizes of \$250, \$150 and \$100.

Doubts of War Dissenters

Committee on Communist Strategy, Tactics and Operations.

William Seaman, '33, said: "I don't think much of this way of going about dissenting . . . but maybe it's better that they get it worked out of themselves this way than some other way. I am not in agreement with their position at all." Donald Alexander, '48, felt that the faculty and students were

"going too far," and that the educational purposes of the school were being distorted by "the semi-official character of this protest."

The president of the Harvard Law School Association in Cincinnati, James Wachs, '58, defended the faculty and students' right to "dissent in this fashion," though personally disagreeing on the merits, while Richard Guggenheim, '37, reminded his fellow alumni that "free speech is part of the Bill of Rights."

The strongest display of sympathy for the Law School activities came from Wiley Dinsmore, '61, who felt that "everything that can be done to organize the opposition should be done as long as it's within the constitutional framework of the country."

Psychiatrist...

(Continued from Page 2)

tients (he also sees students in the Graduate School of Arts and Sciences and the Episcopal Theological Seminary) are self-referred. And, says Dr. Munter, "there's a lot of good humor at the Harvard Law School, which is always a sign of good health."

The doctor doesn't consider drug use a sign of good health. "Whether we squares are right or not about chromosome damage and other things, I'm convinced the drug thing is a destructive fad, and I'm unimpressed

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Only a First Step

THE LAW REVIEW'S RECENT APPROVAL of a limited competition next year to augment the traditional rank-list method of selecting members is a welcome step, particularly as it indicates a willingness on behalf of the **Review** to come to grips with some of the inadequacies of the present system. Even though the rank-list will continue to be used to choose approximately the same number of **Review** members, the crucial fact is that the rank-list method, for the first time in the **Review's** history, has been supplemented by another system.

It would appear rather natural that an excellent way to search out the talents appropriate to the **Review** is to hold a competition which simulates **Review** work. Certainly such a system promises to be at least as accurate as the present method of rank-list, based as it is upon a hammer-stroke series of four-hour high-pressure exams held at the end of a long and uncertain year.

The decision also adds some force to the criticism of the examinations in general as the sole measure of qualities needed by the contemporary lawyer. Last December's **RECORD** survey indicated significant dissatisfaction with the present system.

A small-sample, random culling of opinion from students indicates rather strong support for the "opening" of the **Review** as now planned, even if it is as yet a small crack. The decision should be greeted as a commendable first step, but it is in the nature of first steps that they be followed by others.

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TONGUE 'N CHEEK

By Fenno

I was deep in Langdell Library putting the finishing touches on my third year paper entitled "The Law Of Sight Drafts in Buwandi" (exhausting the field in a little over 2 1/2 pages), when a friend came by and asked if the Administration didn't mind me drinking beer in the stacks.

"Oh yes, but they'll never catch me."

"How do you get rid of the empties?"

"The first couple nights I just dumped the bottles in the wastebasket the next aisle over, but then janitors kept snooping around with flashlights and search warrants so it became too risky to take the stuff out of my ice-cooled briefcase."

"Why wasn't that the end of it all?"

"I switched to cans."

"Oh?"

"After I finished each can I'd smash it flat on the floor and then put each one in successive volumes of the Nebraska Reports."

"Sounds foolproof."

"It worked pretty well despite complaints from a grad student in the cubicle the floor below me. But it was all over when some damn wonk had a Nebraska Ames case and told the library staff that the sharp edges of the cans were obliterating certain crucial words in the adjacent opinions." There was also a little trouble with beer stains but I don't think he was worried about that."

"That must have started up the furor down here all over again. I just don't see how you've solved the empties problem."

"I've been loading finished six-packs into the book delivery elevator so that they clash all over behind the Main Desk upstairs, fixing the heat on the boys up there."

Letters to the Editor of the RECORD

Alumnus Asks: Is Romney Eligible?

To the Editor:

I was graduated from Harvard Law School at the 1919 Special Session. I receive your publications and like their contents.

I was interested in the article by Ned Hines entitled "Question Romney Eligibility." I believe this question has not received the full discussion it merits.

Assuming that the United States

acquired jurisdiction over Florida, Hawaii and Alaska by sale or war, and, further assuming that a citizen of one of these states was born in such state before such acquisition, would that person be ineligible for the presidency? I assume he would be eligible if born after such acquisition.

I have not looked up the law so maybe my questions are moot. I would like to have your views.

