

HARVARD LAW RECORD

VOL. 47 NO. 8

FOUNDED: 1946

NOVEMBER 21, 1968

Draft Loss: 125 Gone, 325 by June

By Kevin Kane

Forty-five students have been added to the group of 80 drop-outs for military and personal reasons last reported in the RECORD. Another 200 students are likely to be drafted by the end of June, according to Walter Reiser, who advises students on draft problems.

Secretary William L. Bruce gave the present total of 125 students breakdown as follows:

1. in Sept., 1968 — 70 2L's for military or military-related reasons; 21 2L's for nonmilitary reasons;

2. by Oct. 27, 1968 — 11 1L's and 5 2L's for military reasons, 10 1L's and 3 2L's for nonmilitary reasons;

3. to the present — 2 1L's and 2 2L's for military reasons, 1 1L for nonmilitary reasons.

While the full impact of the draft is still unclear, Mr. Reiser feels there is a strong chance for students to finish the year. General Hershey sent a directive to all state Selective Service directors on Oct. 24, 1968, which supports that contention:

"When college students are ordered to report for induction

during a school term in which they are satisfactorily pursuing full time post baccalaureate courses, consideration should be given on an individual case basis to a postponement of induction until the end of the term (quarter, tri-mester, semester)."

Of course, the problem for law students is to convince directors that a law school "term" or "semester" is a full year.

Mr. Reiser claims, however, that this problem possibly can be
(Continued on Page 10)

A partial list of 1L's and 2L's who have had to drop out of the Law School because of the draft or for draft-related reasons has been published on page 10 of this issue of the RECORD. Only those who wished their addresses publicized have been included.

Thomas Austern Blasts Lawyers For Failure to Communicate

By John York

Embracing and deriding the conventions, codes and cliches he finds too often employed in legal communication, H. Thomas Austern, '29, told a packed Ames Courtroom Monday night that lawyers should talk English, not law.

Although the senior partner of the Washington law firm of Covington and Burling admitted that the lawyer "who has not seen the inside of a courtroom is like a eunuch writing a romantic novel," Austern emphasized communication effectiveness outside trial as crucial. In conferring with clients, other lawyers, legislators and government administrative officials, the lawyer must "maintain semantic sanity." Not only must he employ plain English, but he should promote simplicity, precision and clarity in writings and speech, Austern added.

"Do not give each client a law review article. He expects you to know your business — don't attempt to prove it with voluminous citations," he advised. "Even though some clients evaluate legal advice quantitatively, legal verbiage is legal garbage."

Avoiding such pedestrian topics as Key Numbering and Shepardizing, the former *Harvard Law*
(Continued on Page 5)



Andy Levin

Prof. Dawson's Chairmanship of the Joint Student-Faculty Committee: Explored on Page 2.

Dawson Supports Student Reform and Involvement

by Kevin Kane

The recent changes in grades and curriculum have drawn attention to a new organization at the law school: the Joint Student-Faculty Committee. Since this is the major outlet for student reform, the RECORD was interested in the views of the chairman, Professor John P. Dawson.

Prof. Dawson is known to most law students as the teacher of (in his words) the "much despised DLI course" which was required for 1L's until this year and which is remembered primarily for the famous case involving a knife and a cup.

Born in Detroit, Professor Dawson was educated at the University of Michigan college and law school and, after three years study at Oxford, he returned to teach law at Michigan. While at Oxford, he did some work in comparative French and English history and he acquired an interest

it was only through student demands that grades were eventually made available.

However, he feels that the system is vastly improved now with the widening of categories and the abolition of ranking. While it is reasonable for an employer to want



Prof.
John
'Black
Jack'
Dawson

Professor Dawson Studied At Michigan and Oxford

in legal and social history which he describes as a "disease" he has had ever since. In 1956, he joined the Harvard faculty and has taught courses in Contracts, Restitution, and, of course, DLI.

Having received a J.D. from Michigan, Professor Dawson favors the change to that degree at Harvard. In his opinion, the issue does not seem very important but he recognizes the fact that an LL.B. is a handicap for those entering non-legal civil service and teaching. Since "some are prejudiced as to money and rank" and "since most schools are shifting, there is some argument for conformity."

Asked about the new grading system, Prof. Dawson stressed that "the differentiation is still there" and the students themselves want more than a simple pass-fail system. He called attention to the fact that for years grades were not revealed to either students or employers and that

a student's grades, the new system makes "highly refined distinctions" more difficult.

Another innovation of the Joint Committee is the elimination of required courses for 2L's. Professor Dawson regards this as valid recognition of the competency of Harvard students to make their own decisions as to what courses will further their careers. He doubts, however, that there will be any major shift away from the traditional subject matter. The large voluntary enrollment in the Big Four (Con Law, Accounting, Tax, Corporations) this year indicates to him that students are convinced that the traditional courses are necessary.

For many students, however, law courses have not been enough and involvement in draft counseling and organizations like CLAO has become increasingly popular. Prof. Dawson applauds this change. In the last five years, he has seen a "great change in student interest and motivation in the direction of reform and change in society." He feels

Applauds Change to More Student Involvement

this is in sharp contrast to earlier years which he characterizes as "under the spreading apathy." With the present threat of real disaster in the cities, for example, he feels that the educated person cannot avoid involvement. In addition, activities like CLAO give "realism and purpose to law school studies."

From the faculty point of view, Prof. Dawson feels that there is some debate over such changes as the grading system. However, he finds no real opposition among the faculty to change. The elimination of second year course requirements, for example, was largely supported by the faculty.

The joint committee has already begun work by drawing up a model statement on grades for employers. Copies are posted on the bulletin board this week and the statement will become part of the standard materials sent to employers by the Placement Office.



Mike Lurey

Can't Wait for Another of Those
Great Harvard Law Mixers?

Record Survey Finds Age Fans H.L.S. Affection

A recent RECORD survey finds that a bare 3% of H.L.S. legal scholars admit affection for their halls of ivy. Apparently age makes the heart grow warmer, even among grads. Attitudes are more mellow the older the age group, except among current students, where 1Ls, 2Ls, and 3Ls share much the same general statistical breakdown.

The RECORD received 600 student responses to its questionnaire, asking "Which of the following best describes your feelings toward law school?"

Law Students here become less emotionally involved

Affection, pride, respect, appreciation, mixed feelings, indifference, irritation, pain, outrage." The question used the same categorical answers as the H.L.S. alumni survey, published in the May 1968 issue of the *Bulletin*.

