



Harvard Law Record

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FIFTEEN CENTS

Visiting Lawyers Meet Students and Faculty

By J. David Gernant

A distinguished group of 45 lawyers representing the Board of Overseers met with students and faculty at the Law School last Friday and Saturday.

The meeting was expanded from one to two days by Acting Dean A. James Casner upon the suggestion by Judge Henry J. Friendly, Chairman of the Visiting Committee, that the Committee to Visit the Law School should meet with any students and with certain faculty committees. The program therefore expanded to two full days.

The Visiting Committee divided into six groups on Friday afternoon for meetings with the Admissions Committee, the Committee on the Placement Office, the Joint Student-Faculty Committee, the Continuing Committee on Legal Education, the Committees on Criminal Law and Urban Legal Studies, and the Committees on Faculty Research and Graduate Studies. On Saturday morning, the Committee was split into five groups, which met with the members of ten student organizations.

The class-visiting was done Friday morning, and on Saturday afternoon the whole committee met in executive session to exchange information gleaned from the small-group sessions with faculty and students.

The new format met with widespread approval from committee members. Said one: "This way, we get a chance to ask questions instead of just listening to reports." Said

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Committeemen Visit with Students

Baker, Spong Discuss: 'Not-So-Solid South'

"Yes, I'll vote for Republicans if the Republicans give us something to vote for" is what Sen. Howard H. Baker Jr. (R-Tenn.) says his constituents tell him, which may mean that "The Not-So-Solid South," the subject of the February 23 Law Forum, isn't all that different from the rest of the country these days.

But Sen. William B. Spong (D-Va.), the other half of the Forum's panel, suggested that the Republicans had better not bank on the arrival of the two-party system in the South until they capture more governorships, which he called the key to political power in the South.

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Skinner Describes "Operant Conditioning"

Dr. B. F. Skinner, the noted behavioral psychologist who invented the "Skinner box" for conditioning animal behavior and the "baby box," a crib with a carefully controlled environment, spoke to the Harvard Law Wives February 27.

Dr. Skinner chose operant conditioning as his topic for the evening. Such conditioning essentially consists in positively reinforcing desired behavior step by step until the subject performs the act desired by the researcher.

Presenting examples of using operant conditioning with children to obtain desired behavioral patterns, Dr. Skinner began by describing research done in the controlled environment of the laboratory.

"These operant conditioning techniques can also be used in the home, but home really isn't made for reinforcing techniques," he said. He pointed out that many things in the home will act as reinforcers for undesirable behavior. For example, the sound that results when a child touches piano keys is rewarding, thus reinforcing the child's behavior; but parents do not usually want children banging on the piano keys and making noise.

"The laboratory is a better place than the home for conducting operant conditioning," Dr. Skinner said. In the lab, correct behavior can be rewarded by devices

which are much faster than humans. It is important that the reinforcement be almost coincident with the behavior, he stressed.

Another example discussed by Dr. Skinner regarded a baby who had had an eye operation for cataracts and then refused to wear the necessary corrective glasses. The child had a behavior pattern of throwing terrible temper tantrums. Before the conditioning could begin, this behavior had to be extinguished; this was done by leaving the child by himself whenever he had a tantrum.

Baby Box Inventor Speaks to Law Wives

Once his behavior was not rewarded by receiving attention, his tantrums ceased. Then, step by step, the child was conditioned until he finally would wear the glasses without reinforcement.

Of interest to teachers present were Dr. Skinner's stories of using operant conditioning in the classroom. One of the spinoffs of the results achieved in the lab with operant conditioning is today's programmed instruction.

In a good course of programmed instruction, he went on, students are rewarded in small steps and

the learning is achieved painlessly. Humans are reinforced by things such as success, he said, while animals must be rewarded by food while being operantly conditioned.

"Ordinary classroom techniques are aversive," Dr. Skinner explained. "The student studies because he doesn't dare not study." The psychologist showed how it is possible to use operant conditioning techniques, instead of threats and punishment, to keep children quiet and working. One example was use of a point system to reward correct answers, good study practices, and good behavior.

"Be alert as to your role as a reinforcer when using operant conditioning," Dr. Skinner cautioned. "Make sure you are reinforcing the good behavior." Children, he explained, frequently "turn the tables" and condition the parents. For instance, a baby soon learns that if he cries, his mother will pick him up. The child can then condition the mother to stop his crying by picking him up.

Dr. Skinner cited another example of reversing the roles of conditioner and conditioned. In one of the classes he taught at Harvard, Dr. Skinner would dismiss class as soon as the students began clicking their notebooks shut. When they began closing their books earlier each day, the psychologist realized that he was the one being conditioned!

New Draft Regulations Stimulate Discussion

By Lawrence Gartner

Thinking, talking, and worrying about the draft probably occupies nearly as much time as any of a first year student's more traditional subjects of torts, contracts, and civil procedure. And if a student can study his legal subjects as well now as he could before the abolition of graduate student deferments, he is probably 4-F, 1-Y or female.

Despite reports by *The Harvard Crimson* that all law students who haven't completed two years of R.O.T.C. training would be dropped from the Army program (along with most other graduate students), Army R.O.T.C. headquarters at Harvard hadn't received final instructions at press time.

It has been asserted that if law students are allowed to apply for the two-year Army R.O.T.C. program, they will have low selection priority: lower, for example, than college sophomores. A definitive ruling is expected from First Army headquarters by the end of this week. Upwards of 100 first-year law students reportedly applied in recent days for the program.

Meanwhile, the faculty is dealing with the problem of re-admission of drafted students. Professor Robert Braucher has drafted a re-statement of past policy which is being circulated among the faculty for comment. The statement will also likely deal with the re-funding of tuition and other

fees to students drafted during the school year.

For some 1L's the probability that they will be drafted has affected their work at the Law School.

"It's much harder to do my work," said Ronald Brown. With the prospect of being drafted in the summer, "what is the sense of the whole year's efforts?" However, he also said this effect has been lessened because professors haven't eased up and the work still has to be done.

On the other hand, another 1L, Marc Fairman, said that the situation hasn't affected his work.

