

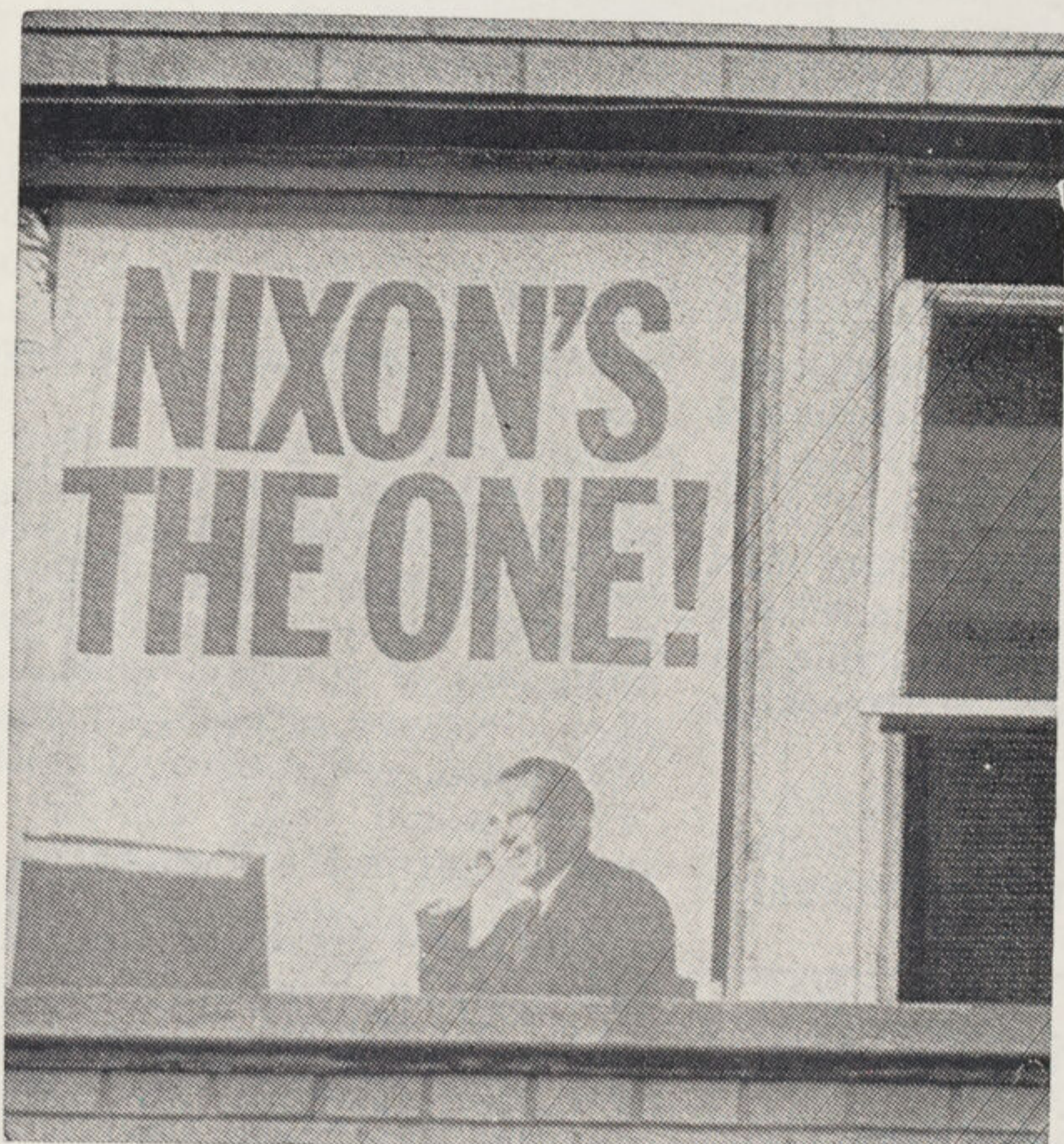
HARVARD LAW RECORD

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OCTOBER 31, 1968

Humphrey Overwhelms Nixon In Poll



David Walsh

NOT AT HARVARD LAW, HE AIN'T

Wins Almost 4 to 1

By Kevin Kane

Hubert Horatio Humphrey has overwhelmingly defeated Richard Milhous Nixon in a RECORD survey of over 600 Harvard Law students. Humphrey received almost four times as many votes as Nixon and twenty-seven times as many votes as Wallace.

Many of the students did not appreciate having to choose between the three major candidates. One outraged student remarked, "I would not vote. Revolution is the answer." Another said: "I don't trust any of them." He then wrote in the name of Eldridge Cleaver.

The results of the poll were in striking contrast to a similar one taken at the Harvard Business School in late September. That poll, which was published in the *HarBus News*, showed Nixon leading Humphrey 53 per cent to 22.3 per cent.

Wallace received 3 per cent of the votes, comparable to his 2.8 per cent of the RECORD poll.

Neither the Law School poll
(Continued on Page 6)

Statement of Dean Derek Bok

"The RECORD editorial of Oct. 24 has offered several constructive suggestions for the Law School. In view of the breadth of the issues involved, it seemed appropriate for me to respond, if only in a preliminary fashion.

"The proposal concerning *cum laude* honors has not previously been raised and could presumably be presented to the Student-Faculty Committee for consideration. But work has already begun on most of the other items.

"A special faculty committee was established several weeks ago under the chairmanship of Professor Brown to consider the question of awarding J.D. degrees. A number of letters re-

lating to this question have already been forwarded to that committee and further communication from alumni and students would be welcomed. The question of credit for the Ames competition is part of the broader issue of finding ways to maintain interest in moot court work and to maximize its contribution to legal training. These matters are being actively considered by the chairman of the Board of Student Advisers and by the Board's faculty adviser, Professor Trautman.

"Perhaps, the most important question in the RECORD editorial involves the matter of student participation. In my welcoming talk to the first year class on Sept.

(Continued on Page 5)

Nader to Speak

Ralph Nader, auto safety critic and a graduate of the Law School in 1958, will speak tomorrow night at 7:30 p.m. in the Ames Courtroom. Nader plans to speak on law school and law firm reforms, according to Robert Fellmeth, chairman of the Civil Rights-Civil Liberties Research Committee which is sponsoring the speech.

Last year Nader called the recent reforms at the Law School "trivial." He explained that the Law School was failing to train

(Continued on Page 16)

Atkins, Alinsky Discuss Organizing the Ghetto

By Tom Stanton

The topic and setting of last week's Forum on "Organizing the Ghetto" were somewhat incongruous. It was difficult to relate the concept of an intense power struggle in our society to its often witty articulation by a well-dressed, well-fed group of panelists before a comfortable audience.

The panel consisted of Saul Alinsky, professional organizer, Tom Atkins, 3L and Boston City Councilman, and Joseph Alsop, the noted columnist. Professor Adam Yarmolinsky moderated with a light and skillful touch.