The chart shown on this page indicates the comparative response of students and alumni. Favorable feelings toward the law school (top four categories) claimed 89% of the alumni, but only 53% of the students. Unfavorable reactions showed a like contrast: 5% to 12%.

In a series of random telephone interviews, the RECORD sought spontaneous comments about the Law School. One 1L noted: "The work load is not as heavy as I thought it would be. The image of Harvard as a grinding machine is not true." A 3L stated, "I feel a grudging respect for the school, and especially its intellectualism." But then he echoed a common complaint: "The school lacks a humanitarian sense — a feeling that's hard to put into words." A 2L reiterated this idea: "The place is great for corporate practice and even government. But when it comes to societal change, too much is irrelevant — if that's your interest, Harvard Law School won't help you much."

A 3L commented on the "lack of a sense of community among the students here." One married 2L carried this complaint further: "You can't help feel and see the difference between 1Ls and 3Ls — the dehumanization of students. They get you around your second year. I mean, somehow law students here just become . . . less emotionally involved in everything they think about: they're wound up in themselves and their careers." As to the Harvard Law wives: "the cliquishness is

severe. The women reflect their husbands' self-interest — their world is restricted."

Said a 1L: "My only complaint so far is the tendency for some professors to be overbearing."

Attitudes toward the Harvard Law School*

	Students	Alumni
Affection	3%	14%
Pride	12%	24%
Respect	26%	29%
Appreciation	12%	22%
Mixed Feelings	31%	7%
Indifference	8%	(.4%)
Irritation	4%	2%
Pain	2%	2%
Outrage	2%	(.3%)

*Students: 542 of 600 replies, adjusted to one reply per questionnaire. Alumni: from *Bulletin* May 1968 article, figures adjusted to 100% basis for comparative use.

By purposefully embarrassing students in the classroom, they achieve the wrong result: restricting, or even shutting off, discussion."

And then the RECORD interviewer stumbled across two odd birds in a row. One said: "The level of teaching is excellent. The size of the school

Stop signs don't change . . . the Dean must direct traffic.

gives a cross-section of students which I enjoy. Overall, I'm satisfied." The other said, simply, "Things are getting better around here." To this can only be added a 3L's cryptic comment: "Our new Dean is in the driver's seat now. I only hope he doesn't let H.L.S. sit at stop signs, waiting for the signals to change."

— Randall Schmidt

RECORD PHONE NUMBERS

Main number: 868-7600, ext. 4418

Alternative numbers: 864-0201 and KI 7-0651

Absent 2L's Comment On Current Activities

By Richard Hoffman

"Stay away from South Texas; seek rather the place where all South Texas girls go immediately after puberty," warns Dennis P. McCusker, until this year, 2L.

Dennis and many other members of the class of '70 who are "on the road" accepted an invitation of a subpanel of the Joint Student-Faculty Committee to forward their addresses and comments. These have been collected in the first issue of a newsletter now available at the Distribution Center.

There are many similar experiences noted among the 27 comments included in the initial edition. Teachers, VISTAs and Pfc.'s reported in approximately equal measure.

Surpassing the Gannett House Gang

A front-page letter from editors Marc Glass and Pete Parnell, both 2L, advises would-be contributors that "with your cooperation, the next edition of this artistic masterpiece will surpass the Gannett House special."

Perhaps the most eclectic was Robert Duggan, who reported: "I'm teaching German and math plus one science course at the Browne & Nichols School in Cambridge, also some coaching; French at night school; am enjoying things."

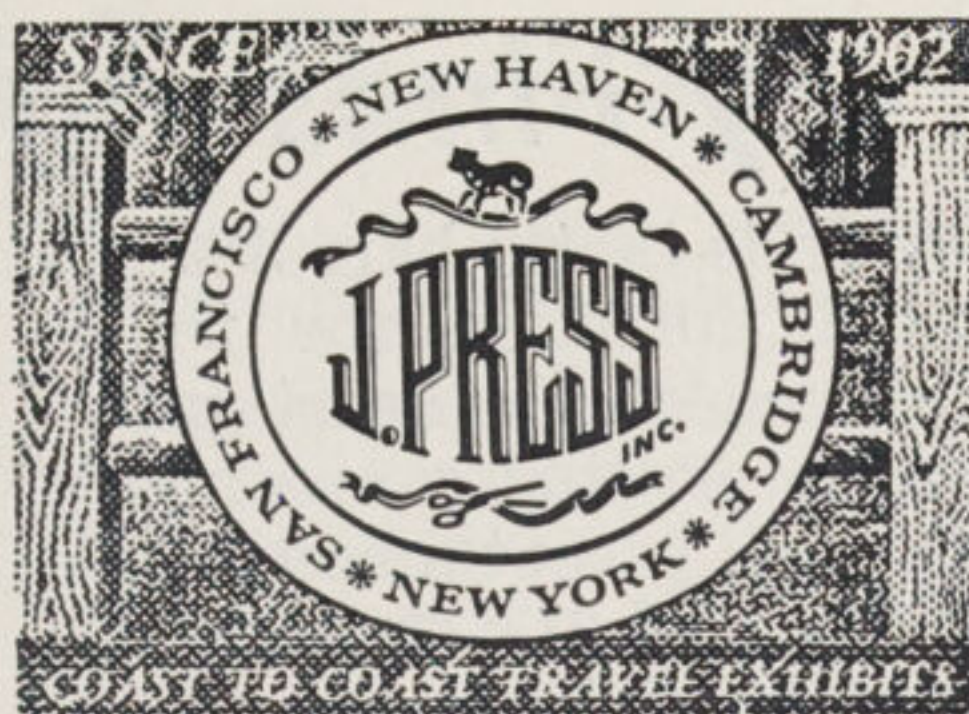
Mike Stern wryly speaks "as a newly recruited private in the Army Reserve, I wish my Law School classmates best of luck in contriving 1-Ys."

On and Over Picket Lines

Larry Katz is currently teaching "when no strikes are in effect in a New York City elementary school," and Joel Sirkin was crossing picket lines in East Harlem.

Among the Texas contingent is Richard Grisham, teaching history and political science at Wiley College, Marshall, Tex. Bill Knox sends the word from "one of the country's ugliest and most depressed cities," which, one learns about five lines later, is Newark, where Bill, Ted See and Dick Grimsrud are with the Newark Legal Services Project.