Whether it interferes with his studies or not, the draft is the focal point of a great deal of the student's discussions. Dave Zerndorfer noted that he "tries not to talk about the draft, in conversation." According to David Sloan, the draft "is paramount on everybody's mind."

Some know they will be drafted but still refuse to accept the fact. "Rationally I know I will be drafted," Zerndorfer said, "but emotionally I have to say I don't expect it to happen."

Most of the students interviewed said the new regulations make the draft fairer, assuming that the entire draft system itself is valid. But they also think there should have been some gradual transition period to abolish graduate deferments.

Brown, for example, said that the new regulations were "more fair and more

equitable but there will be terrible consequences from taking so many people from the graduate schools at one time."

The problem of what will happen to drafted students after their period of service is the subject of Mr. Braucher's memorandum. In an interview, he explained the policies of the school in the past.

"As I understand past policy," he said, "we have always readmitted students who have had to withdraw because of military service." Readmission, however, was subject to three conditions:

(1) A medical examination.

(2) Space available. When this was a problem after World War II, there was admission to capacity on a first-come, first-served basis. New sessions were begun three times a year in order to accommodate the returnees.

(3) The working out of a rational study program.

In the past, students drafted in the summer would be readmitted after discharge in September, with a three to six-week grace period depending upon circumstances. After that, there was a tendency to require the student to wait until the next September.

Students drafted in the middle of the year, were encouraged to begin the year over again. If this was not convenient, they were usually allowed to return up to the date of their departure, again with a three to six week grace period.

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CR-CL Law Review Provides

By Ned Hines

OPERATING OUT OF a crowded cubbyhole in the upper recesses of Austin Hall is a relatively new law school publication dedicated to what its first issue called "revolutionary law." The Harvard *Civil Rights-Civil Liberties Law Review*, established in the spring of 1966, concerns itself with law as it interacts with contemporary social problems. It provides, according to Robert Schafer, editor-in-chief, "a continuing outlet to channel the social commitment of Harvard's law students."

The *CR-CL Law Review* is distinctive not

only in its subject matter (it was the first legal publication of its kind) but also in the focus of its analysis. Departing from the traditional law review approach, the *CR-CL Review* directs its inquiry to the effectiveness of law in furthering the aims of social and political justice. According to Schafer, "The *Civil Rights-Civil Liberties Law Review* is most interested in finding out how laws work. The best articles come out of a summer job on an Indian reservation, in a community legal aid office, or on a voter registration drive in the South."

The editorial policy for selecting articles is based on considerations which include timeliness, potential aid to practitioners, and

Rockefeller's Backers Urge Candidacy

Backers of New York Governor Nelson Rockefeller gathered together in the Ames Courtroom Tuesday night to convince their man, in his absence and in the wake of Governor George Romney's sudden withdrawal from the Presidential race, that he should become an active candidate.

Congressman John Dellenback (R.-Ore.), a leader in the "Draft Rocky" campaign, said he hoped that Rockefeller would be persuaded to enter the Oregon primary. "Why am I getting involved in this primary, breaking a cardinal rule of party politics? Because I am convinced that the present times are as critical as Civil War days." He pointed to smoldering crises in Cyprus, Pakistan, and Laos, as well the Vietnamese conflict.

His hands alive with evangelical earnestness, Dellenback added that President Johnson's experience in gov-

ernment "is only on the federal level, whereas Rockefeller has had a chance to get involved with problems of the city."

Professor Robert Braucher, an active Republican in Belmont, commented at the meeting that "tonight we're all amateurs together. There's no such thing as professionals at a meeting like this."

Mr. Braucher said that nobody else has Rockefeller's experience and qualifications. Furthermore, Rockefeller has shown an amazing capacity to gain votes. "Any man who could be elected Governor of New York as a Republican three times can't be all bad."

He also warned against a repetition of the so-called Southern strategy, which "loses the hard-core part of the United States that has the tall buildings in it." Mr. Braucher added that such a strategy was particularly

dangerous (amounting almost to a death-wish) with the third party candidacy of former Governor Wallace.

Business School Professor George Cabot Lodge, Republican candidate for the Senate in 1962, stressed that "the most profound problems are ones of purpose, values, and morals." He urged action to ensure that Rockefeller will commit himself now — and not wait under the illusion that he will be drafted.

At the meeting the text of a petition was circulated, asking the New York Governor "to place his name before the people of Oregon and of the nation."

Around the School during the past week "Draft Rockefeller for President" buttons were being sold. One wistful student (a 1L?) scribbled on the wall of Langdell South the somewhat more personal plaint, "Draft Rockefeller, Not Me."

S Outlet for Social Commitment

probability of non-publication elsewhere. Traditionally, articles are designed "to provide the lawyer in the field with ammunition for the day-to-day problems of practice in these difficult areas."

PAST ISSUES HAVE DEALT with such topics as Federal protection of civil rights workers, Southern juvenile courts, detention

The *CR-CL Law Review* was founded in the spring of 1966 through the initiative of Joseph Meissner, '66, and the sponsorship of the late Professor Mark DeWolfe Howe. Its initial funding came from student contributions of \$150 matched by contributions raised by Prof. Howe, and an anonymous donation of \$1000 to be spread over six issues.

The *Review* has over 450 subscriptions and is currently awaiting the results of a subscription drive to add another 150. It has a staff of 15 third-year editors, 20 second-year and about 15 first-year members. Unlike its older cousin, its personnel staffing policy isn't based on grades.

WHEN ASKED IF HE FELT there was a lagging interest in the problems of the poor, editor Schafer replied, "We're definitely in a period of reaction. I don't think the country is ready to deal with the problems of the poor. There is no political commitment and without it you're not going to get money spent on the problems of the poor."

"OEO is going to continue to be more restrictive. The reaction hasn't affected us however because we haven't reached the full number of potential subscribers yet and because those people who are now reacting wouldn't subscribe to the *Review* anyway."

Editor Schafer feels that the *CR-CL Review* has established itself to the point where its continuation isn't open to doubt. He said that those students at Columbia Law School who are establishing a similar periodical apparently feel there's enough interest in the area to support two such publications.