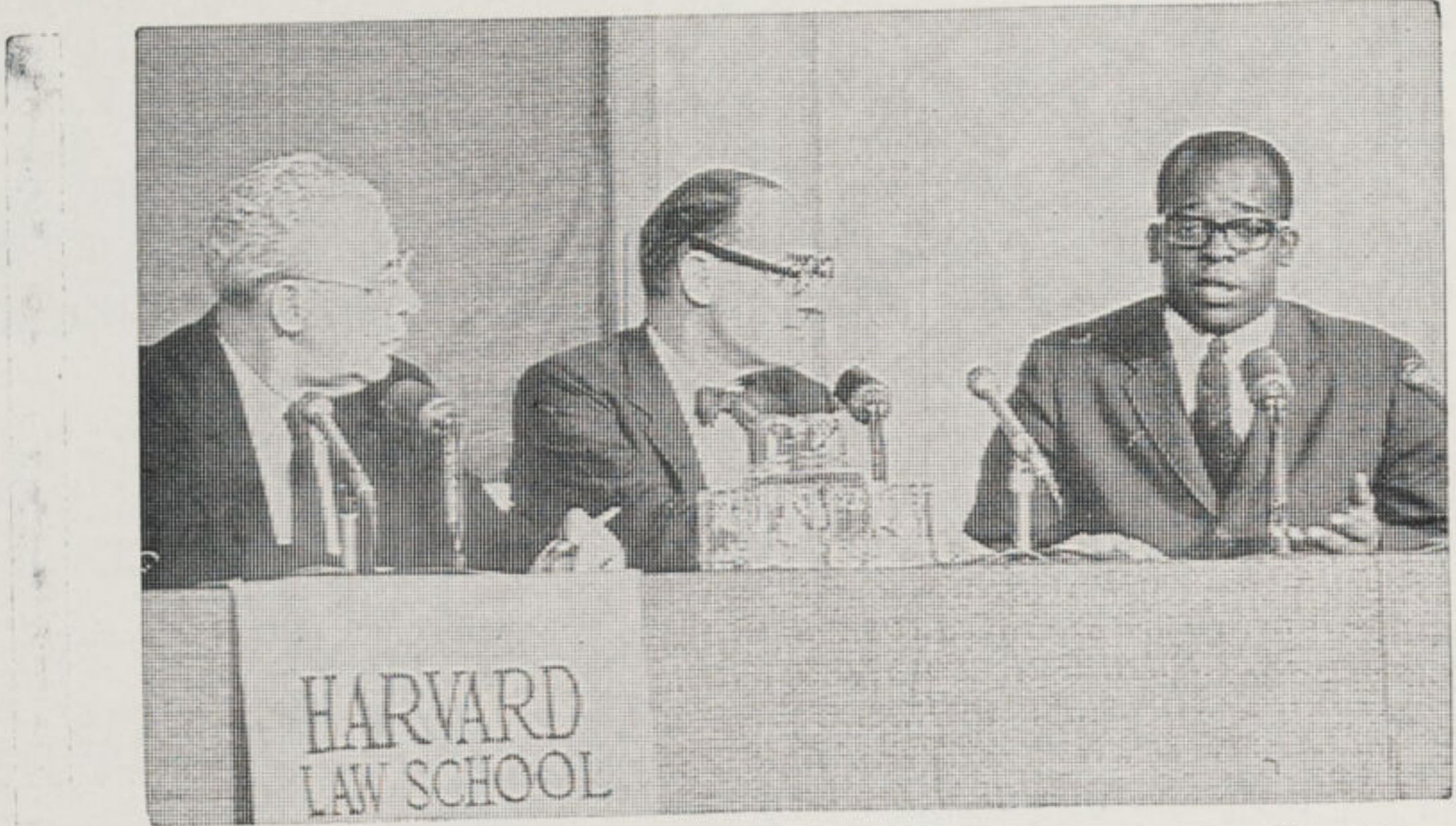
For Saul Alinsky, organization is a synonym for power. Only through organization, he said, can members of any community affect their collective position in society. Alinsky finds it essential that black power be mobilized like Irish power or Italian power.

Such organization would bring America one step closer to democracy, he contends. Members of the black community would be able to say, "Those chosen men are our representatives, and they speak for us." Organization as he sees it would allow black men to negotiate as legitimate community representatives with other institutions such as welfare offices, landlords, and politicians.

However, Alinsky sees the renaissance of black culture, often considered a part of black power, to be sometimes a rationalization used to defer the essential task of organization, often by persons incompetent at organizing.

While not referring directly to the black culture movement, Atkins implicitly answered Alinsky by saying that the black community is going to set its own goals and schedule of priorities.

Atkins was more explicit in applying this idea of self-determination to a suggestion by Alsop that the black community follow the example of the American Chinese



Mike Lurey

Alsop, Alinsky, Atkins at Forum

and Japanese communities and emphasize education over all other objectives.

"You don't go to a hungry man and tell him he should send his kids to school. You will strike out unless you relate his working with you to his goals."

Alinsky stressed his agreement with Atkins that the community

Organization Called Power Synonym

organizer must meet the needs of the community. His first job is to use organization to make community members realize that their plight actually consists of specific problems and issues. Then organization is used as the mechanism to resolve these separated issues and problems through specific action.

Atkins noted that a non-member of the community mustn't be offended should his ideas be rejected. He shouldn't approach the community as master or servant, but as a partner.

On the other hand, the non-member of the community should maintain his integrity and dignity. As Atkins put it, "White people have no monopoly on stu-

pidity or ignorance or even racism."

Alinsky was also emphatic in saying that whites mustn't stifle criticism just for fear of having a racist stigma put upon them. Such lack of courage would lead to a "serious problem of black charlatans and neurotic whites which would bring comfort to every bigot in the country."

The panel presented the white liberal in a number of guises. Alsop, for example, likened him to a ballet. "The picture is beautiful and the music lovely, but when it is over there is nothing left but air."

Alinsky, however, finds the white liberal more than a joke. While Atkins thought that the black community could develop nicely without the eager liberal support so fashionable a few years ago, Alinsky felt that, "We desperately need allies in the power struggle for change. These allies are going to be found only in the three-fourths of society which is middle class."

Right now, Alinsky is organizing whites in order to "create those power blocks which will be so desperately needed in the not too distant future."

His concern about the future was echoed by Atkins, who spoke of the rise of "Wallaceism and Nixonism" in the country.

Rebels Fail in Battle for Seats on Coop Board

By Ronald Nussbaum

The scene was reminiscent of one of the great fights for control of MGM or some other multimillion-dollar corporation recorded in the financial pages, Baker & Cary and the books of Louis Nizer. This time the objective was control of the Harvard Coop.

Some students, mostly Harvard undergraduates, led by Wesley E. Profit, a college senior and president of Phillips Brooks House, were opposing the slate of directors nominated by Coop stockholders. Traditionally, the stockholders' slate is elected at the Annual Meeting of Participating Members without opposition.

In fact, on the only previous occasion in recent memory when any opposition to the slate had been voiced, less than 100 members showed up at the meeting; a quorum of 5% of the members eligible to vote is needed to hold an election at the meeting.

According to the most recent count of Coop membership, General Manager John G. Morrill stated, the quorum needed at this year's meeting, held last Wednesday at 5 p.m. in the auditorium of the Cambridge High and Latin School, was 1404 voting members. An amazing turnout of 948 members fell short of that number. Thus the stockholders' slate was



Disestablishmentarians

automatically elected in accordance with the by-laws of the Coop. In addition to this 948, about 100 other persons attended the meeting but were not counted for purposes of attaining a quorum.

The "opposition" had based its reasons for running on six claims and proposals. After these points were rebutted by the Coop management, the group changed its emphasis. According to Profit, this slate of directors was "not promising anything," but was "bringing to the Coop a posture as to what good business ought to be doing." The board, he added, should have an interest in the community and should be creative enough to work out programs before crises arise.