The newsletter's editors ask that reports for the next issue reach them c/o Joint Student-Faculty Committee, Langdell Hall, Cambridge, Mass. 02138 by December 1.



J. PRESS SPORT JACKETS

'Larger Than Life'

J. PRESS SPORT JACKETS, limitless in their refreshing variations of coloring, weave and yarn character, merit the description — 'larger than life'. In treatment of style and tailoring, apart from our concentration upon the natural shoulder line and body proportions, there will be found new J. PRESS versions of the classic Norfolk and the hacking coat.



- Irish Power Loom Tweed \$70
- Real Harris Tweed \$75
- Handwoven Irish Homespun \$95 & \$100
- English Saxony Hunting Checks \$100
- Scottish Power Loom Pure Shetlands \$100 & \$105
- Handwoven Donegal Wool/Mohair \$105 & \$110
- Handwoven Donegal Mixtures —
Wool/Mohair/Cashmere \$115
- Handwoven Real Shetland Homespun \$120
- Handwoven Real Shetland District Checks \$125

Squire Style matching Jackets & Waistcoats —
tailored in Ireland specially for J. PRESS.

- Irish Power Loom Tweed \$85
- Real Harris Tweed \$90
- Irish 'Supersax' Hunting Checks \$95

Sample Swatches & New Brochure Upon Request

82 MT. AUBURN STREET • CAMBRIDGE

Complimentary Parking

Harvard Square Garage — Boylston, Mt. Auburn St.

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

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

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

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



1400 Massachusetts Avenue
Cambridge, Mass. 02138

Thurs: Open 'til 9 P.M.
Reg. Hours: 8:50-5:30 Mon.-Sat.

Attorneys Criticized For Communication

(Continued from Page 1)

Review president listed several "don'ts" in dealing with clients, including:

- avoid being humorous about a client's legal problems,
- avoid excessive use of the telephone and
- avoid the "cafeteria conference" in which a dining gesture may be taken as the affirmative answer to another's question.

In dealing with other lawyers, Austern recommended tact, suggesting that command of facts, cogency and clarity would put any lawyer in a controlling position regardless of his official rank.

Deference and Reliability

In the same vein, deference, candor and reliability were advanced by the Washington lawyer as the traits which open administrative doors and ears in the capital city: "Even though you went to Harvard Law, never condescend . . . nor politic, nor threaten, nor go over the administrator's head."

And Austern advised similar behavior for lawyers dealing with legislators: answer their irrelevant remarks, realize that they are probably experts in their field, and be aware that you're not a lobbyist with powerful backing.

The main thrust of Austern's discussion contended that whatever one's aims in the law, effective communication is a vital prerequisite to success. And inherent in communication is knowledge as well as expression. "Know what you are talking about — not even a law professor can get along on his uninformed intellect. Keep up with change." The speaker also urged that facts be ferreted out: "Be as good a Paul Drake as a Perry Mason."

Distaste with Lawyers

Austern is concerned with what he sees as the effect of poor law practice communication, a "distaste with lawyers which lies deep in the community — on which indigents and businessmen agree." He feels that many are troubled by what they read about lawyers and firms in popular books, the *RECORD*, and even *Playboy*.

This was the first in a series of three talks by Mr. Austern entitled "Exploring Expertise: Some Pragmatic Aspects of Practicing Law." The second on Nov. 25 will deal with "Some Aberrations in Administrative Law", while the third will evaluate "The Place And Use of Statistics In Practicing Public Law." Both are scheduled for the Ames Courtroom at 8 p.m.

Your Rights Under the Military:

By Jared Stamell

As classmates tend to slip away from the Law School, the question of the hour appears to be: How can I make it through military service without becoming a statistic, and without being court-martialed?

In search of some answers and some general elucidation on the subject of military justice, The RECORD interviewed Edward F. Sherman, '62, a teaching fellow who's written a number of articles concerning military law and dissent in the armed forces for various magazines.

Sherman served as legal aide to the Governor of Nevada on a Ford Foundation grant and, as law clerk to a Federal judge in Texas, he played a part in investigating Billie Sol Estes. In 1965, he left the real world to enter the U.S. Army for two years to fulfill a ROTC obligation as a captain.

Question: Why did you participate in ROTC in college?

Sherman: At the time it appeared as if I would have to go into the Army and ROTC looked like a good way to do it. As it turned out I wouldn't have had to go without my ROTC obligation.

Q: Did you find the Army worthwhile?

S: Yes. I learned a lot about bureaucracy and was given a good deal of responsibility. It is the type of thing that you don't do out of choice, but can learn much if it happens.

Q: Would you have any problems serving today?

S: Until Johnson's speech limiting the bombing of North Viet Nam, I think you had to have serious reservations about being in the military. But the situation appears to have eased.

Q: What would you do if you were in the position of law students now and were threatened with the draft?

S: That's difficult. I really don't know how I would react or what I would do.

Q: Let's shift to the problem of law and lawyers in the military. It's been said that military justice is much more a procedure for punishing people than a means of achieving justice. Is that correct?

S: Yes. The Code of Military Justice was drafted, primarily by Prof. Morgan of Harvard Law in 1950, with the purpose of guaranteeing due process rights to soldiers. However, compromises were made and the due process rights were only extended to one type of court martial (the general court martial) and commanders were left in control of the court-martial machinery. As a result, court martials don't live up to the procedural standards of the code. Since the commander has full power to choose both prosecuting and defense attorneys and the members of the court, he can exert tight control over a court martial. Thus, although the procedural safeguards are followed, the serviceman doesn't have the same kind of opportunity for a fair and impartial trial as does a civilian tried by a jury chosen at random from the community.

The Code of Military Justice Is Outdated and Needs to be Reformed

Q: What can be done about this situation?

S: The big problem is that the Code is outdated. It should be reformed. The Federal courts are beginning to take injunctive action against the military in its treatment of soldiers. This is beginning to have an impact.

Q: But are the temporary injunctions by Federal courts, or should I say, Mr. Justice Douglas, really significant?

S: They are. For the first time the courts are acting upon the military. Always before, the military was treated as a separate system not subject to court scrutiny. A further example is the case of *Hammond v. Linfest*, where the 2d Circuit ordered the Army to discharge a conscientious objector.

Q: What is the immediate impact on the rights of the individual soldier?