As to the future, Schafer said, "We'd like to get something on consumer credit problems of the poor, on voting rights, and on the operation of the social welfare laws."

If the problems of the poor continue to multiply, the Harvard *Civil Rights-Civil Liberties Law Review* will fill a definite need in exploring the effectiveness of law in coping with these problems.

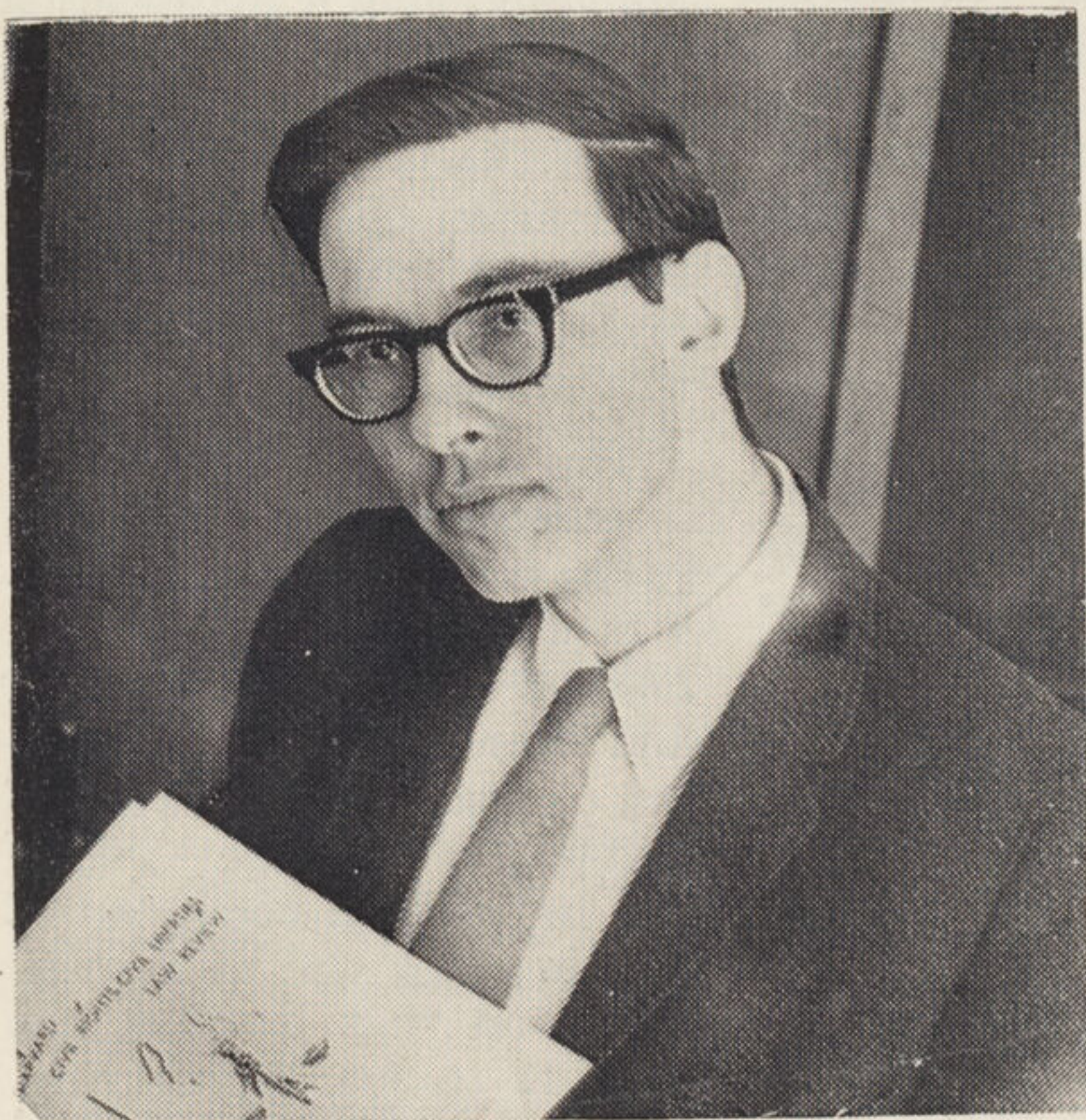


Photo by Andy Levin

Editor-in-Chief Robert Schafer

How Laws Work

of material witnesses in criminal cases, landlord-tenant problems and social welfare regulations. The fall 1967 issue included articles on the draft status of those conscientiously objecting to a particular war, the use of the injunction in state criminal prosecutions which abridge First Amendment freedoms, and drug addiction, insanity and the due process clause. The issue to be published this spring is slated to contain articles on the Washington Park (Roxbury) urban renewal housing rehabilitation program, rent receivership, and the impact of the 1965 Voting Act.

Conference Probes Selective Service System

"I assume I'm addressing an audience not interested in serving, but if not, I can tell you about enlisting," remarked William Crain, a speaker at the conference on selective service and the military sponsored by the National Lawyers Guild and the Committee for Legal Research on the Draft in the Ames Courtroom Feb. 24.

But the conference was hardly a refuge for would-be volunteers, and Crain and his fellow lecturers proceeded to describe the workings of the draft to an audience of law students from Harvard and elsewhere, an audience which was undoubtedly increased by the recent elimination of deferments for most graduate students.

Crain and Michael Standard outlined the informal and formal procedures by which the Selective Service System operates. They were preceded by Sasha Harmon and David Washburn of the Boston Draft Resistance Group, who commented on registration, classification and the physical examination.

Attorney Leonard Boudin, one of the defense advocates in the upcoming Spock-Coffin draft resistance trial in Boston, spoke on "The Criminal Trial for Refusing Induction," along with Alex Rosenberg, while Clay Ruby's talk on "Emigration to Canada and Europe" was followed by Victor Rabowitz' analysis of military problems and the court martial.

Two well-known civil lib-

erties attorneys, William Kunstler and Arthur Kinoy, were unable to attend because of unexpected trial work, according to Bernadine Dohrn of the Lawyers Guild, who introduced the speakers.