Over 1000 Students Attend Coop Meeting

Louis Loss, William Nelson Cromwell Professor of Law, an officer of the Coop last year, and newly elected vice president and general counsel, stated before the meeting was held that he couldn't agree with most of the programs advanced by the opposition.

He did agree, however, that election of student directors should be done more democratically. Under the present system, the stockholders, who have most of the power to change Coop by-laws, contact various deans in the University and ask for recommendations. Prof. Loss pledged to work for giving students more of a voice in this process.

Prof. Loss regarded any sudden change in the management of the Coop with skepticism. The financial situation of the Coop requires a stable management, he said. The Coop has taken out large loans in the past few years to build the Business and Medical School branches. He added that the



Howard Sweet

The Establishment

Coop is managed very cheaply, that the officers' combined (not counting the general manager) salaries amount to under \$30,000 a year.

The fiduciary responsibilities of the directors and officers were underscored by Austin W. Scott, Dane Professor of Law, Emeritus, who served as vice-president and general counsel from 1922 until his retirement this year. He expressed sympathy for the opposition view and added that the Coop knows that it's part of the community, but its first responsibility is to its 62,000 members. Furthermore, the Coop directors and officers have done or considered just about all the proposals the opposition group has asked for.

This view was also expressed by some of the student directors who served on the board last year and were renominated this year. Cornelius W. May, 3L, stated that he felt insulted that this group was seeking to overthrow a board that had successfully run the Coop and had made strong moves toward many of the programs that the opposition was pressing without even inquiring into what the board was doing.

(Continued on Page 11)

Areeda Muses on What Nixon Would Do in Office

By Richard Hoffman

"Who's Nixon going to appoint to the Supreme Court?"

"Not Strom Thurmond."

That may have been the most specific response offered to any Young Republican who accepted the club's invitation to lunch with Prof. Phillip Areeda last Thursday and find out what an administration led by Richard Nixon would be like. Latecomers were forced to sit in a doorway, where they were denied a view of Prof. Areeda's sumptuous salad.

But a packed ILS-4 seminar room did hear a wide-ranging forecast of what sort of approaches a Republican govern-

ment might take toward major problems facing the nation.

Prof. Areeda, a veteran of government service in the Eisenhower administration, dealt first with questions about the Republican nominee's reliance on slogans: "Every politician has a set of clichés to which he returns from time to time. Nixon has a penchant for Cold War clichés. I don't put much on easy formulas and don't draw from clichés. Humphrey has a set of them too, several sets sometimes."

Politicians, he explained, tend to be "as uncommunicative as they can" when asked to state specific positions during a campaign although they're simul-

taneously creating their policies. Thus he warned against judging an administration before it takes office. "Predicting the future from past political behavior is difficult," he noted.

Prof. Areeda pointed out, "my only basis for prediction is that of the reasonable man." He expects either Nixon or Humphrey to get out of Vietnam as quickly as possible because "they can't afford to suffer what Johnson suffered, to have their administration ruined as his was."

Elsewhere on the foreign policy front, the professor doesn't see either man as revising policies in such areas as Latin America ("to deplore dictators but live with them") and foreign aid ("Whatever the next administration does about aid, Congress will do less.")

Questioned on his own specialty, Prof. Areeda doubts that either administration would do anything new in antitrust activities or act against conglomerate mergers. "The great tragedy for both parties is the expected failure of tax reform," he added. "Humphrey used to be an advo-

(Continued on Page 16)

"THEY SAY THE POOR HAVE IT HARD; WELL,
THE HARDEST THING THEY HAVE IS US."

BERRIGAN

VISTA LEGAL PROGRAMS AT HARKNESS

Nov. 5, 6 12:00-1:30 P.M.
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Dean Bok Replies to Record Editorial Points

(Continued from Page 1)

8 and in the Law Forum discussion of Sept. 14, I indicated that this issue would be presented to the Joint Student-Faculty Committee after its student members had been selected. On Oct. 15, I met with the Committee and asked that they consider various aspects of participation, including the role of the Joint Committee itself as well as student participation on faculty committees.

"As this preliminary discussion revealed, the issues involved are perhaps a bit more complex than the RECORD editorial suggested. To begin with, there is the question of how to select student representatives to serve on a faculty committee or, indeed, on the Student-Faculty Committee itself. In addition, there are problems in deciding which committees are appropriate for student participation and what form such participation should take. For example, a student involved in disciplinary cases may not wish other students to review, or even know about, his situation. Perhaps, such a student should at least have an option to have his case heard solely by faculty representatives. To take another committee not mentioned by the RECORD, it is not entirely clear that student representatives would consider it worthwhile to study all of the 3500 odd admissions applications that accumulate each year, nor is it necessarily desirable that certain students should know the past records of large numbers of other students, some of which contain matters of considerable sensitivity.

"During this year, these issues

will be discussed in detail by the Student-Faculty Committee. This does not mean, however, that the Committee should be the sole agency for considering such matters. Any student should feel free to submit a considered proposal or suggestion to Professor Dawson, Chairman of the Student-Faculty Committee, and, if he is so inclined, to speak with me about his views.

"The fact that the Committee is considering student participation does not mean that, in the meantime, students will have no part in the affairs of the School. In the course of this year, several matters of importance to students are being discussed by faculty committees: financial aid, under a committee chaired by Professor Kaufman; small sections in the first year, by the Committee on Legal Education chaired by Associate Dean Sacks; and joint programs with the Business

School, the Kennedy School of Government, and the History Department, by a committee headed by Professor Chayes. Each of these committees will find ways of soliciting student opinion — by open meetings, interviews, surveys, or other methods. With respect to financial aid to students and joint programs, faculty committees have already sought the advice and opinions of interested students.

"The procedure adopted in both cases has been to inquire of students nominated for membership on the Joint Committee whether any of them are interested and then to ask those who do express interest to take the initiative in arranging meetings and other forms of consultation with other students. As to both topics, it is planned to have open meetings which all interested students will be invited to attend. This pro-

(Continued on Page 16)

Ames Semifinal Rounds Slated

Four Ames Clubs will wage a contest of oral advocacy in an effort to enter the final round of the Ames Competition in two semifinal arguments to be held at 8 p.m., Nov. 7 and Nov. 13 in the Ames Courtroom.

Extension of the one man-one vote principle to special air and water pollution control districts and the constitutionality of new Federal Communications Commission regulations dealing with personal attacks on public broadcasts are the two main issues of the semifinal arguments.

Kaplan will face Sung-Kun in a case involving the one-man, one-vote rule. Oralists will be Timothy J. Dacey III and Dennis O. Lynch for Sung-Kun and Stephen Cowan and Curtis von Kann for Kaplan.

The Casner and the Bruce clubs will argue the Nov. 13 case concerning the power of the FCC to order a TV station to broadcast both sides of a question. The Casner oralists will be Miriam Herzfeld and William T. Vicary; arguing for Bruce will be Larry D. Estridge and Thomas W. Tinkham. All oralists are 3L's.

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Survey Results Show Law School

(Continued from Page 1)

results nor those of the Business school are similar to the results of the most recent Gallup and Harris polls, although the Business School poll appears far more representative of voters in general.

The Harris poll, based on 1,899 voters, indicated that Nixon would take 40 per cent of the vote, Humphrey 35 per cent and Wallace 18. The

RECORD PRESIDENTIAL POLL*

	% of Vote	No. of Votes
Humphrey	76.5	384
Nixon	20.7	104
Wallace	2.8	14

*502 of the 601 Law Students surveyed expressed a willingness to vote for one of the three major candidates.