S: The Army has dropped actions against several soldiers charged in connection with activity against the Viet Nam War. The Army feared that

CHICKEN DELIGHT UN 4-0520



Home
Delivery
Available
Complete
Chicken,
Shrimp, Fish
Rib and Clam
Dinners
Also Pizza
Hrs. Mon. 4-8
Tues. - Sat. 4-11
Sundays &
Holidays 11-11

COIN - OPERATED

Dry Cleaning POLY CLEAN

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

1685 MASS. AVE.

(between Harvard
& Porter Squares)

THE MISSES LITTLEFIELD

HARVARD SQUARE

Professional
Typist

Room 306

4 Brattle Street

TR 6-7495

Do You as a Soldier Have Any?

the regulations used to stifle dissent would have been ruled unconstitutional if these cases got into the Federal courts.

Q: That sounds like a limited advance.

S: The door is opening. And as more college-educated people are drafted into the military, the military system must face further tests. Change must eventually take place. It is already happening. For example, an attempt is now being made to form a serviceman's union.

Q: But the "United Federation of GI's" isn't yet a reality. What can a law student who is drafted expect?

**Change Must
Eventually
Take Place,
Is Already
Happening**



Dave Walsh

S: You can expect a certain amount of harassment in basic training depending upon your own disposition and ability to adjust. But, that will not effect what you do in the Army after basic training.

Q: What does determine your assignment and how can one influence it?

S: There are two ways to work: through the system and informally. Your line of work in the Army is determined mainly by a computer some place. You will be sent on for additional training after basic in the area selected. There is no real attempt to use a person's skills. As more college students are drafted, that aspect will probably become worse. You might end up as a clerk-typist or as an infantryman.

Q: How does one maximize the possibility of getting a tolerable assignment?

S: At some point in basic you will be invited to fill out forms telling of your special abilities. Fill them out completely — legal training, languages, etc. — everything can help to get the computer to put your card into a good slot.

Q: What about informal means of getting a tolerable assignment?

S: That involves some luck. A sergeant once asked: "Is anyone here Jewish?" The first person who answered yes became a clerk to a Jewish chaplain. Keep your ears open.

Q: Would you advise becoming an officer if OCS is offered?

S: That would add a year to your duty. If you wish to get back to school in any great haste, I would say no.

Q: Would there be any opportunity to become involved in legal work as a draftee?

S: Yes. You could get into court martial cases. A special court martial doesn't use lawyers as counsel. A Harvard Law student with a minimum of legal knowledge would be well equipped to get involved in these.

Q: How does one do that?

S: There are two ways to get appointed as counsel: A serviceman can request you to defend him or you may be appointed by your commander. If the word gets around that you have legal training and if you are a good talker, you will begin to get requests to defend soldiers. You must be assigned if a request is made and you are available. The other way is to go to the Jag office and tell them you are interested in court martial work. They may be able to get you appointed through your commander. Valuable legal experience can be gained from such work.

Q: What if the worst happens and you are assigned to infantry; is there anything else one can do?

S: You can always submit a personal request to be reassigned. The decision to grant the request is made up the line and by your commander. There is always a chance that it might be granted.

(Continued on Page 12)

Specializing in European
and Razor Cutting

**Gino & Mike
Barber Shop**

Opposite Holiday Inn
ONE BLOCK FROM
LAW SCHOOL

1638 Mass. Ave., Cambridge
354-9790

Professional Dry Cleaning
and Shirt Laundry

at

**Rite-Way
CLEANERS**

KI 7-8008

4 Hudson St., Cambridge
(off 1672 Mass. Ave.)

**Saks Fifth Avenue
UNIVERSITY SHOP**

Complete selection of
MEN'S CLOTHING
in traditional styling.

SAKS FIFTH AVENUE
73 Mount Auburn Street
Cambridge EL 4-7120

Total Student Control

When the RECORD suggested that student participation on certain faculty committees could have beneficial results at the Law School, we hardly expected the type of student proposal worthy of a Columbia undergraduate radical. Recently an unidentified student group plastered a "Petition for Student Voting Participation in Decision-Making at the Law School" in many prominent places around the Law School.

The introduction to the petition stated that the [undersigned] students "demand" that students be given voting power on all faculty committees and at general faculty meetings.

Following this strongly worded "introduction" the petitioners then proposed: that

(a) At the first meeting of a committee or of the committee or of the faculty body as a whole all students and faculty members present will lay down requirements for voting membership in the group and all decisions including the initial decision on voting requirements by the group will be made on a one-man-one-vote principle by those who fulfill the requirements.

It is unfortunate that the drafters of this petition had already become sufficiently skilled in legalese to say in four dozen words what they could have stated in 18. "We demand student control of all faculty committees and of the faculty when it meets as a whole." Basing the power of control on the number of warm bodies that show up at a committee or faculty meeting hardly says much for the intelligence of those making the proposal.

To say the least most students, including those favoring student participation, refused to sign such a proposal. The alternative proposal — Plan B — was more rational in that participation would be based on a weighed voting principle with a fixed percentage allocated to the students and the remainder to the faculty. The specificity of this proposal brought it few adherents — so that thus far neither Plan A nor B has won much support.

This should not dishearten the majority of students, who, while agreeing that certain forms of student participation on faculty committees would be desirable, are nevertheless, not quite ready to take over the Law School lock, stock and barrel.

Harvard Law Record

Jack Tate President
Richard Hoffman Managing Editor
Lawrence Gartner Feature Editor
Michael Lurey Photo Editor
Richard Goldman Business Manager

Cartoons by John York

Staff: Ned Hines, Chris Walker, Jack Chenoweth, Ronald Nussbaum, Randall Schmidt, Kevin Kane, Norman Barclay, Ronald Kadden, Ronald Patterson, Robert Patterson, Jared Stamell, William Stephens, Barry Chase, and Bev Bair.

Photographers: Andrew Levin, Howard Sweet, and David Walsh.
Secretary: Sylvia Sirignano.

Published on Thursdays ten times each semester by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge, Massachusetts 02138. Subscription price: \$2.50 per semester \$5.00 per year mailed; student subscription, \$2.50 per year distributed at the Law School. Individual copies 15c each at the Law School, 25c each mailed. Business and editorial offices, 23 Everett Street, Cambridge, Massachusetts 02138. Telephone 868-7600, extension 4418.