Crain and Standard carefully outlined the draft's processes, highlighting the points at which appropriate action by registrants may delay eventual induction. Questioners seemed a bit perplexed when told that the speakers didn't want to answer specific personal queries but instead were interested in addressing broader inquiries.

Registrants who believe they qualify for a 4-F deferment on physical grounds were urged to contact the U. S. Surgeon-General's office in Hampton, Va., if their appeal is turned down. Since the Surgeon-General is more concerned with obtaining physically fit inductees than merely getting enough draftees to fill a local board quota, he tends to be more thorough in evaluating alleged physical defects.

Clay Ruby, a Canadian, spoke on emigration and advised would-be travelers to Canada to go there with the idea that they'll never come back to the United States. He also noted the advantages of an early "scouting trip" to Canada.

Attorney Boudin charted the history of draft resistance in the courts. Lack of standing, long a justification for dismissing appeals which question the constitutionality of the law, should disappear as an obstacle soon, he predicted, since the courts are realizing the inequity of this stand.

The issue of justiciability — whether the courts can judge executive decisions — was decided in *Youngstown Sheet & Tube Co. v. Sawyer*, and eventually court orders are obeyed, he said. The argument that a foot soldier has never been convicted of fighting in a war of aggression, and that he thus has nothing to fear by serving, remains to block challenges

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Photo by Alex Humphrey

No Personal Problems, Please

Events of Note

Professor Clark Byse will discuss "The Case of the Hairy Hand" at a seminar sponsored by the Harvard Law Wives in the Harkness Meeting Room at 8:00 p.m., Wednesday, March 13. Elections for new officers will be held. Husbands are invited.

* * *

Malcolm Muggeridge, Al Capp, and Henry Morgan will explore "The Miniskirt Mentality" at a meeting of the Harvard Law School Forum 8:30 p.m., Saturday, March 9, at Sanders Theater. Acting Dean A. James Casner will moderate.

* * *

The Championship Game (Super Basket?) of the Basketball League playoffs will be held in Hemenway Gymnasium at 7:45 p.m., Friday, March 8. Everyone is welcome.

* * *

"The Jealous Mistress," this year's Law School Show will be presented Mar. 16, 17, 22 and 23, at 8:30 p.m. in Peabody Auditorium, located across from Radcliffe Yard.

Tickets for all performances are now on sale, priced at \$2 each, at the Langdell Receptionist's Desk, the Coop and the Harkness News Stand.

Defenders Elect

Alan R. Hoffman, 2L, has been elected President of the Harvard Voluntary Defenders. Mr. Hoffman, a resident of Brooklyn, New York, is a graduate of Yale.

John G. Fabiano, Thomas J. Sartory, and Martha Jane Kaplan were elected Vice Presidents of Operations, of Training, and of Research and Appeals, respectively.

Edward J. Dauber and Jeffrey M. Smith were named Assistant Vice Presidents of Research and Appeals.

Youngest Law School Paper Hits the Newsstands at Yale

By Thomas Geisler

Friends of journalism and of the Yale Law School (New Haven, Connecticut) will be pleased to learn that the two have been conjoined in *The Yale Advocate*, what might be called America's Newest Law School Newspaper.

Headlining Vol. 1 No. 3 (Feb. 22, which is the first issue to come our way) is the story, "Legalized Coed Living Only Needs Approval by University Officials." While at first glance this cause seems worthier of student activism than the LL.B.-J.D. tempest, in fact all that has been requested (and agreed to by Yale Law School) is that an entryway be set aside for female law students. Pending final approval by Yale University officials, Associate Dean Jack Tate has reserved an entryway in the Sterling Law

dorms for the gentler sex.

Yale Chaplain William Sloane Coffin, under federal indictment for violation of the Universal Military Training and Service Act, is the subject of two articles, one an interview and the other a discussion of the forthcoming trial. (James St. Clair, lecturer in Trial Practice at Harvard, it might be noted, is among the counsel for Mr. Coffin).

The issue also contains a description of a new ("intellectual") property course given by Professor Charles Reich, which includes readings from such diverse authors as Marx, Dickens, and Galbraith. There is, moreover, an interview with a student who is serving as "advance man" for Presidential hopeful Richard M. Nixon.

And that's the way it is at Yale.

Many Firms Refuse to Compete

Most large law firms in the United States and Canada appear as yet unable or unwilling to match the \$15,000-a-year starting salaries recently announced by Cravath Swaine & Moore and several other New York City law firms.

The management consulting firm, Daniel S. Cantor, according to the *New York Times* of March 3, surveyed 140 law firms and found only eight that were planning to

match the \$15,000 starting salary. Twenty-four of the firms had starting salaries under consideration, and 108 said they would not try to compete with top rate.

At least one New York City firm, Sullivan & Cromwell, implied that it might attempt to better the rate announced by Cravath. In a letter to a member of the *Harvard Law Review* the Sullivan firm stated that it

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The Visit

THE VISITING COMMITTEE'S VISIT this year (See Story, Page 1) was considerably enhanced by its expansion from one to two days. While it gave alumni the opportunity to inspect the present student body, the converse was also true, and the resulting exchange of ideas was strikingly free of the reserve which all too often accompanies student-alumni confrontations at the Placement Office.

One topic discussed was possible tension between the importance of the "hard-core" legal subjects and curriculum expansion in recent years (such as urban legal problems and, one might suppose, international law, since relatively few lawyers practice international law). At least one visitor pointed out that graduates from the School who learned the traditional curriculum had been rather successful in drafting much of the New Deal legislation.

A few observations. First, there appear today to be more students interested in law not as a professional career but as an intellectual or social tool. Second, the "hard-core" subjects like Taxation, Commercial Transactions, Estate Planning and Securities Regulation (a product of the Thirties) are still around and quite healthy. What is significant is that now a student can give his schedule some "mix."

The ultimately interesting question is whether a student who *did* concentrate on a "frontier" subject would be prepared to tackle "hard-core" questions later in his professional career. This is, if you will, the converse of the path from "hard-core" study to "frontier" work described earlier. The question perhaps reduces to whether the primary fruit of a legal education is a mode of approach to problems.