HARBUS PRESIDENTIAL POLL*

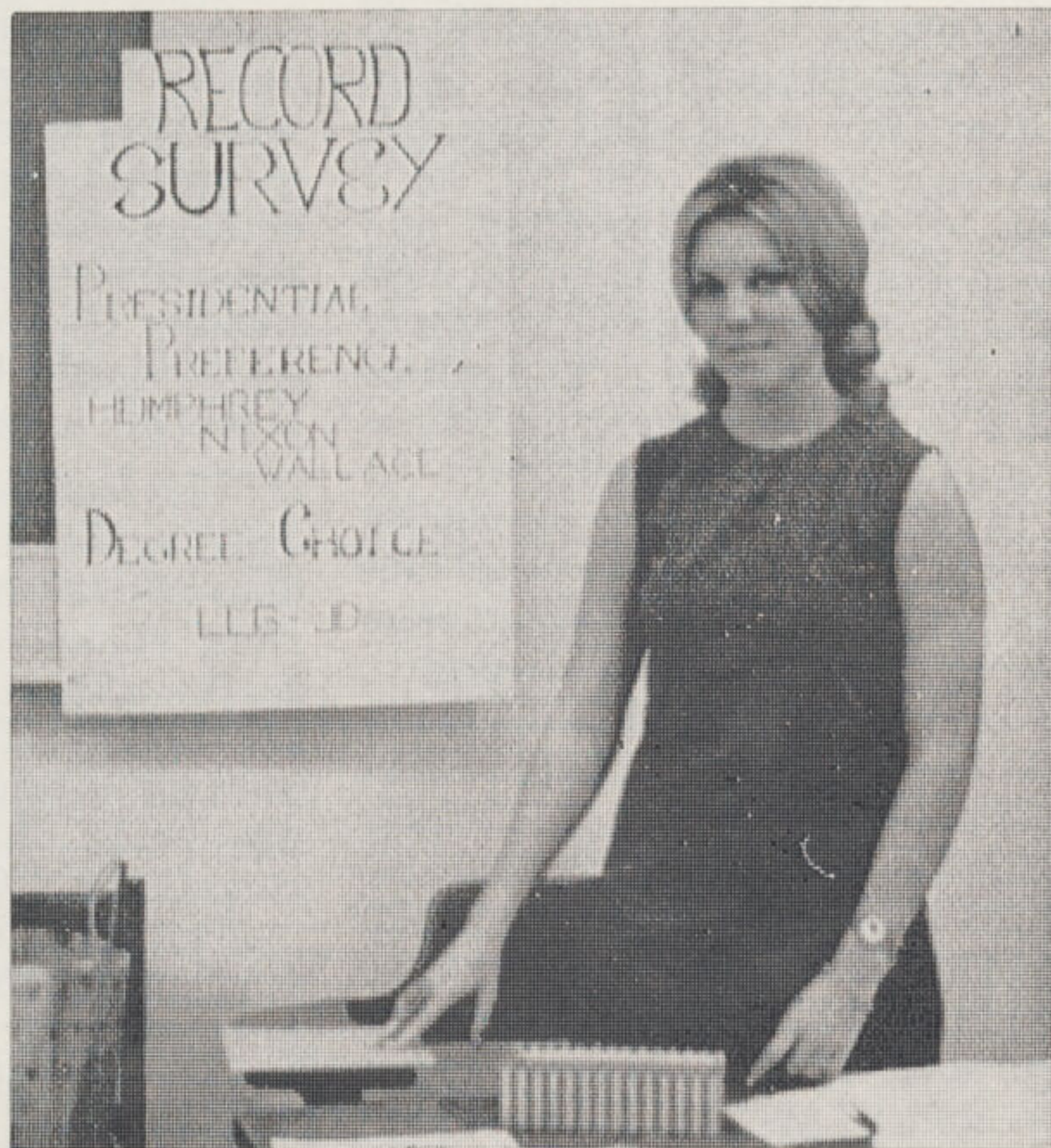
	% of Vote	No. of Votes
Humphrey	22.3	31
Nixon	53.0	76
Wallace	3.0	4

*170 students, faculty, and staff at the Business School participated in the survey.

Gallup Poll (1,605 voters) had the following results: Nixon — 44 per cent, Humphrey — 36, Wallace — 15.

Despite Humphrey's victory over Nixon in the RECORD poll, over two thirds of the students would not vote for any of the major candidates if they had a choice. Of the 601 students surveyed, 445 wrote in the name of the man they would prefer as President. The survey was framed in a manner so that students could vote for one of the three major candidates and in addition state their preference for President. Ninety-nine students did not vote at all. But of those students stating a preference, over one third voted for McCarthy, one fifth for Rockefeller, one seventh for Lindsay, one tenth for Kennedy, one two hundredth for Pat

Paulsen and one five hundred for Jack Tate, RECORD President.



Mike Lurey

Of 170 members of the Business School surveyed by the *HarBus News*, almost 40 per cent stated that they would have liked to have seen Rockefeller as President. Over 16 per cent preferred McCarthy, over 10 per cent were for Lindsay and about 6 per cent for Kennedy.

The RECORD poll requested that students indicate their class, but about 200 failed to do so. However, of those indicating a class, 148 1L's voted 81.1 per cent for Humphrey, 15.5 per cent for Nixon and 3.4 per cent for Wallace. Humphrey support was slightly stronger among the 83 2L's: 85.5 per cent for Humphrey, 10.8 per cent for Nixon and 3.7 per cent for Wallace. Of the

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89 3L's, 77 per cent were for Humphrey, 20 per cent for Nixon and 3 per cent for Wallace.

Despite the large vote for Humphrey, the reluctant compromise of many voters was reflected

PRESIDENTIAL PREFERENCE POLL*

	% of Vote	No. of Votes
Rockefeller	20.9	93
McCarthy	33.5	149
Lindsay	15.6	69
Kennedy	11	49
Nixon	1.3	6
Gardner	1.3	6
Percy	.4	2
Reagan	.7	3
Muskie	3.8	17
McGovern	2.9	13
Cleaver	2.5	11
Goldwater	.7	3
Galbraith	.4	2
Paulsen	.4	2
Tate	.2	1
Other	4.3	19

*445 of the 601 students answered this question, which asked whom would you like to see as President.

in some of the comments: "Though HHH deserves to be smashed, Zero Spiro is just too much." "Robert Kennedy is dead." "A true mockery."

A strange combination given by one student was Wallace as major choice and Eldridge Cleaver as preference. And with this comment: "Now comes the revolution!" One 2L who gave Ted Kennedy as a preference remarked that "after 4 years of Nixon, hopefully we'll still be here in 1972." Survey Research by Bev Bair.

HARRIS POLL

(1,899 voters)

Nixon	40%
Humphrey	35%
Wallace	18%
Undecided	7%

GALLUP POLL

(1,605 voters)

Nixon	44%
Humphrey	36%
Wallace	15%
Undecided	5%



Professor William Curran, a lecturer at the Law School, has recently been appointed the Frances Glessner Lee Professor of Legal Medicine at the Harvard Medical School. Professor Curran teaches the Medico-Legal Problems Seminar.

The Ad Hoc Committee on Legal Medicine considered the appointment for three years before selecting the 43-year-old professor.

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The New Dean . . .