Murray D. Welch, '19
Elizabeth, N. J.

(Ed. Note: The floor is open.)

Healthy Dose of Barron & Holtzoff

To the Editor:

The following excerpt from Professor Alan Wright's address before the Third Circuit's Judicial Conference last year, recently brought to my attention by Susan Grossman, '67, may be of interest to those who remember Professor Wright's efforts to replace our barren conceptualism and Baron Parke formalism with a healthy Barron & Holtzoff-ism. Discussing Rule 19 of the Federal Rules of Civil Procedure, Professor Wright said:

"The amended rule throws out all the conceptualism on which the old rule was based, and it at least purports to throw out the labels themselves. For this I feel some twinge of regret, because I recall the morning when I was teaching at Harvard, after I had been chastising students for inability to understand this subject and saying how easy it would be if we could resolve all this by labels.

"The next day when I walked into the classroom, each one of the young ladies in my class had a big label, some them saying, 'I am proper,' some saying, 'I am necessary,' and one very cuddly girl saying, 'I am indispensable.' (Laughter) I hate to see the labels go for that reason, but intellectually it seems to me a good riddance." 42 F.R.D. at 561.

To pin the labels on the appropriate ladies, it should be pointed out that Susan Grossman was "Necessary." Susan Scholle Connor was "Indispensable." The eminently sensible Nan Bases refused to be labeled, while your correspondent was

"Proper"-ly yours,
Linda Ruth Blumkin, '67
New York, N. Y.

Doctor,¹ I have this strange² feeling³ that Harvard Law School⁴ has taken over my mind.⁵

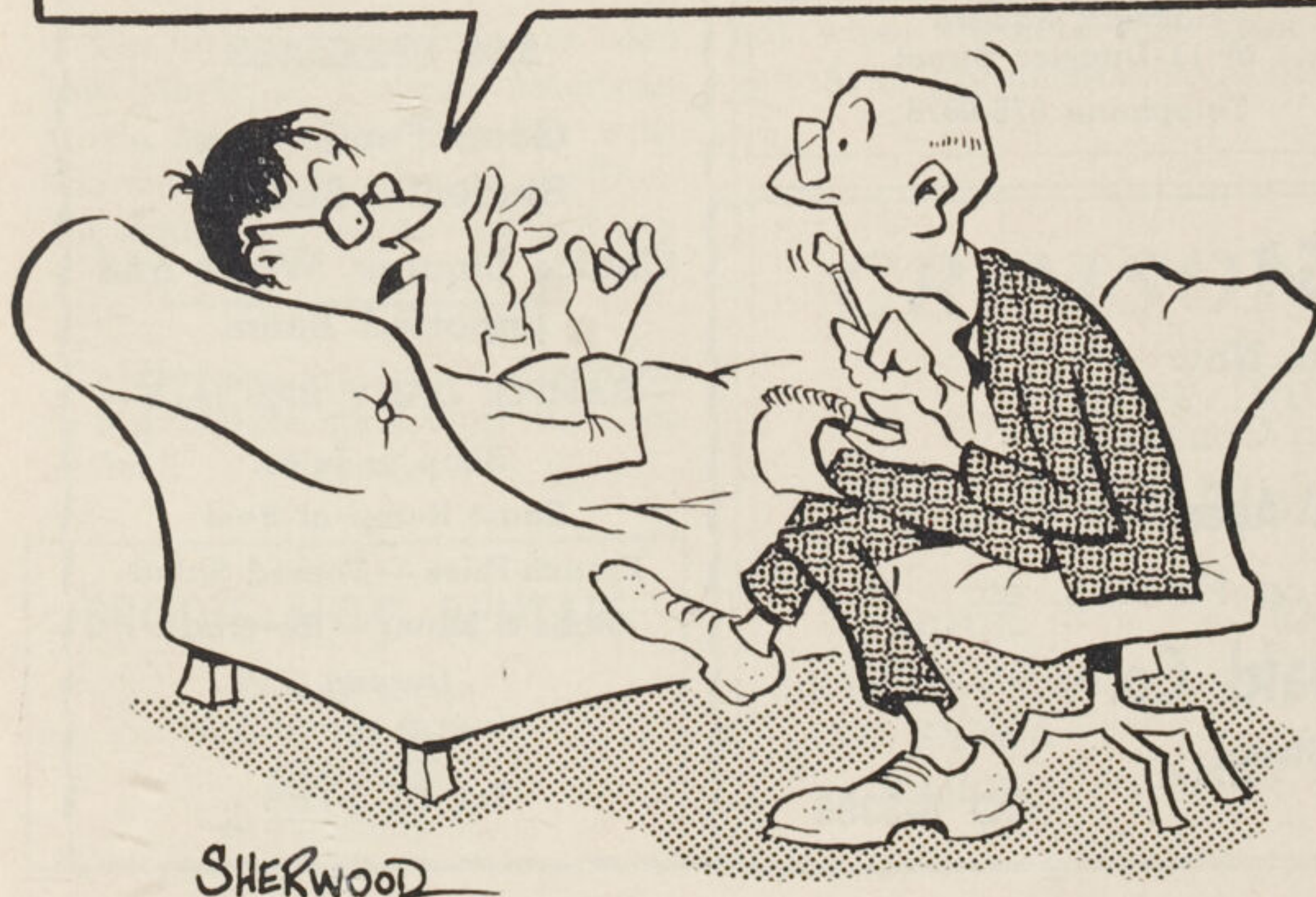
¹ State v. Garcia, 97 Ariz. 102, 397 P.2d 214 (1964).