Permission is given for reproduction of any part of an article appearing herein provided that credit is given to both the RECORD and the author of the article.

Second class postage paid at Boston, Massachusetts. PRINTED BY THE LEXINGTON PRESS, INC., LEXINGTON, MASS.

Fenno

It was an abnormal lunch hour in the faculty dining room. I knew from the moment I entered, clad in my janitor's disguise, that there was some reason nobody was eating their beef stroganoff.

They weren't eating anything, it turned out, because everyone was talking a mile a minute, and they were all talking about who'd go to Washington to get in on the ground floor of the Nixon Administration.

"Nonsense, boy," snapped a senior professor, "if we don't help Nixon run the government, who will? You can't run this country without law professors from Harvard. Why even if they threw our briefcases into the Potomac, who else would remember what was in them?"

As I overheard the conversation, I realized that the speculation was rampant. "Areeda's going to be the new Sherman Adams," posited one man, "and even though he'll try to dabble in antitrust, they know he's cynical enough for Sherman's job."

"Casner and Leach were already asked to draw up wills for Julie and David," asserted a companion, "but Nixon refused to show 'Sixty Years to a Warranty Deed' at all USIA libraries overseas."

It was then suggested that Ernie Brown would make a great Commissioner of Internal Revenue, but the older professor remarked that Brown had just had a sabbatical and would have to be kept handy should agitation for the J.D. degree grow too strong. "Ernie'll confuse those student radicals," muttered one prof with confidence.

"Boy, I bet Braucher's burning up out there in Minnesota," snapped another faculty member. "He'd be sure to get the Secretary of the Air Force nod but I don't think Nixon's going to look very hard in Minnesota."

"Who's going to the Supreme Court?" squeaked a junior member of the faculty, who'd just made it past the tenure committee.

"Nixon won't appoint any professors, because he had to suffer through the Socratic method at Duke himself," replied the older professor.

"I figured Friendly had it sewed up until he took on the Fifth Amendment in The Times last week," opined another voice, "but now it looks like Dean Bruce has it in the bag. Who else in the country is qualified as a lawyer and can keep students under control?"

Letters to the Editor of the RECORD

1L's Modest Proposal To Abolish Grades

To the Editor:

After reading the diverse comments in your newspaper and elsewhere around the Law School, permit me to offer the following modest proposal.

I propose that the law school abandon letter grades as a basis for evaluation of students and replace the former system with the simple grade of either pass or fail for each course.

I suggest this because I believe that a graduate professional school student should have wider interests than merely obtaining a grade in a given course, that the grade is likely not to be an accurate guide to ability in the legal profession, and that there are no valid reasons for the maintenance of a grade system.

The most obvious defenses for the grading system are as the basis for entrance into the honorary organizations and future employment, but I believe that both of these functions could be performed without a grade evaluation.

The matter of honoraries is relatively simple. Outgoing editors or chairmen could select from among interested persons after interviews, writing samples, or whatever, qualified persons as their successors.

An informal sample of my classmates, the accuracy of which may certainly be challenged, reveals that few would volunteer for the Law Review,

almost none for the Board of Student Advisors. Legal Aid might well be flooded with applicants, but I am certain that the various organizations doing similar things could use however many volunteers there might be.

The matter of future employment does not strike me as difficult a one as it might seem to be at first. I suspect that Harvard Law School could effect this change far more easily than other law schools. The demand of corporate law firms for Harvard graduates is obviously high.

If each student submitted to prospective employers a confidential (to the student) set of recommendations from members of the faculty, and if personal interviews continue to be conducted, most firms would have as substantive a basis for judging future employees as they will have with a sheet full of letters A, B, C etc. or a number representing a cumulative grade point average.

Presumably, corporate law firms are interested in the men they hire as persons; there is no reason why Harvard should not be encouraging a more personal set of credentials.

Obviously, I do not expect a student-faculty committee to be formed to discuss my proposal. I shall merely be content if at least one person takes the time to pen a rebuttal. I do, however, wish to emphasize that I write this letter believing firmly that the proposal contained within is feasible and would be an improvement.

Jonathan Brant, 1L



Mike Lurey

At the Placement Office the Day the Computer Broke Down.

Casner Honored by Illinois Law

A. James Casner, Weld Professor of Law at the Law School, has been named alumnus of the month for November by the University of Illinois College of Law.

The certificate award is presented monthly to alumni the college feels show an outstanding example of success to law students.

Prof. Casner was associate dean from 1961 to October 1967, and acting dean from then until July 1968.

He received his LL.B. from Illinois in 1929 and later received a Doctor of Juridical Science from

Former Associate Dean Named Nov. Alumnus By Illinois Law School

Columbia University and an Honorary Master of Arts from Harvard.

Prof. Casner has been a member of the Law School since 1938 and prior to that was on the faculties of law at the universities of Illinois and Maryland.

During the years 1942-45 he was a colonel in the U.S. Air Force. He was also associated with the law firm of Ropes, Gray, Best, Coolidge and Rugg in Boston, 1945-1958.

Prof. Casner is author of the two volumes of "Estate Planning" and is editor-in-chief of "American Law of Property," an eight volume treatise. He has also served in various capacities for the American Law Institute and was a reporter for the institute's project to prepare a model estate and gift tax law.

Draft . . .

(Continued from Page 1)

avoided. A student who is classified 1-A during the first semester can, by his two guaranteed appeals, postpone an induction notice until Feb. 1969. By that time, the student is into the second semester and he can apply to his state director for postponement of induction to the end of the semester.

Under the federal regulations the state director can postpone induction indefinitely "for good cause." Presumably, Hershey's directive means that finishing a semester is "good cause." State Deputy Director, Col. Paul Feeney, has said Massachusetts will give postponement to the end of the semester. Mr. Reiser pointed out, however, that consideration "should," not "shall," be given to the student's application.

Mr. Reiser feels that age is a key factor which places law students in the prime draft group. If the Pentagon's original estimate of 240,000 draftees for the fiscal year is followed, there remain about 153,000 to be drafted. Thus, although students have a strong chance of finishing the year, Mr. Reiser estimates that about 200 law students will be drafted in June.