Immediately following the selection of Professor Derek Bok as Dean last January the standing joke among students was "Derek Who?" For most students who have come into contact with the new Dean and have heard him express his views, that question has been answered not just with a knowledge of who Prof. Bok is, but also with a feeling of confidence in his ability to lead this school through the difficult years ahead.

He seeks constructive criticism of the Law School as is pointed out in his statement published in the RECORD on page 1. However, any student choosing to confront the Dean with criticism or proposals for reform deserves to be forewarned that he had better have his ideas well thought out. The Dean has a wide ranging command of the issues confronting the Law School and can, when he wishes, articulately marshal sound opposing arguments to most proposals. He has a lawyer-like tendency to take the other side of the question, perhaps for the purposes of revealing the advantages and disadvantages of proposals.

Fortunately, Dean Bok, in addition to his verbal abilities, is psychologically attuned to the need for reform while at the same time being cognizant of the fundamental concern that major law firms and thousands of Harvard Law Alumni have in what goes on at Harvard Law School.

The New Record . . .

With this issue the size of the RECORD has been changed for the first time in eight years. By moving to this larger format we hope to be able to have greater photographic flexibility, more space for feature stories, and local national advertising.

The RECORD was founded in 1946, making it the first law school newspaper in the United States. Columbia, Virginia, Yale and over sixty other law schools followed Harvard's lead.

Through most of its existence the RECORD has continued to claim that it is "The Nation's Oldest Law School Newspaper" because it initially used the newspaper format. But legal fictions aside, the RECORD has ceased to be a newspaper and by any rational standard is a magazine with a substantial news content.

Harvard Law Record

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Fenno

"Fenno, how come you're using all the regional reporters I need to check my opponent's brief?" demanded a first-year friend as I glanced haphazardly at several volumes spread across the library table in front of me, paying particular attention to 12 So2d 305.

"You won't believe it but I'm judging your argument," I replied smoothly.

"You?" he snorted. "I didn't expect Mr. Justice Stewart but I thought at least a professor would judge Ames."

The Seamy Side

I figured that it was a waste of time to fill him in on the seamy side of Ames: the snotty Board of Student Advisers man, the missing number of the Federal Reporter (and where to find the other two copies of it), how to use Shepard's to figure out phone numbers in girls' dorms, and the general level of judging.

He'll find that all out soon enough, I told myself, and sure enough, he did. "Fenno, I know you'll be expensive but d'ya think you could give this to the other two judges, like please?" he whined as a wad of green floated into my open palm.

Use Your Hands

"We don't do things like that around here," I said solemnly as I wrote out a receipt. "Next time don't say anything. Just use your hands," I advised.

The argument went well. Nobody admired my Charles Laughton-style English wig, and my date sitting in the back of Austin East, otherwise an empty room, reddened a bit as I asked counsel about their solicitors.

I didn't ask as many questions as judges usually do, mainly because I lost my crib sheet. The board's secretary said they didn't have any more and if I really cared about the case that much, I'd have to look everything up myself.

All The Time

"Fenno," the club supervisor remarked with a smile, "would you judge all the time for us? Since you didn't say anything, the counsel got through a half hour earlier and I had four more beers."

"Yep," I answered, "but the next case has to have a record no longer than two pages. I can't read anything more than that because I decided I'd better read *Miranda* this week."

Comment on Ethical Problems

To the Editor:

I am amused by the report of the meeting at which the participants discussed the ethical problem presented when a lawyer knows that his client will perjure himself on the stand.

The question recently arose during a discussion I had with a young colleague. He represented a husband who was suing for divorce on the grounds of adultery. The husband had said, "I've run around a lot, too, but she [his wife] can't prove it."

The young man knew that the husband would have to take the stand, and in answer to routine questions, state that there had been no recrimination, condonation or procurement. He would be lying when he said there had been no recrimination [ignoring the possibility that his statement to the lawyer was untrue, but prompted by a desire to assert his masculinity in the face of his having been cuckolded]. He asked whether he could continue in the case.

I believed that there is nothing left of the lawyer-client privilege if the truth told by a client requires the lawyer to withdraw from the case. But I suggested that we call the Bar Association Committee on Ethics and put the question to them.

In order to answer this type of question informally and quickly, the

Letters to the Editor of the RECORD

Committee assigns a different member from day to day to telephone duty. I called the man who was "catching" that day and told him the problem. He answered, "If you ask the committee, they'll say you must withdraw from the case, but I'm telling you that if it was my client, I'd represent him."

Enforcing the strict rule would perhaps only change the procedure for many lawyers. You may recall that, in "Anatomy of a Murder," the author describes how he gives "the talk" to his client before he asks him to tell the facts. Many lawyers might, in "the talk" include such a statement as, "Of course, if you have done so and so, I cannot represent you."

I don't think there's anything wrong with representing a guilty man. Nor even in representing a liar, provided it's his lies and not yours that he's telling. It is no more unconscionable to have a guilty man acquitted because the state cannot prove his guilt beyond a reasonable doubt than it is to plead the statute of limitations or of frauds when the lawyer knows that [regardless of the rationale beyond these statutes] the debt is, in truth, actually due.

The case posed to the Committee was not one which allowed a malefactor to go free. I have no sympathy for the defense of recrimination, which keeps

people married when they both have committed adultery. I don't think I must turn a client out of the office because he, too, has sinned; but doesn't this open up the entire Pandora's box of what laws a lawyer decides he's going to respect?

As to Percy Foreman's statement that he thinks most of his clients are guilty, I am reminded that the Sorbonne students said, "We are all undesirables." I do very little criminal law, but the small amount I do handle has convinced me that the community is not always best served by punishing the guilty. A guilty man needs sympathy and help: he does not usually need punishment, unless he is a professional recidivist, and then he probably needs more help than I am capable of giving him.

Lee Epstein '35

Harvard Law Should Grant J.D.

To the Editor:

In perusing a recent issue of the *Harvard Law Record*, we note the Law School's decision to revamp the grading system. This wise decision reflects the School's recognition of the fact that however meaningful a Harvard C+ may be to those who know the standard of performance required to earn it, the outside world still regards it as a mark of mediocrity.

We are of the opinion that it is now essential that Harvard Law School turn its attention to another area of labelling which has already attracted the attention of many of the nation's law schools as well as the American Bar Association and the Association of American Law Schools. Our concern is tied to those graduates of the Law School who elect to pursue an academic career in an institution other than a law school.

It seems fair to say that today the mark of achievement in academe is possession of a doctorate degree. No matter that this may be a requirement of form and not necessarily of substance. The LL.B., regardless of the qualifications of the one who possesses it, is not treated as a degree which signifies the kind of academic achievement beyond the undergraduate level that the doctorate is thought to signify.