² E.g., People v. Colby, 27 Ill. 2d 273, 189 N.E.2d 317 (1963); Werner v. Miller, 248 Minn. 75, 78 N.W.2d 63 (1956); State v. Blanton, 111 Ohio App. 111, 170 N.E.2d 754 (1960).

³ E.g., Skinner v. United States, 326 F.2d 594 (8th Cir. 1964); United States v. Cain, 298 F.2d 934 (7th Cir.), cert. denied, 370 U.S. 902 (1962); United States ex rel. Berkery v. Myers, 242 F. Supp. 515 (E.D. Pa. 1965).

⁴ See Commonwealth v. Berkery, 200 Pa. Super. 626, 190 A.2d 572 (1963), cert. denied, 375 U.S. 966 (1964); McCormick, EVIDENCE § 60 (1954). McCormick thinks one must be "misguided" to believe that a judge cannot exclude inadmissible evidence from his mind. See *id.* § 60, at 137-38 n.6.

⁵ See, e.g., Terrell v. State, 210 Tenn. 632, 639, 361 S.W.2d 489, 492 (1962):



Number of Applications to Decline Slightly

(Continued from Page 1)

ture potential are considered.

Therefore, unless the school runs out of students in the second category, acceptance of some in that category, all of whom are capable of doing the work but who aren't ordinarily taken, won't lower academic standards.

However, one problem for

Fellowships . . .

(Continued from Page 1)

Candidates are to be selected "on the basis of future promise of leadership," as well as "strength of character, keen mind, a balanced judgment and a devotion to the democratic ideal."

In the past few years, the recipient list has been top-heavy with **Law Review** students, although as recently as 1961-62 only one out of four recipients was on the **Review**.

the admissions office involves estimating how many students have to be accepted in order to fill the class. Usually, Dean Simpson said, about 820 are admitted in order to end up with a normal class of 540. Too many or too few may be admitted because of the abnormal situation this year, he added.

More Girls?

Less diversity from which to choose may pose further problems. Only 1793 applications have been received so far, down from 2140 received at this time last year. But Dean Simpson said the number of applications this year seems to be accelerating, and he estimates that the total probably will be close to last year's number.

Another possibility may be an increased percentage of women in the next first year class. Dean Simpson said he doesn't know how many

women have already applied, but he believes the figure will be higher than usual because girls now detect a better chance to gain admission and because women are generally becoming more interested in the law.

A greater number of women applying doesn't necessarily mean a greater number in the first year class, but in past years, the number of women accepted has been in similar proportion to the number who applied.

What Will Happen?

Meanwhile, what does the school expect will happen to this year's first year class? Most of the class will be eligible for the draft, Dean Simpson said. He's esti-

(Continued on Page 16)

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An Uncritical Look at the Case for Israel

The Case for Israel. By Frank Gervasi. Foreword by Abba Eban. Pp. xxvii + 258. New York: Viking Press, 1967. \$5.50; paper \$1.95.

By Parvez Hassan

The manner in which the United States national news media covered last year's war in the Middle East would have led one to believe that a further presentation of the case for Israel was indeed unnecessary. Frank Gervasi obviously did not think so, and this book is yet another affirmation of the infallibility of Israel.