Time has proven that the first path may be travelled. Only time will prove that the converse may also be done.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

"It's unfair!" I shouted as I slammed shut my door before 40 or 50 pounds of assorted law books and mimeographed materials could come cascading back on top of me.

"What's that?" huffed a friend as he came careening around the corner, pausing for a moment to chat before continuing his wind sprints in the tunnel.

"The Power of Positive Thinking and the Law — that damn course."

"You mean the course where they teach you to be a nice guy, the easiest course within a 100 miles of Cambridge?"

"Not anymore. 'It's getting so that a fellow can't rely on anything these days — the prof's assigned a 2,000 word book report due at the end of the month. I'm getting so irritable about it that I've been having trouble making small talk with the girls at the Domino Bar."

"I thought you guys just spent classes playing roles. You know, sort of the Law School's graham-crackers-and-milk period."

"It started out like that when we spent the first period discussing last year's exam, learning, among other things, that a lawyer shouldn't be crabby with a new client. But our house of blocks collapsed with the news of the book report and impending threats of future written assignments, to say nothing of tedious Business School case studies."

"Those bad, too?"

"Pages and pages of facts, fold-out organization charts, ages of the employees — all leading up to the question: should a new water cooler be installed?"

A sense of sadness passing over us, we shook our heads in despair over the demise of another haven, another refuge for weary 3L's.

Letters to the Editor of the RECORD

Retraction

To the Editor:

I write to retract the statements relating to Professor Roger Fisher which I made in last week's RECORD, in a letter entitled "'Case for Israel' Review Criticized." Pursuant to what has been the policy of the RECORD as to letters to the editor received from staff members, my name was omitted and the letter was signed "Name Withheld Upon Request."

I was mistaken. Prof. Fisher is not counsel to Saudi Arabia and was not when he wrote to the *New York Times* about the Gulf of Aqaba. Five years ago, he did advise Saudi Arabia on a continental shelf boundary dispute with Kuwait. Prior to that time, Prof. Fisher had also received a grant from the government of Israel to aid his research as to Israel's claim to jurisdiction over Adolph Eichmann.

Any implications of bias or lack of candor on Prof. Fisher's part are unjustified and are consequently withdrawn. I offer my personal apologies to Prof. Fisher.

Allan R. Freedman, 3L

AN APOLOGY

The erroneous statements of Mr. Freedman regarding Professor Fisher appeared in many copies of the RECORD of February 23, 1968. The RECORD was able to have them removed from other copies.

The RECORD regrets the error and any inferences which might be drawn from it and conveys its apologies to Professor Fisher.

Lack of Evidence

To the Editor:

I have for a number of years been reading the HARVARD LAW RECORD and hearing about my old alma mater which I am extremely fond of.

I note that the school is going

more and more into broadening the courses of students. I understand also that since I have left evidence is not a required subject.

As a Trial Lawyer, a member of the Board of Governors of the American Trial Lawyers Association, and past President of the Montana Trial Lawyers Association, I feel that not having the subject, Evidence, is a mistake. We are now turning loose upon the public a great number of young lawyers with no knowledge of evidence, no knowledge of the principles of trial practice and they can defend a murder case or represent someone that has a claim worth \$200,000.00 or \$300,000.00 and oh, how they can botch it up.

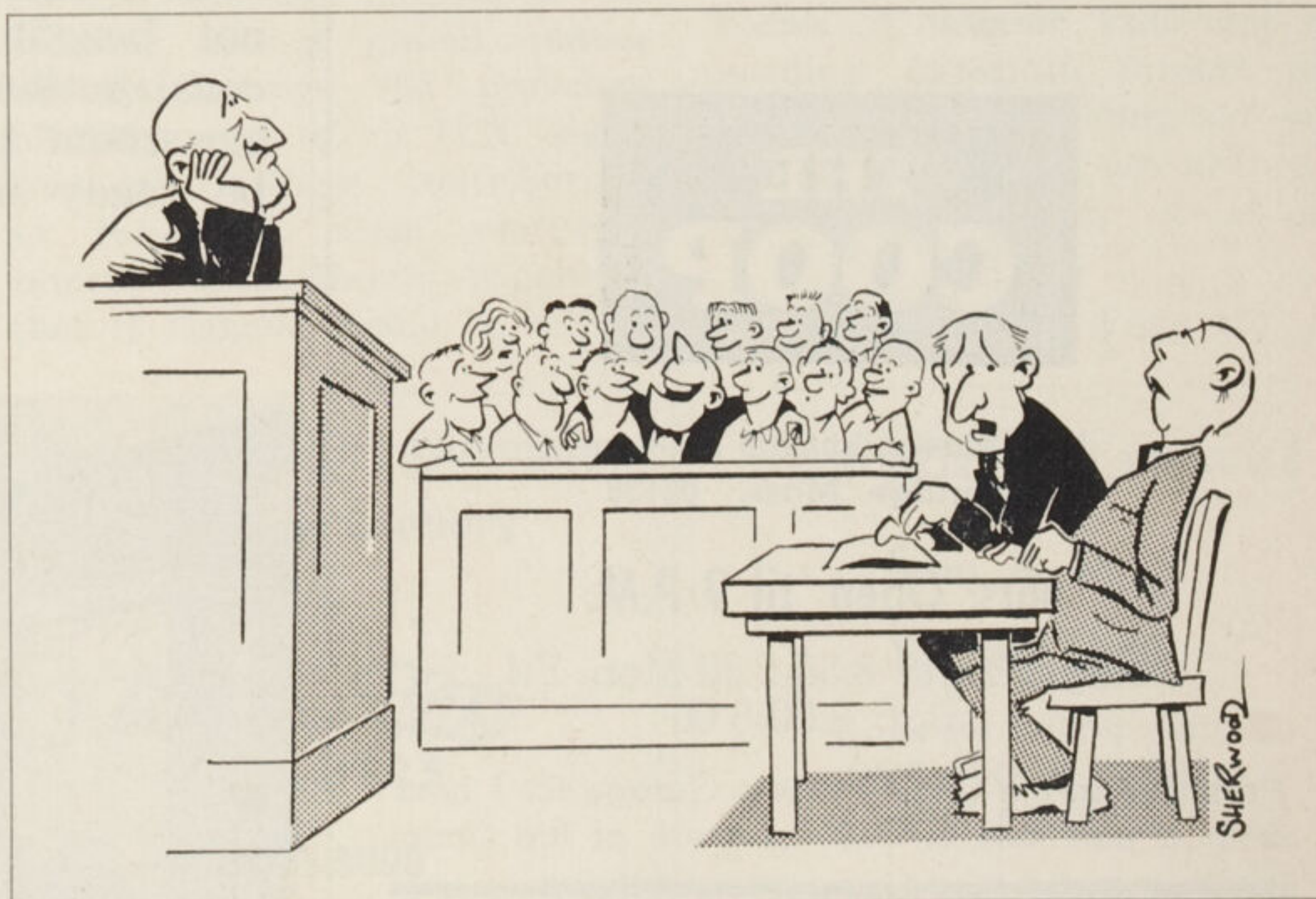
It seems to me that while diversification in law is greatly important, that the field of the advocate is still an important field in law and that as long as the American system allows everyone who has a law degree to try cases of any importance, it is an absolute necessity that the Law Schools at least give sufficient foundation in evidence, criminal