One reason for this may be that the degree-granting institution itself does not classify its degree as signifying the completion of a graduate program. Another reason may be that the LL.B. degree came into being when one could

(Continued on Page 14)



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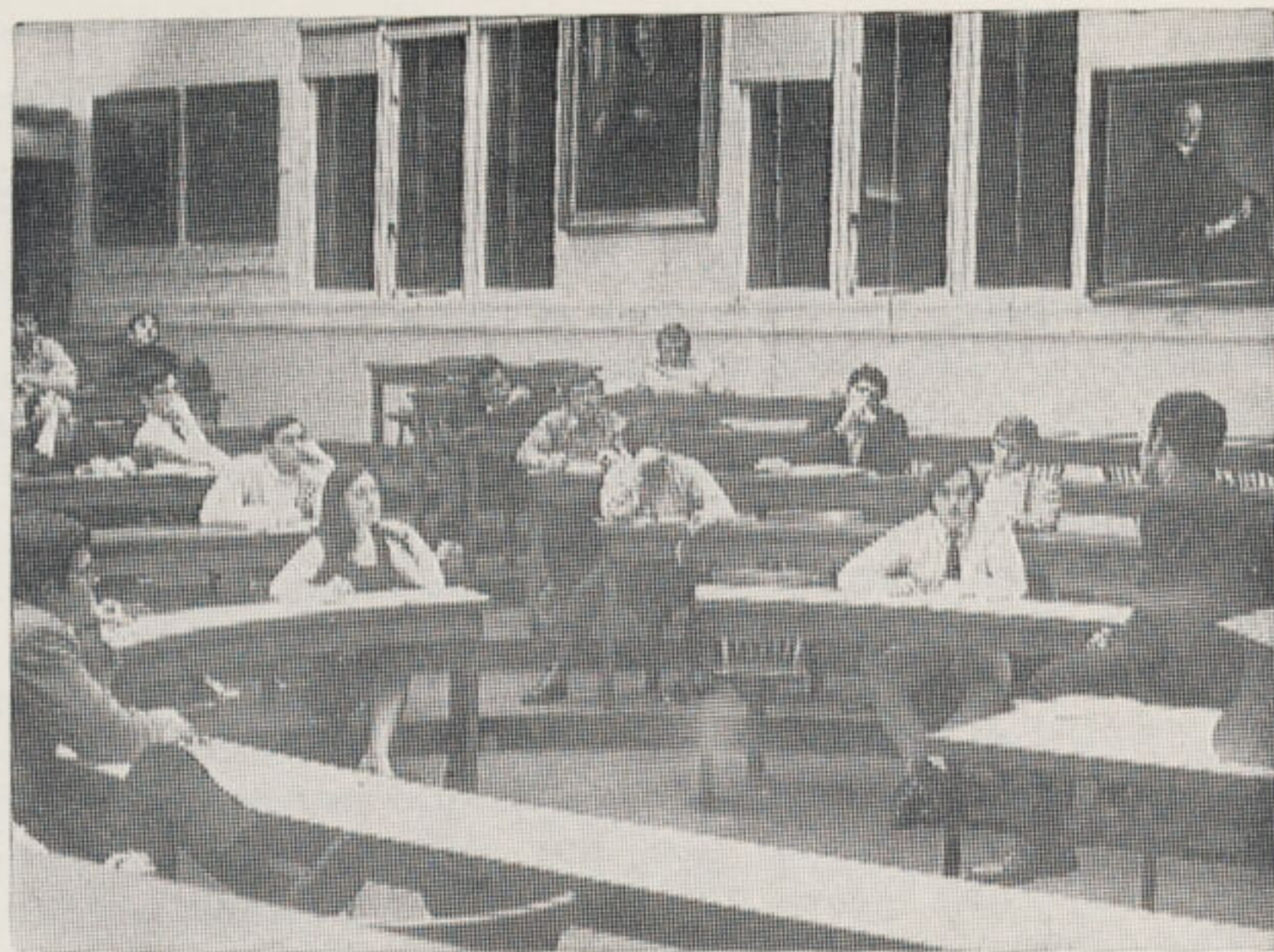
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David Walsh

Thinning Ranks of Radicals

Ex-Legal Aid Attorney Attacks Justice for Poor

By Joseph Rafalowicz

Gerald Lefcourt, a graduate of NYU and Brooklyn Law School, joined Legal Aid as a young "idealistic criminal lawyer who wanted to help give free legal representation to the poor." He was soon disillusioned, however, when he came to the realization that "justice was being rushed through the courts" as Legal Aid dispensed of most of its cases by plea bargaining.

About 20 students attended the meeting of the Radical Law Students Group to hear Lefcourt, a New York lawyer, speak on "Legal Aid Society and Legalized Injustice" last Wednesday.

"In New York City," Lefcourt said, "there are 150,000 cases a year involving poor people and only 150 Legal Aid lawyers. Plea copping is Legal Aid's answer to this impossibly heavy case load."

"These lawyers believe they are doing a service to the poor," he added, "but with such a heavy case load they can't even properly investigate the charges to see if they are true before pleading them guilty."

In an effort to change Legal Aid policy so as to allow lawyers to insist on trials for their clients, Lefcourt and several others tried to organize a lawyer's union within New York Legal Aid.

"Organized Legal Aid lawyers, who handle 150,000 cases a year, could strike and really cause havoc in the New York City courts," Lefcourt said, "and then maybe we could get some meaningful change there for the poor."

For his organizing efforts and for what Legal Aid called "statements unbefitting a Legal Aid attorney" made by Lefcourt on the society's plea copping policy, he was fired from his staff attorney position last year.

Lefcourt claims that Legal Aid is the same all over the country and that it is merely "a part of the system" that cannot be depended upon to obtain justice in this country.

(Continued on Page 12)

Coop . . .

(Continued from Page 3)

May noted "that people in Roxbury and the . . . organizations there attempt to create policies and proposals of their own, and then with a sense of dignity and self-respect negotiate the funding and the sharing of whatever resources are needed for the program they have created."

After a recess for tallying, Prof. Milton Brown, of the business school, Coop President, told the meeting that the voting membership being just short of 30,000, a quorum would require about 1500 members, and, as only 948 members were present, there was an absence of a quorum. This meant that the stockholders slate was automatically elected.

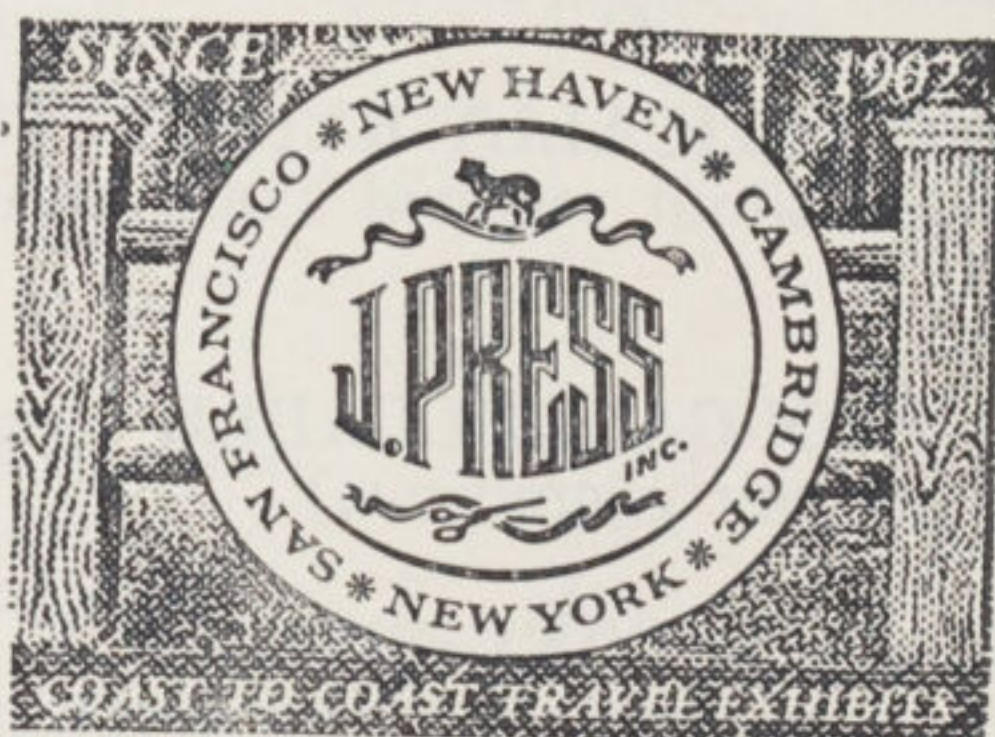
James Roosevelt, Jr., 1L, then asked the chair why the Annual Report of the Directors for 1968 stated that there were 1,980 members who were law students, when the Law School only had about 1800 students. Prof. Loss corrected him, saying the School only had 1700 students. No one could account for the discrepancy in the figures.