More seriously, at a time when the United Nations and many foreign offices all over the world are exploring avenues to lasting peace in the Middle East, the need for a balanced presentation of the respective positions of both Arabs and Israelis could hardly be over-emphasized. The foreign observer cannot help but note that although the Israeli viewpoint has been abundantly presented in this country, it is the Arabs who have so far failed to communicate with the U.S. public.

The unfortunate result has been that while an average American would be normally familiar with the merits of the Israeli position, the chances of his having had any

'fair' exposure to the arguments of the 'other side' are rather slim. Inevitably, there is a general tendency in this country to applaud everything the Israelis do as right and to condemn everything the Arabs do as wrong. Professor Roger Fisher warned against this attitude in a letter to the *New York Times* on June 11, 1967, and urged that chances for peace in the Middle East will be improved if "the United States better understands how things may look to the Arabs."

In Principio . . .

The Case for Israel records Jewish history in Palestine beginning some four thousand years ago and traces its development through the several periods of stress, strain and strife to the recent Israeli victory in June, 1967. But although it is a readable and well-documented presentation of the many issues that can be argued in favor of Israel, the study is essentially disappointing in that it does not remedy the persistent lack of understanding regarding "how things may look to the Arabs"

That the Arab viewpoint is not dealt with exhaustively is apparent when we note that some of the Arab arguments have either

been completely ignored or hurriedly dismissed. Thus the question of legality under international law of the blockade by the UAR of the Gulf of Aqaba—which was a 'starter' in last year's war—is not even considered. Prof. Fisher, in the letter quoted above, noted that the UAR may have had a good legal case for restricting traffic through the Strait of Tiran. Another explosive issue relating to Arab claims that the Constantinople Convention of 1888 and the Egypt-Israel Armistice Agreement of 1949 did not prohibit Egypt from exercising belligerent rights under international law to restrict freedom of passage through the Suez Canal is not dealt with satisfactorily.

Colored History

Even if one is to appreciate the handicaps of a journalist in discussing questions of international law, one is entitled to expect from him at least an accurate portrayal of historical facts. Gervasi fails here also. The omission by him of certain facts has tended to color history in favor of Israel.

Consider, for example, his account of the United Nations Emergency Force (UNEF). We

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Mr. Hassan, of Lahore, Pakistan, is a graduate student at the Law School.

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Prof. Bok . . .

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"I won a number of cases in a row as counsel for defense, and that made me feel rather good," he said. "Then I was shifted to the prosecution side and proceeded to

"The type of legal research which we do is most important. Terribly important legal research is simply not being done because it requires techniques of analysis and research not ordinarily possessed by teachers of law.

"One example is that of the efficacy of sanctions. This is a critical problem which simply cannot be solved by reading law books. Other examples lie in the fields of decision-making and psychology. It is desirable to have men on the faculty who are equipped to keep abreast of the literature in another field so that if knowledge develops to the point where it is useful to law, that knowledge will not lie untapped."

lose the next four cases. I guess it must have been an easy command."

By the time he left the Army, Prof. Bok began to have interest in teaching. "I had a great interest in writing and doing research. Fortunately, my wife comes from an academic family and made no objections."

He then wrote Professor David Cavers, asking for suggestions on teaching positions on the West Coast. Kingman Brewster, then a member of the faculty, visited Prof. Bok in Washington and persuaded him to come back to Cambridge.

Prof. Bok now lives with his wife and two children in Belmont in a large square brick

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The Case Against 'The Case for Israel'

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are told that UNEF was stationed in Egyptian territory following the 1956 Arab-Israeli war and the ouster of UNEF by Nasser last year is described in the chain of events that led to the 1967 war. Although it may be difficult to dispute that the UNEF withdrawal aggravated an already precarious situation, what one might have hoped for in favor of a complete record on this subject was a statement that whereas the Egyptians had, in 1957, voluntarily accepted UNEF presence on its territory, Israel had turned down a similar request by the United Nations to station UNEF in Israeli territory.

Witness, for instance, another recording of an important historical event—the outbreak of the 1967 Arab-Israeli war:

"Shortly before 0800 hours on the morning of June 5, the

Israeli radar screen picked up Egyptian warplanes headed for Israeli targets". (p. 168)

Although this may be in line with the original "official" position taken by the Israelis, Gervasi surely does not expect us to believe that it was the Arabs who "fired the first shot". Is it not common knowledge (as supported by photographic evidence) that it was Israeli bombers that surprised the Arab planes on the ground?