Those Who Had to Drop Out

BARTSCH, NOEL 49 Roseland Street, Apt. 2 Cambridge, Mass.	FRISCH, STUART Peace Corps c/o United States Embassy Santo Domingo Dominican Republic	McCUSKER, DENNIS P. Box 1358 Kingsville, Texas
BECK, EDWARD W. 24 Church Street Watertown, Mass.	GEWIRTZ, JOEL D. 610 Waring Avenue Bronx, New York	McILROY, ROBERT STUART c/o Hosokawa 8-339 Kamimeguro Meguro-ku Tokyo, Japan
BEIL, MARSHALL 20 West 87th Street New York, New York	GREENE, EDWARD B. 9 Highland Road Montvale, New Jersey	McMANUS, RICHARD J. 190 A Broad Street Red Bank, New Jersey
BLUM, JACOB 1050 Fifth Avenue New York, New York	GRIMSRUD, RICHARD 141 North 9th Street Newark, New Jersey	MEIR, DENNIS 6211 Silver Hill Court Apt. 302 Greenbelt, Maryland
BROWN, ROLAND Peace Corps c/o American Embassy Santo Domingo Dominican Republic	GRISHAM, R. B. 1101 East University, Apt. 8 Marshall, Texas	MEISER, KENNETH Episcopal Community Center 538 Broadway Camden, New Jersey
BUSHEY, BRUCE L. Peace Corps c/o American Embassy La Paz, Bolivia	HETHERINGTON, RICHARD E. 378 Willard Avenue Toronto 9 Ontario, Canada	MORRIS, EDWARD L. 1106 Floyd Road, Apt. 13 Columbus, Georgia
CALLAN, JAMES J. 1500 Highland Drive Elm Grove, Wisconsin	HOLFORD, A. DOUGLAS c/o Mrs. Constance Holford Box 452 Sugarland, Texas	NABI, MICHAEL STEPHEN 111 West 30th Street Jacksonville, Florida
DITTMAR, JAMES S. 390 Washington Street Somerville, Mass.	HUDSON, MICHAEL J. Pvt. Michael J. Hudson U.S. 54 566 418 Co. E. 1st Bn. First BCT. BDE (2 Plt.) Fort Polk, Louisiana	NIEMAN, KENNETH P. 916 Bullitt Avenue, S.E. Roanoke, Virginia
DUGGAN, ROBERT 604 Franklin Street Cambridge, Mass.	JOHNSON, JOEL 917 S. Washington Avenue Emmett, Idaho	PETRUCELLY, JEFFREY PAUL 1856 East 89th Street Cleveland, Ohio
ENGLISH, H. ELWODD Box 886, c/o Ottawa Univ. Ottawa, Kansas	KATZ, LARRY 215-28 47th Avenue Bayside, New York	PHILLIPS, THOMAS D. Miles College Birmingham, Alabama
FARBER, STEVEN N. 2775 East 16th Street Brooklyn, New York	KLAPERMAN, JOEL 70 West 107th Street, Apt. 5B New York, New York	POMP, RICHARD D. 30 Speridakis Terrace Cambridge, Mass.
FINKELSTEIN, IRA A. 455 F.D.R. Drive New York, New York	KNOX, WILLIAM T., JR. 141 N. 9th Street Newark, New Jersey	POWERS, ARTHUR 245 Lancaster Street, S.W. Aiken, South Carolina
FELD, DANIEL 405 E. 16th Street Brooklyn, New York	LIPSON, DAVID R. 2971 Shasta Road Berkeley, California	RADETSKY, MICHAEL c/o Malaris Eradication Office Chieng-Rei, Thailand or 438 Larimer Street Denver, Colorado
FOSTER, MARK W. 335 Perkins Avenue McFarland, California		

(Continued on Page 14)

BRODIE AUTO RENTALS

Lowest Rates
in Harvard Square
491-7600
90 Winthrop Street

Used & New Law Books

LAW SCHOOL AIDS
GILBERT OUTLINES

Bought — Sold

HARVARD BOOK STORE

1248 MASS. OPP. LAMONT
TR 6-9069

MOVING?

Reserve Your Date Now
Boston's Oldest Moving Company

United Van Lines Agent

Free Estimate and Advice on Packing, etc.

William McDonald Co.

34 E. Concord Street

Boston, Mass.

CO 6-3388

CRONIN'S

Famous for Steaks
Chops & Sea Food

soup or juice
HEAVY WESTERN STEER
SIRLOIN STEAK
french fries — vegetable
salad bowl — roll & butter
beverage — dessert

\$3.35

114 MT. AUBURN ST.

Tel. EL 4-1366

HARVARD PROVISION CO.

LEASH THE BULLDOG WITH THESE LOW YALE WEEKEND PRICES

Quart Gilbey Vodka 80 Proof	WAS 4.99	*NOW 4.19	Quart Queen Anne Scotch	WAS 8.05	*NOW 6.50
Full Quart Glenmore Bourbon 6 Year Old 86 Proof	WAS 6.21	*NOW 4.99	English Gin Boodles 94.4 Proof	WAS 6.50	*NOW 5.49 Fifth
Quart Philadelphia 8 Year Old	WAS 5.39	*NOW 4.50	Jacque Cartier French Cognac		4.79 Fifth
Grants 8 Year Old Scotch Fifth	WAS 7.35	*NOW 6.19	Charles Heidsieck Champagne Brut	WAS 7.25	*NOW 5.59 Fifth
Imported Jacquin Beaujolais Fifth	WAS 1.99	*NOW 1.59	Yale Week ONLY — Budweiser 16 oz. Cans	1.49 6 Pak	5.95 Case
Quart Gilbey Gin 90 Proof	WAS 5.49	*NOW 4.79	Great Western Champagne	WAS 4.25	*NOW 3.39
Hudson Bay Scotch 1/2 Gallons	WAS 15.95	*NOW 11.99	Old Smuggler Scotch Fifth	WAS 5.99	*NOW 5.29
Quarts	WAS 7.74	*NOW 6.25	Ron Rico Puerto Rican Rum	WAS 5.10	*NOW 4.50 Fifth
Fifths	WAS 6.36	*NOW 5.50	Light or Dark		
Quart Kentucky Tavern "Captains Decanter"	WAS 8.99	*NOW 7.99	Vodka Gimlet Fifth	WAS 3.00	*NOW 1.00
			Kings Ransom Scotch Fifth	WAS 7.99	*NOW 6.19
			Polignac Cognac Fifth	WAS 7.99	*NOW 6.45

ALSO SAVINGS ON BEER

94 MT. AUBURN ST.

PHONE 547-6684/6685

IN THE SHADOW OF HOLYOKE CENTER

GI Rights Increasing as Military Law Changes

(Continued from Page 7)

Q: All of this discussion seems to assume that one cooperates with the Army and keeps his mouth shut.