Prof. Loss argued that while the matter would be looked into, it was a "harmless error" because the eligibility lists would have to be cut by approximately ten thousand in order for there to be a quorum present — and that was the only issue. The reason for the inflated figures, however, still remains unexplained. It is even stranger that the Coop has listed over 1900 law students for the

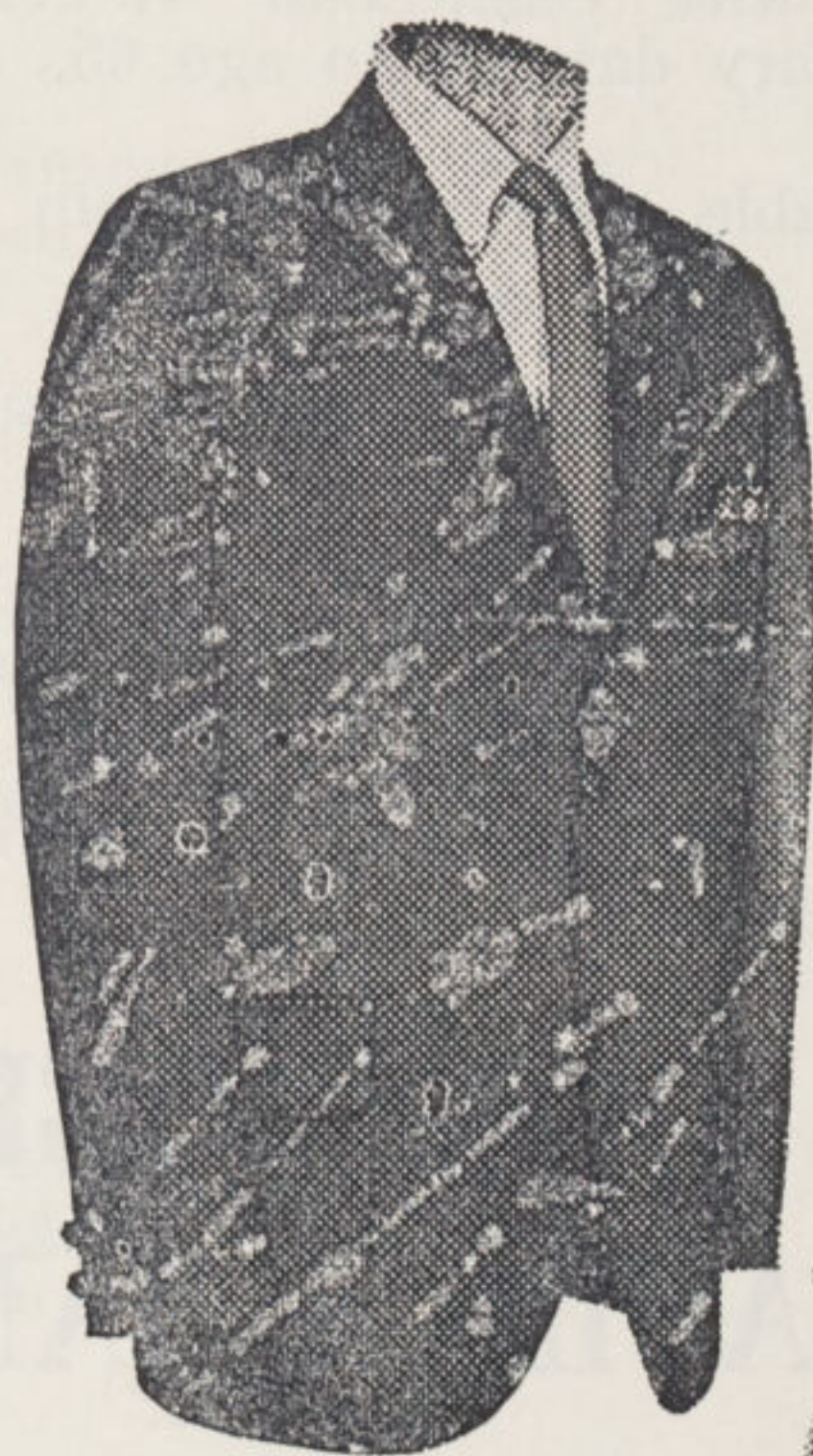
past three years.

After a student complained that he was "not cooperating with us," Prof. Loss said he didn't really care whether or not he was vice-president and general counsel of the Coop, in the sense that he didn't seek the job, but accepted it as a duty when he was asked to serve. He complained that at points during the proceedings he felt that the participants acted as a mob rather than as responsible people at a serious meeting.

Later in the questioning, Prof. Loss told the remaining students that a "gadfly can perform a useful function." He took a strong stand in favor of students electing student directors and promised to talk to the stockholders, who can change the by-laws.



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Ex-Legal Aid Attorney Attacks Justice for Poor

(Continued from Page 10)

After being fired from Legal Aid, Lefcourt became more and more immersed in what he calls the "movement for change in this country." His group's legal activities included being an attorney for the Black Panthers in Brooklyn and for Abbie Hoffman, the Yippie leader, during the HUAC Chicago Hearings, and working with the Lawyers Guild to defend Columbia students involved in last Spring's student strike.

"There's a different role for lawyers in the Movement," Lefcourt explained. "They must try to make the courtroom a political battleground for ideas now." He urged all those sitting in the room to devote their energies to becoming "the legal arm of the movement for change in this country."

All the Panthers want Is to control their lives

Regarding his activities with the Black Panthers, Lefcourt said, "All they want is control of the things that affect their immediate lives — their own community, their schools, etc. — so that they are now bringing a suit in federal court to gain control over their local police force."

"Such political law suits," he went on, "will be used more and more in the future to radicalize communities for political change."

These affirmative law suits in federal, rather than in state, courts were the newest legal weapon in the Movement's arsenal, Lefcourt said, and they would be applied more and more frequently in diverse situations in the future.

The threat of just such lawsuits by Movement lawyers, Lefcourt claimed, pressured Columbia University into dropping its attempts to get convictions of hundreds of students who participated in the student strike last spring.

Lefcourt urged the Radical Law Student Group to affiliate with the National Lawyers Guild, "the only progressive bar group in the country," in order "to know what's going on in the country and to work to help out the Movement."

The meeting also heard a call for students to be "out in the streets with the people on Election Day" in order to act as legal observers and be ready to head off possible repression in the streets. Law students were also urged to vote for a radical slate headed by David Rockwell and Joseph Shapiro in the upcoming Student Bar Association elections.

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Letters . . .