Gervasi probably has the "Egyptian warplanes headed for Israeli targets" because of an impression that the "first shot" is crucial for determining responsibility for aggression. Actually, some international lawyers argue that under certain circumstances (e.g. preventive self-defense), the "first shot" may not be that crucial.

In view of the evidence that points to the Arabs being caught off their guard at that fateful moment, a more realistic and better presentation of the case for Israel would have been on the lines that the Israeli surprise attack was in anticipatory self-defense. Thus, even if the Israelis did fire the "first shot", it could, arguably, be justified on the ground that it was done to avert an impending attack by the Arabs. In this connection, the mobilization of the Arab armies, the belligerent statements of leaders and the captured Arab documents that indicate an Arab plan to move against Israel help Israel's arguments.

Except for an unsympathetic consideration of the Arab perspective, the book provides some interesting insights into the history of the conflict-torn Middle East.

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Bok Gives Advice on the Curriculum

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house not far from the home of former Dean Griswold. One symbol of Southern California exists: a paddle tennis court which Mr. Bok had built in his backyard. "I'm the only one who gets an opportunity to practice regularly, since I have the court, so I generally win."

Prof. Bok also enjoys tennis and skiing. The former he plays "tolerably well." The

Bok wants evaluation of computer technology's relevance to law

skiing skills of the Boks were summed up by Professor Jerome Cohen, who said that Mrs. Bok "is excellent, and Derek hits hard."

He formerly played basketball at Hemenway, even participating in league play, but stopped about four years ago when one of his students almost gouged out one of his eyes.

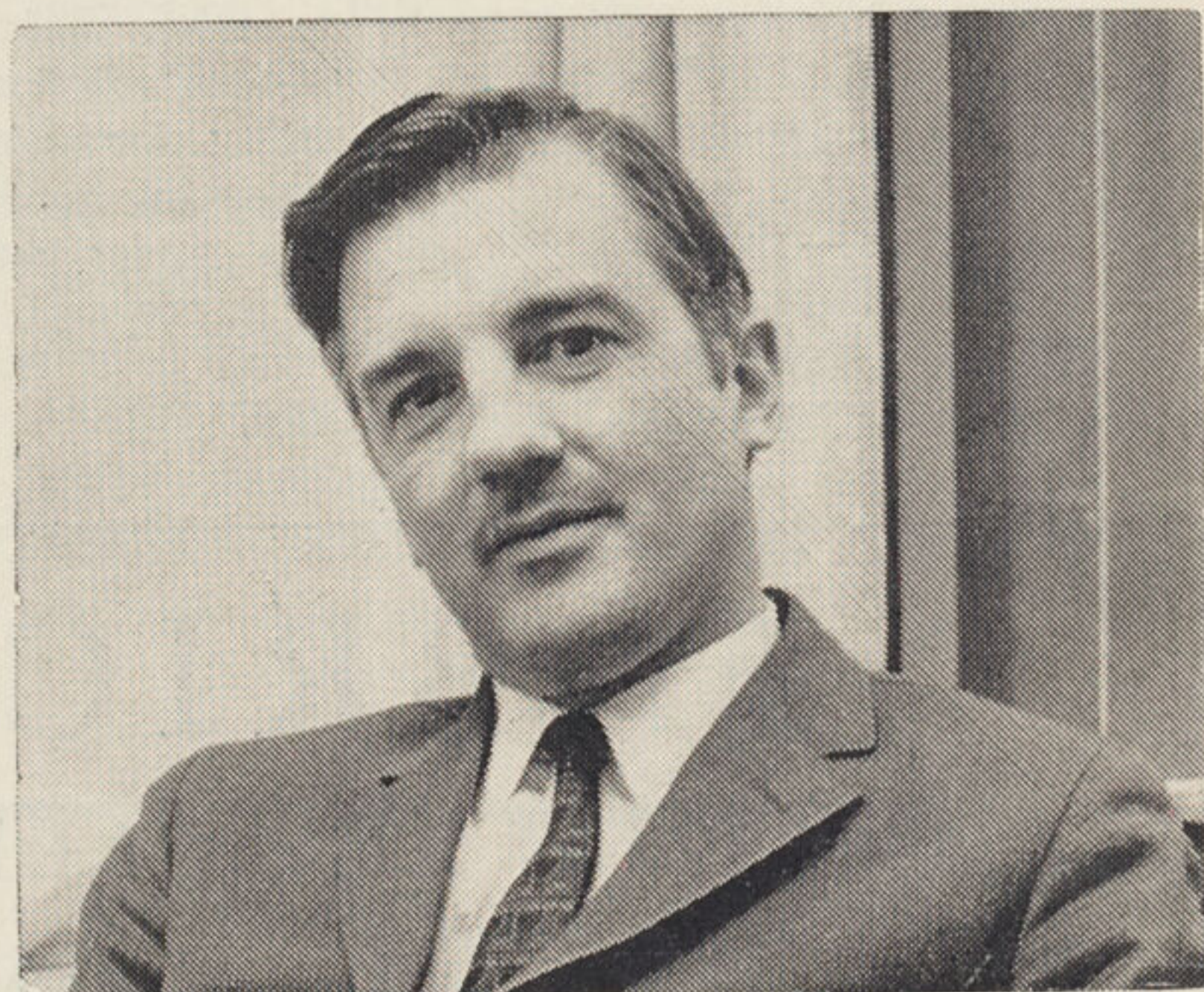
GARDENING IS ANOTHER of his pastimes, and he is always available to give his seasoned advice on horticultural problems. He is, however, baffled by a large potted plant which dominates a good part of his Langdell office. "It stays green all year, though, whatever it is," he said.