S: I think that a Harvard Law student who is drafted can find something worthwhile to do in the Army if he keeps picking away at the bureaucracy.

Pick away — but watch what you say to your buddy

Q: What about the rights we are used to having, such as the right to dissent?

S: This is a period of change. There are several cases in the courts that may change the picture. Casual talking to your buddy is generally permitted. However, what you say to your buddy could result in disciplinary action against you.

Q: That doesn't sound very reassuring.

S: There is some protection. The military knows that a conviction will probably be reversed by the Federal courts for flagrant restrictions of free speech.

Q: What happens to the defendants while their cases wind through military and civilian courts?

S: They are usually in the stockade or penitentiary or confined to their base. The main thing is not to say things that could be construed to intend to promote disaffection or mutiny.

Choate Secrecy

The Secret Social Club, Choate (II), voted 26 to 7 early in October not to disclose its membership list under any circumstances.

According to the RECORD's source, five Choate members dropped out of the club because of the vote. Choate members also voted by a much closer margin that no member had the right to disclose any other member's name, but that he could disclose his own name.

Events of Note

Professor Gunnar Myrdal, Swedish sociologist, will speak at the Forum on Tuesday at 8:30 p.m. in Sanders Theater. Professor Myrdal has written books on Asia and on the American Negro.

* * *

Former President Arias of Panama was prevented from addressing the Forum this week because of a throat operation.

Individuals have gotten away with rather extensive dissent. Pvt. Andy Stapp, a draftee, was able to pass out anti-war literature and to organize anti-war GI's on his base. He was harassed and court-martialed, but the charges were dropped. The key to his success was in being a good soldier. He never gave the Army the small rule infractions they want to use to harass a person into line.

Q: What can one do if he feels he is being picked on for his political views?

S: You can go to the Inspector General of your base and complain. You cannot be punished for this. He is a sort of ombudsman who will try to solve your problem. If that doesn't help, you can go right to your unit commander. Often he will

Apply political pressure — but use discretion

not be sympathetic to your situation. You have a right to complain up the chain of command. Letters to Congressmen may also be helpful. The Army is responsive to political pressure and adverse publicity. But, use discretion.

Q: If the worst happens and one is court-mar-

(Continued on Page 16)

AMES BRIEFS XEROXED

5¢, 3¢, 2¢,

Immediate Service

at

COPYQUICK

1278 Mass. Ave.

One Flight Up Above Schoenhof's

Across from Widener

Open 8:00 a.m. to 10:00 p.m.

Call

864-1856

*A Good Music System Can be the Only
Bright Spot in Your Room for the
Next Few Years*



It is the only source of pleasure that doesn't take time away from studies. It helps relieve tension during exam periods, provides entertainment for a party, and for the serious listener — gives a free concert every evening.

If you walk down Boylston Street towards the Charles River, and turn right at Zwicker's Gulf Station, you'll find Audio Lab — a place where you can buy stereo equipment for your room. They have everything from the latest \$3,000 McIntosh stereo systems to portable KLH record players for less than \$200. There are lots of tired old used components for \$25.00 and up, and for do-it-yourselfers, Audio Lab has a complete line of hi-fi kits.

In the picture above is a KLH Model Twenty: one of the finest stereo systems available. Precise matching of the transistorized stereo amplifier to the loudspeaker systems, plus extremely strict quality control throughout, permits the KLH 20 — at only \$399.95 — to reproduce stereo records and stereo FM broadcasts better than other systems which cost far more.

Like all Audio Lab equipment, the KLH Model 20 is guaranteed: you can't spend a penny for repairs for two full years!

Whatever your needs, you'll like talking to the people at Audio Lab. They're around from 10 a.m. to 10 p.m. Monday through Friday; 10 to 6 on Saturdays.

audio lab

16 ELIOT STREET CAMBRIDGE 491-0930

11 Days to Register Weapons

The RECORD prints the following news announcement from the Internal Revenue Service as a public service to our readers:

Anyone having an unregistered machine gun, sawed-off shotgun, short-barrelled rifle or other gangster-type weapon, or device such as a bomb, grenade or land mine, may register it with the Internal Revenue Service without penalty from November 2, 1968 through December 1, 1968. . . .

Firearms and devices covered by the registration requirement must be registered by filing Form

4467 in duplicate, with the Director, Alcohol & Tobacco Tax Division of IRS, Washington, D.C. 20224.

Anyone with weapons to register should write or phone his office of the IRS and obtain a copy of Form 4467. Weapons and devices should not be brought to Internal Revenue Service offices for the purpose of registration. . . .

Anyone with a bomb or grenade should make sure it is deactivated. The IRS can make arrangements to have the device inspected and deactivated.

List of Absentees from School

(Continued from Page 10) SIEGEL, DONALD J.

RENTENBACH, PAUL R. 3105 - 24th Street, Apt. C5

1914 Fleetwood Drive Rock Island, Illinois

Grosse Pointe Woods SIEGEL, STEPHEN A.

Michigan 311 West 95th Street

RYAN, MICHAEL New York, New York

bei Baronin von Starek SIMMONS, JOHN STEWART

8 Munchen 13 2515 Piedmont

Habsburgerstr. 3/o Berkeley, California

West Deutschland STEINER, THOMAS D.

SCHAPIRO, SAUL A. 29 Essex Street

P. O. Box "N" Cambridge, Mass.

Carmel, New York STUDEN, GREG

SCHMIDT, JOSEPH R. Middlesex School

Marianna Terrace Apartments Concord, Massachusetts

1936 North Marianna Avenue SNYDER, ALLEN R.

Los Angeles, California 8201 16th Street # 226

SEE, EDMUND Silver Spring, Maryland

141 N. 9th Street or Pvt. Allen R. Snyder

Newark, New Jersey ER 12782045, C-10-5, 4th Plt.

SHAEFFER, HENRY W. Fort Knox, Kentucky

176 Adams Street STERN, JEFFREY, S.

Boston, Mass. 6 Hickory Drive

SHETTERLY, JOHN A. Maplewood, New Jersey

Box 4536

Tripoli, Libya

or Pvt. Jeffrey S. Stern

RA 11628545

C-5-3

Fort Dix, New Jersey

STERN, MIKE

3735 Anza Street

San Francisco, California

STOLZBERG, ROBERT A.