(Continued from Page 9)

attend and graduate from a law school without previously having attained an undergraduate degree. At that time the use of the word "bachelor" in the name of the law degree was appropriate. But today a degree called Bachelor of Laws is a misnomer. Except perhaps for a small number of law graduates, those who complete law school terminate their formal education with two earned degrees.

Since in the academic community labels and prejudged categories are as significant as they are elsewhere, we are of the opinion that the use of the LL.B. degree should be abandoned by Harvard Law School. It should be replaced with the degree of Juris Doctor (J.D.).

The reasons for the change, we believe, are twofold.

One of us has proceeded to obtain an LL.M. and the S.J.D. degree. But the opportunity for individuals to proceed two degrees beyond the LL.B. is often unavailable to those who wish to teach. By entering into non-law school teaching, the holder of the LL.B. finds that he is denied the same kind of treatment accorded to those who possess a doctorate.

Even more compelling, however, is the fact that because LL.B. holders are not classified as holders of doctorate degrees they find that they are denied the privilege of teaching in areas where it is thought essential to have professors who hold doctorates. In our opinion the movement to make undergraduate education broader and at the same time more relevant will lead in the years ahead to more teaching of law on the undergraduate level.

But who will do the teaching? Will it be those who have completed law school, but hold an undergraduate LL.B. degree, or those who never went to law school, but hold a doctorate in a "law-related" area? Less qualified than law school graduates but possessing the requisite indicia, the teaching of law will gravitate to those who do not hold even a first degree in law. Such a state of affairs, we believe, would be undesirable.

Harvard Law School could not be accused of straying from the norm by conferring on its graduates, past and future, the J.D. degree. We understand that more than 70% of the nation's law schools have already embarked on this practice. In this milieu we may find that, due to reliance on labels, Harvard graduates may be adversely affected. Those who have satisfied less

stringent standards of other law schools may have entré to academic activities denied to Harvard Law School graduates simply because they possess the J.D. while the latter do not.

We urge, therefore, that Harvard Law School change the degree awarded upon graduation from the LL.B. to the J.D. We further urge that other alumni as well as students should communicate their thinking in this regard to the School.

Jeffrey P. Ossen '65

Assistant Professor of Business Law

Edwin W. Tucker '51

Professor of Business Law

University of Connecticut

3L Suggests Reform Ideas

To the Editor:

One wonders if ventilating one's feelings is as far as the 'winds of change' have gone at Harvard Law School. Although everyone agrees to the need for reform, proposals for faculty-student and curriculum reorganization seem to involve the energy of very few participants at the Law School.

Fault may lie in student belief that the faculty worries more about preserving their own status and a *Law Review* mentality than in creating as many routes as possible for a law student to excel in. But fault may also lie in the failure of students to develop concern for his fellow student's problems or needs. In view of this situation, I hereby propose the following reforms, which will hopefully become institu-

tionalized. I would like to present the following ideas for the increase of faculty-student participation and for the increase of the paths to excellence within the school.

First, a student ombudsman should be created to promote student interests. The ombudsman should be a paid student with an office and secretary, open to receive and review student grievances. In addition to having the power to institute investigations, he should have the additional power to call for student referenda. Referenda could be used to veto faculty decisions and to call upon the faculty to revote an issue, although the faculty still reserves the right of final decisions. Since this student must necessarily have access to all aspects of life at the Law School, he would also sit as a non-voting participant at the Faculty Senate.

Second, in order to sponsor student participation, students should be encouraged to join the advisory faculty subcommittees of their chosen interest. The school can set aside a couple of days for the recruitment of these subcommittees. Each subcommittee can develop its own voting patterns upon formation. However, before such full-scale participation is activated, I have suggestions for a number of additional subcommittees:

1. A faculty-student subcommittee which can approve the petition of ten or more students for an outside lecturer to give a specific course for credit. Acceptance of an individual and

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of the outline of his course by the subcommittee would also entail acceptance of the principle of some remuneration by the school.

2. A faculty-student subcommittee to receive the petition of ten or more students for one or more students to teach a specific subject. The subcommittee assumes the role of faculty advisor and assigns credit to the student-teacher, as well as to the students. It is surprising that a school which produces so many teachers fails to provide the opportunity for practice teaching under supervision.

3. A faculty-student subcommittee to develop externships for credit within nearby communities. Perhaps it is an obligation of the Law School to provide the student with as many meaningful examples of the lawyer's role in society. The opportunity needs to be offered to serve in poverty programs, municipal functions, and independent projects while in school. At present, there are no summer clerkships at \$250 a week in important legal areas. The Law School must accept its educational responsibility; for a legal education, like a medical education, must present, before and not after graduation, the models of the various roles that a lawyer fills.

4. A faculty-student subcommittee to develop a placement office that will encourage all areas of legal interest to submit firm resumes, as well as encouraging these organizations to interview at the school.

5. A faculty-student subcommittee to develop meaningful curriculum reform in the basic courses. The mandate may be to develop in each basic course a number of different points of view from which the entering student could choose. In property, this may be Property Law for the Poor, Land Use Development, Classical Property and Estate Law, etc.

Another area for reform is in what is euphemistically referred to as the 'ego shattering' experience of the Law School. One is surprised to find that the Law School has not invited another psychologically or sociologically oriented department to undertake studies of the Law School Experience on a long term basis.

One temporary 'band-aid' is the publication by students of course outlines. Faculty waiver of copyright, as well as faculty approval, can provide an initial structure for students to grasp on to as well as to criticize. Another approach is to create a faculty steward for all basic sections who would be responsive

to student suggestions and who would be in communication with the teachers.

These suggestions were first voiced in the Faculty-Student Curriculum Subcommittee meetings of the Radical Society. These meetings were called with the purpose of increasing the meaningfulness and relevance of student participation at the Law School. The above suggestions, however, only reflect my interpretations of some of the many substantive and procedural reform proposals generated at these meetings. Aspects of the suggestions have been implemented at other schools. The challenge for the Law School is to implement changes in a lasting and creditable manner.

Leonard R. Friedman, 3L

Events of Note

Avast! "Come As You Were When The Ship Went Down" to a beer party helmed by the Law Wives, 8:30 bells Saturday night, Nov. 2, in the Harkness Commons foc'sle. \$2.50 for all the beer and hardtack a captain and his mate (or date) can stow away, with a band for dancing the hornpipe. Hal Krents, 2L, will sing at intermission.

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Areeda . . .

(Continued from Page 4)

cate of resale price maintenance. It came from regarding the drug-gists as the whole economy," he said.

On the topic of the Supreme Court, the professor said, "You expect lawyers to appreciate judicial philosophy more but you can't be sure," referring to speculation about whom Nixon might name to the bench. Prof. Areeda did repeat an apparently well-known rumor boosting Judge Henry J. Friendly '27 of the Second Circuit Court of Appeals for a high court nomination.

He admitted that Nixon was "very ineffective in 1960 as to his use of administrative abilities" and use of staff, but expects some improvement here. "Humphrey has a tendency to appoint third-raters and stand by them," he remarked.

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Nader . . .

(Continued from Page 1)

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Dean Bok . . .

(Continued from Page 5)

cedure is already being followed as to financial aid and will be under way in a few days as to joint degree programs.

"In addition, Professors Kaufman and Chayes and Associate Dean Sacks are available to receive proposals or other considered suggestions by students interested in the matters before their committees. And in the case of topics not falling naturally within the competence of any committee, students should feel free to come to me to discuss any problem or suggestion he may have."

Derek C. Bok

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