Another dominating object in his office is a large mobile of the solar system, including the rings of Saturn and the major moons. Dean Griswold is said to have once entered

the office, glanced at the solar system, and remarked that "if it were properly scaled, Pluto would be the size of a grain of sand the other side of Massachusetts Avenue."

Prof. Bok has definite ideas on the challenges which the Law School will face in the near future. He feels that the case method can be supplemented by other teaching methods and reading materials. For example, it might be feasible to augment ordinary legal casebooks with paperbacks containing relevant source material from other disciplines.

He is also very much interested in the use of interdisciplinary attitudes in legal research, since often research in a given area



is hampered by the researcher's lack of training in another field.

Mr. Bok said he was also interested in a strengthening of the ties between the Law

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School and other parts of the University, as well as an awareness of the ways in which the Law School may draw strength from other disciplines. However, he cautioned that before productive work could be achieved, there must first be established a real relevance of the other discipline's conclusions and insights to law.

FOR EXAMPLE, he pointed to the field of computers. "There has been a widespread overemphasis on the word 'computer.' It is too current a word and implies everything. There is real need for the Law School to experiment and work toward the usefulness of computers *vis a vis* the law, but before this can be translated into subject matter for courses, the primary work of assimilating computer technology and evaluating its relevance to law must be established."

Bok said he felt the Student-Faculty Committee had two main values. The first and by far the most important was that the School obtained the benefit of ideas from the students, who see things from a different vantage point

SECONDARILY, the Committee is a healthy means by which students have a forum to discuss their ideas and overcome any feeling that they are dealing with an impersonal institution.

Prof. Bok noted that there are today many more extra-curricular activities, par-



Photos by John Harris

Prof. Derek Bok and Unidentified Plant

ticularly those relevant to the development of people who are going to practice law. In the main, many of the new groups, such as CLAO, complement functionally the older, honorary organizations like Legal Aid and Law Review.

He noted that there is an increasing need to step back and look at the programs as a whole, to see whether an integrated pattern exists. For example, he mentioned the possible impact of small sections (which tend to stress legal writing) on group work and the legal writing program in the second year.

— Thomas Geisler

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Admissions . . .

(Continued from Page 10)

mated from admissions office records that 116 men shouldn't be eligible, another 74 have mitigating factors (such as wives and children), and 351 are prime draft material.

If this year's first year student does manage to enter his second year, his draft board may let him finish a term, Dean Simpson said, but a problem looms over just what constitutes a term. For a second year stu-

dent, a term may be considered only a semester by the Selective Service System. However, the law school is on record as considering a term to be the entire school year.

Dean Simpson said the administrative board is considering what credit should be given to students drafted during the school year.

Finally, Dean Simpson said he doubts, even if the second year class is smaller, that any classes or seminars will be eliminated.

Amoebas . . .

(Continued from Page 7)
with the good turning-on is supposed to do."

"I'm also very unimpressed with the consciousness-expanding possibilities attributed to LSD and very impressed with the consciousness-retracting possibilities," he explains.

"Very bright people lose the ability to learn and people become intellectually vacuous — intellectual amoebas." Finally, the doctor discloses that he's rarely spoken to a person who's a serious user of drugs who didn't have some sexual problem.

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