law, torts, and some semblance of trial practice, so that they can at least handle themselves, or know sufficient so that they will at least hire a specialty in the field. It may be that not only are the Law Schools wrong, but the states are wrong in not requiring a separate and specialization degree in trial law. I have thought this for a long time, but none of us have been able to succeed in this regard.

With all due respect to Harvard Law School, I find in your paper, the HARVARD LAW RECORD, a dearth of interest in trial practice, save for the very poor in the criminal field. I hope that Dean Bok in a review of the courses will see that advocacy is as important as tax work, as important as corporation work, and is a necessary criteria to a finished lawyer.

By this letter, I have no disrespect for Dean Griswold who taught me both conflicts and federal taxation. But the days when Professors Morgan and McGuire were teaching evidence and when

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Gotta say this much for Wilson — He sure establishes rapport with the jury.

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.

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Kendall Deleta Est



Photos by Andy Levin

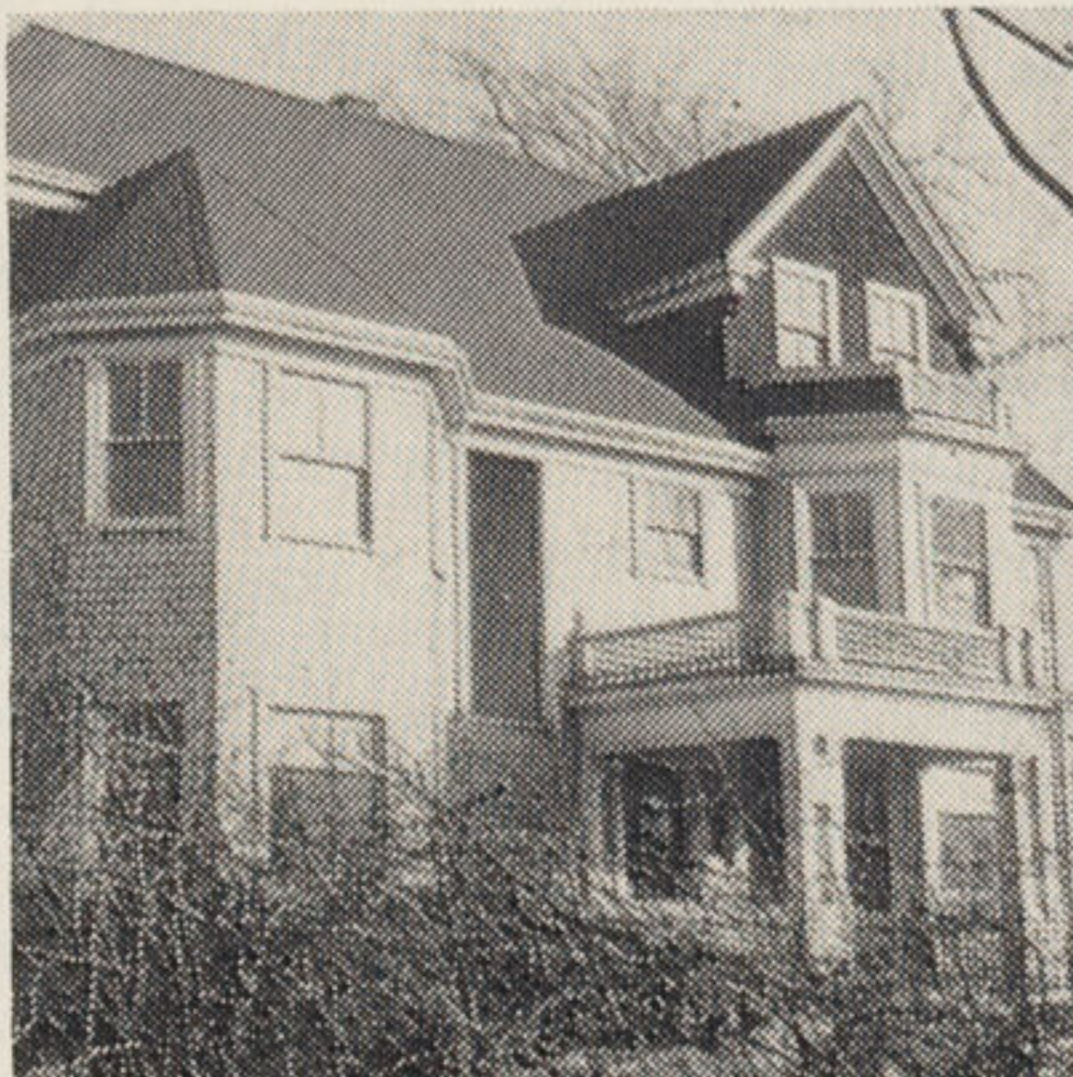
Fall of the House of Kendall

The steel teeth of a large crane tore into Kendall House last week and in several days only scattered splinters of the large house remained.