31 Shawnee Avenue

Rockaway, New Jersey

or Peace Corps Training Center

P. O. Box 856

Hilo, Hawaii

WEBB, DAVID F.

Pvt. E-2 David F. Webb

ER 12782049

Co. D, 16th Bn., 4th Bde.

Fort Knox, Kentucky

WILLIAMS, BYARD O.

51 Dana Street

Cambridge, Mass.

or Pvt. Byard O. Williams

ER 11517237

A-4-2

Ft. Leonard Wood, Missouri

LOOK FOR

THE LETTER

☐ Please be on the lookout for a very important letter from us. It offers you America's lowest cost life insurance for all Ordinary, Endowment and Renewable Term policies.

☐ All we ask you to do is to fill out the postage-paid reply card . . . for additional information; for an application.

☐ We won't bother you with solicitors' calls — for we are not allowed to have any. In fact, that's one of the restrictions we live with. We have to offer this low-cost protection *by mail*.

☐ If you want to join thousands of Harvard men who've bought more than \$30 million of this insurance from us — return the card for detailed information.

APARTMENT INSURANCE

We offer exceptional protection for your apartment. Our insurance includes losses by burglary, theft, fire, explosion, vandalism, wind-storm, personal liability and property damage, loss of use and many other contingencies. All coverages are packaged in a single **low-cost** policy, world-wide in protection.

W. T. PHELAN & COMPANY

INSURANCE AGENCY, INC.

HARVARD SQUARE at 11 Dunster Street (ground floor)

telephone 876-0876

INSURANCE SINCE 1898

CAMBRIDGE

SAVINGS BANK

Right IN Harvard Square



Dave Walsh

Victorious in the semifinal rounds of the Ames Competition were Bruce and Sung-Kun Clubs.

Left to right are L. Estridge, T. Dacey and T. Tinkham. Not pictured, Dennis Lynch.

Sung-Kun, Bruce Clubs Advance in Ames Contest

The Sung-Kun and the Bruce teams successfully argued their cases to distinguished panels of judges in the first two arguments of the semifinal round of the Ames Competition.

The Sung-Kun club argued against the Kaplan Club on November 6 and the Bruce Club

argued against the Casner Club on November 13.

Oralists for the Sung-Kun team were Timothy Dacey and Dennis Lynch. The brief captain was Philip Burling.

Arguing for the Bruce Club were Larry Estridge and Tom Tinkham. Mike Berner was the brief captain.

Other members of the successful Sung-Kun team were Marc Fasteau, Brenda Feigen, Andrew Levy, Daniel McAuliffe, and Stephen Suffern.

The additional members of the Bruce team were Scott Aiman, Jonathan Lane, Cliff Russell and Larry Ruzow.

Make Your Christmas Reservations Through

HERITAGE TRAVEL, INC.

California — We may save you \$\$\$ on your trip home

Europe — Based on new group fares

London \$223*

Paris \$243*

Zurich \$261*

***Plus \$70 for ground arrangements**

For any reservations and tickets:

Heritage Travel, Inc.
238 Main Street
Cambridge, Mass.

Call: 491-0500
Ask for Miss Sherman

Military Law . . .

(Continued from Page 12)

tialed, what can he do?

S: If the court-martial permits counsel (i.e. a general or special court-martial; a summary court-martial is without counsel and for limited penalties), you are permitted to retain your own counsel. You are allowed the same rights as a civilian to contact a lawyer. If a civil rights question is involved, pick up the phone and call the American Civil Liberties Union in New York. There are also the Emergency Civil Liberties Committee in New York, the National Lawyers Guild, state civil liberties unions, and the Friends, who can supply you with a lawyer. Of course, the military is required to offer you its own counsel.

Q: *Is there anything law students can do right now to help alter the system of military justice?*

S: There is the Committee for Legal Research on the Draft. They are doing research for lawyers involved in draft and military cases. Their need for people to work on briefs and to perform legal research is fairly pressing. They are located in the basement of Langdell Hall.

Joint Panel Changes Wording Of Grade System Statement

On Nov. 12 The Joint Student-Faculty Committee adopted in final form a statement of the new grading system which will be mailed to law firms.

This statement is considered less detailed than the earlier such statement, which drew fire from students. A petition signed by one hundred students charging the first statement with "rank discrimination" had given the Committee grounds for expecting a confrontation at the open meeting. But none of the aggrieved students showed up.

The Committee received two written complaints instead, one tagging the second statement as too detailed and the second objecting to a paragraph lauding the virtues of Harvard Law Students.

The Committee, according to Prof. Dawson, considers the dearth of protest to the second statement as an indication that students are not hostile to the information contained therein.

Major items on the Committee's agenda now include how to get student participation in decisions on the first-year legal methods courses, the small sections of regular classes, and in the question of how teaching resources should be allocated between first, second, and third year classes. An open meeting is to be held early in December.

EXETER STREET THEATRE

Exeter and Newbury Streets
Boston

Milos Forman's

THE FIREMAN'S BALL and ORATORIO FOR PRAGUE

Directed by Jan Nemec

1:30, 2:40, 4:20, 6:05

7:45 and 9:30

KE 6-7067

Savenor's

Liquor Mart

100 Kirkland Street

Best Selection
of U.S. and Imported
Wines, Liquors and Beers
Specializing in
Imported and Domestic Cheese

547-7300

HARVARD SQ.

UN 4-4580

Through November 26

Joanne Woodward
in Paul Newman's

"RACHEL, RACHEL"

2:00, 5:55, 9:50

plus

"The Young Girls of Rochefort"

3:45 and 7:40

Starting November 27

"THE FIFTH HORSEMAN IS FEAR"

a stunning new film from
Czechoslovakia

plus Roman Polanski's

"CUL-DE-SAC"

BRATTLE SQ.

TR 6-4226

Through Saturday, November 23

Andrzej Wajda's

"ASHES AND DIAMONDS"

Starting November 24

Jean-Luc Godard's

"LA CHINOISE"

Shows daily 5:30, 7:30, 9:30

Matinees Saturdays and

Sundays at 3:30

ENTERED AS SECOND CLASS POSTAGE, BOSTON, MASSACHUSETTS.

RETURN ADDRESS:

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