What had been a major parking problem before the destruction of Kendall House (in preparation for building a large classroom building) has now reached the dimensions of a catastrophe since over 70 prime faculty and student parking spaces were removed.

Thus the fall of Kendall House for many law students meant merely more noise, less money and more inconvenience. Unfortunately, most students now here will not benefit from the new construction since the new classroom building will not be ready until the fall of 1969.

**Below: Before
Right: After**



Recent Book

The Maple Leaf and the Olive Branch

Canada and the Quest for Peace. By Paul Martin. Pp. 93. New York: Columbia University Press. 1967. \$3.95.

By Robert Bares

This timely little volume is a collection of three lectures delivered at Columbia by Paul Martin, Canadian Secretary of State for External Affairs and member of Parliament.

The three lectures purport to set out the basic attitudes of Canadian policy toward three major political groupings: the United Nations, the developing nations, and the participants in the Vietnam war. Any one seeking to comprehend Canadian foreign policy either for its own sake or in contradistinction to the policies of the United States may find this collection interesting in parts, though generally disappointing in its treatment of the most complex world problem: the gnawing tragedy of Vietnam.

According to Mr. Martin, Canada has, in choosing how to play its distinctive part in international life, decided to work through the United Nations, hoping to find there a "counterweight to the enormous if benign influence" of the U.S.A. Canadian support of the U.N. is not merely verbal; as a "leader of the secondary powers", Canada favors the development of a meaningful U.N. military force for which each member nation will earmark a special group of

soldiers for participation when called by the Secretary-General. Canada maintains such a group at the present time.

In addition, the Canadian plan calls for a system of payment for these forces in which the Great Powers shoulder by far the heaviest burden, though Great Power troops are to be *excluded* from the U.N. Emergency Force

odds with any U.N. policy then "we would not hesitate to decline or to terminate Canadian participation."

In general, Martin's discussion of the Canadian foreign aid policy is far superior to that of the other topics he considers. With sound logic he points out the three major areas of Canadian aid: India and Pakistan, the Caribbean, and Africa.

Military aid, such as the United States gives, seems to play no part in the Canadian program, which does (and will increasingly in the future) deal through international groups such as the Colombo plan group, the World Bank's International Development Association, and the Development Assistance Committee of the O.E.C.D. The object of such a *modus operandi* is to avoid "tying" aid in the form of reciprocal trade credits or other limitations on the developing nation's disposal of the funds.

This appears in substance to be similar to some of the proposals of Senator Fulbright regarding American foreign aid. Quite clearly, providing aid with strings attached is not always a sensible policy, for it is not

Canadians favor strengthened UN emergency force

itself. Were this eminently sensible plan in formulation and in effect in 1950, the United States might not still have a huge force in Korea, and the 1965 deadlock of the U.N. in which payments were refused by France and the Soviet Union would also have been avoided.

Martin never admits to the obvious utopian nature of the scheme, but a casual phrase utterly destroys the prevalent idealistic *élan* of his U.N. essay. Canada's selfless contributions to the U.N. seem somewhat tainted when Martin comments that if Canada found herself at

(Continued on Page 13)

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Democratic Splits Lead to Republican Gains

(Continued from Page 1)

Tennessee Republicans, Sen. Baker pointed out, sponsored the original lawsuit which resulted in the landmark *Baker v. Carr* decision of the United States Supreme Court which has forced redistricting throughout the country.

"I feel that Tennessee is emerging from the Civil War century," Sen. Baker (who is a son-in-law of the Senate's



Senator Spong

minority leader, Everett Dirksen of Illinois) noted, but the Tennessee legislator's concern over an equally fratricidal conflict within his own party was underscored by his reminis-

cences of his own 1964 campaign.

It was left to the Democrat, Sen. Spong, to disclose the precise gains made by the Republicans in Dixie. The big increase came in the number of Congressmen the Republicans elected, he said, noting that in 1929, there were seven G.O.P. Representatives from the 11 states of the old Confederacy. By 1953, that total had declined to six, but in 1967 the Republicans could claim 23 members of the House and three Senators.

"Economic development has brought to the South independent voters who have no political commitment but listen to the candidates," Sen. Spong declared. "They want to know whether they'll breathe clean air and drink clean water. They want to know about many things which Southern politicians haven't bothered about for years, such as education."

Sen. Spong observed the continuity between the states which supported Strom Thurmond's 1948

States Rights party candidacy, those which went for Barry Goldwater in 1964, and those which may be expected to "Stand Up for America" with George Wallace this year. "The main



Photos by John Harris

Senator Baker

fact of the Wallace candidacy is that there's no difference between the two parties with regard to his appeal," Sen. Spong added.

But governors are the key to the future of Southern politics, Sen. Spong concluded, because of their generally broader powers of appointment, their veto power and their right to designate successors to vacant U. S. Senate seats.

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Letters

(Continued from Page 9)

Professor Morgan was teaching procedure, were great days in the Law School . . .

John Marriott Kline, '40
Glasgow, Montana

Ed. Note: Though Evidence is no longer a required course, the Office of the Registrar informed the RECORD that 416 third-year students (or about 80 per cent of the class) are enrolled in it, 238 for a full year. Trial Practice, a third-year semester course has an enrollment of 242.

Once Necessary, Now Indispensable

To the Editor:

Wishing neither to impugn the credibility of my very good friend, Linda Blumkin [Letter, HARVARD LAW RECORD, February 8, 1968], nor to detract from the undeniable cuddliness of my friend and classmate, Susan Scholle Connor, I would nevertheless like to state for the record that, as I recall the events of Civil Procedure with Professor Wright three years ago, I did not wear the "necessary" label but was, instead, "indispensable." Should any section-mates out in RECORDland share Linda's recollection, I shall, of course, yield without a struggle. Being necessary is enough for any girl.

Susan Grossman, '67
Chicago, Illinois

Canada's 'Thankless Task'

(Continued from Page 11)

always the United States that pulls on the string.

The most timely portion of Mr. Martin's book is its essay explaining Canadian policy for Vietnam. In a sense, Vietnam should have remained outside the Canadian sphere, for it falls outside the primary aid group and has never seriously been dealt with by the United Nations, to which Canadian foreign policy is committed.

Thankless Task

Nevertheless, Canada took on a thankless task by accepting the totally surprising invitation to be a member of the International Supervisory Commissions of the two Vietnams.

While no one will fault Canada because the Commissions have been blatantly unsuccessful, it is regrettable that the four point Canadian peace program reveals so little imagination and even

contains implicit follies.

The six-point Candian plan for settlement involves a reunited Vietnam on terms as yet undefined. But immediately following the peace talks Vietnam is to remain divided but controlled internationally by a new and more powerful international commission. Whether either Vietnam will tolerate such a commission any more readily than the present ones remains a point that Martin has left unconsidered.

A New Leaf

Except for Martin's treatment of the Vietnam problem—a problem which admittedly has confounded the entire world community—Canada and the Quest for Peace is indeed a good advertisement for Canadian foreign policy. If Martin is accurate in representing the attitudes of his country, his book presents recognizably sensible alternatives to the policies of the U.S.A.

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Visiting Committee Meets with Campus Groups

(Continued from Page 1)

another: "There's no question that this system is better; we've never had an opportunity before to meet students."

The confrontation between students of today and graduates 30 to 50 years out of law school produced expectable contrasts of outlook.

At a joint meeting with the *Civil Rights-Civil Liberties Law Review* and the Civil Rights-Civil Liberties Research Committee, the discussion proceeded smoothly and innocuously for an hour or so, involving mostly the financing and editing of the Law Review.

Then, one visitor raised the problem of the student's allocation of time, as, for example, between studies and work on the *Civil Rights-Civil Liberties Law Review*. This provoked a deep-felt attack on the Law School's philosophy of education from one of the students.

"With the growth of student activities," he said, "the inadequacy of instruction in the classroom has become apparent. Our law review also teaches us rigorous analysis and discipline, but at the same time gives us substantive background in a meaningful area of law.

"The Socratic method, with emphasis on particular points of individual cases, is too slow a way to learn the subject matter; there is no perspective until near the end of a course. So now students do spend less time on class preparation; they know they can learn it fast, later. Our law review does deal with subject matter; it is exciting. It is immediate. Teachers must be educators."

During a coffee break, one gentleman was

asked his opinion about the proliferation of student organizations and the new, non-credit course on Vietnam. A Southerner and professed conservative some forty-five years out of law school, he frankly couldn't see why concerns like civil rights and poverty and Vietnam should be the concerns of the Law School. He felt that they should not be offered even on a voluntary basis, because they consume time the students should be spending learning the things that will help them better represent their clients.

"In my firm," he said, "we don't practice Vietnam or poverty." These concerns, he thought, are concerns of every citizen, generally, and should not be dealt with as problems for lawyers, particularly. As a concerned citizen, he had been active for sixteen years in his city's legal aid society.

"But," he said, "if you spend all your time on Vietnam and poverty, you have no time for practicing law. The people who do that won't get promotions and they won't make partner. They'll shift from place to place and be making — not that money is everything, now — but they'll be making maybe a half to a third of what others are making." The question, he thought, is which subjects the Law School should assist the student in learning, which experiences it should afford him — and which should be learned "as citizens, on an extra-curricular basis."

The gulf between the gentleman and the great numbers of concerned "liberal" students at the Law School today may be more one of his greater years and wisdom than, as students might like to believe, of any real difference of political philosophy or moral commitment.

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(Continued from Page 7)

liked to be leader in salary increases. Whether this statement was merely a lamentation over the fact that Cravath had temporarily taken the leadership with its offer or an implied promise that Sullivan would attempt to surpass Cravath will probably be decided as soon as Sullivan reaches a decision on the salaries it will offer beginning associates.

Another major law firm, Covington & Burling in Washington, informed the president of the *Harvard Law Review*, George Crawford, that it will offer starting associates \$12,500 per year for the first one and a

half years with an automatic \$1,500 bonus in the first year. After two and one half years Covington stated that it would be paying \$15,000 per year. However, the Covington offer did not exclude the possibility of bonuses and automatic wage increases as did the Cravath offer. Students who spend a year clerking or with the government will have a salary level identical to that which they would have attained by having spent the same amount of times with Covington firm, according to the letter.

The Cantor survey indicated that the largest firms (those with 50 attorneys or more) had the highest average starting salaries — \$11,750 up from \$9,190 in 1967.

In contrast, firms with 21 lawyers or less are paying \$8,320 this year compared to \$8,140 last year.

Regulations . . .

(Continued from Page 3)

Prof. Braucher also said that past practice was to pro-rate tuition and dormitory fees after the date of departure for military service. No refund of scholarship money was sought. There was also no distinction in these rules between those drafted and those who volunteered for service. The school did, however, want students to finish out the year, if possible.

Conference . . .

(Continued from Page 6)

of the draft law's unconstitutionality, Mr. Boudin added.

The last speaker, Michael Tigar, outlined possible frameworks for a legal challenge to the current policy that prevents judicial review of selection processes before a registrant has actually resisted induction.

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Applications for the program will also be accepted then; though not absolutely necessary, it would be helpful also for applicants to

bring an undergraduate transcript and a copy of their LSAT scores with them at that time. Students interested should sign up at the receptionist's desk before Mar. 9 indicating which date they intend to take the test.

No Girls

The program is open to all male first-year law students between the ages of 19 and 29. Upon acceptance, a student will be commissioned as an Ensign in the Naval Reserve and be allowed to com-

plete law school; there will be an officer indoctrination course of about eight weeks between the second and third years.

A Hitch in Time

After graduation from law school and admission to any state bar, a student will be promoted to the grade of LTJG and ordered to a minimum of four years active duty as law specialist in the JAG Corps. Further information may be derived from Assistant Dean Simpson's office.

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