

HARVARD LAW RECORD

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TWENTY CENTS

Cancelling Classes up to Each Prof **No Moratorium Action Taken**

By Michael Lurey

At a meeting Friday of faculty members who teach classes on Wednesdays, called in response to student and faculty pressure to close the Law School on Wednesday, October 15 — Vietnam Moratorium Day, no action was taken on a student-proposed resolution supporting the cancelling of classes on that day.

The resolution was written by the Harvard Law School Moratorium Day Steering Committee and presented to the Friday meeting by Joe Gebhardt, 2L, chairman of the Committee, and Raymond Dougan, coordinator of the Mas-

sachusetts state-wide October 15 program.

After extensive debate, the professors took no action on the resolution because the meeting was not one of the entire faculty. Dean Bok, however, announced that he would call a formal faculty meeting to consider a resolution if any faculty member wished to present one. Individual professors have the option to cancel their classes.

Gebhardt said he was "disappointed in the inaction of the faculty." He added that, "I hope that individual professors will suspend their classes and make public statements of opposition to Amer-

ican policy in Vietnam despite the fact that the faculty as a whole has taken no action."

However, a group of professors prepared a petition which expressed support for the Moratorium, and many of those present at the meeting signed that petition. According to Gebhardt, more than half the student body has signed a petition advocating that classes be cancelled.

The meeting began as Gebhardt and Dougan, presented the following resolution —

Resolved:

That out of respect for
(Continued on Page 2)

Three Radical Lawyers Speak Out at Forum



William Kunstler talks about Chicago as Leonard Boudin and Prof. Alan Dershowitz listen.

Julian Fowles

By Richard Hoffman

Those who've pressed the Law School to finance recruiting trips here by non-Wall Street types got their wish last Friday night when the Placement Office computer, skillfully reprogrammed by the Harvard Law School Forum, ripped off its three-piece suit and scheduled a group interview for a packed Lowell Lecture Hall crowd of about 750 with Boudin, Kunstler & Dershowitz, a short-lived (one night) association of radical lawyers with disparate styles.

First on the podium was the junior partner, Professor Alan M. Dershowitz, who was properly deferential in his opening re-

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Profs Take No Action on Moratorium

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the many students and professors who are deeply concerned about present Vietnam policy and who want to participate in Moratorium Day activities, the faculty of the Harvard Law School calls upon fellow members not to hold their regularly scheduled classes on Wednesday, October 15. Any member of the faculty who feels that this seriously conflicts with his views for whatever reason need not respond to this call.

Gerbhardt and Dougan said that this version represented a compromise from the Committee's original position that the Law School should be entirely closed for the day.

In deciding against asking for the Law School to be closed down, the Steering Committee thought they had eliminated the major source of opposition to cancelling

classes. However, the resolution still adhered to the view that the Law School, as an institution, should take a position on Moratorium Day, while permitting individual professors to voice their disagreement.

Dougan explained the importance of the Law School's participation in Moratorium Day in terms of the overall objective of the project, which is to demonstrate the widespread disappointment and displeasure with the Nixon Administration's Vietnam policy.

To show broad support, he said, it is essential to have the participation of businessmen and residents of the community as well as educators and students. Dougan said many local businesses, notably the Coop, have announced they will close if the University closes in observance of Moratorium Day. Other businesses have stated they will follow the Coop's lead. Thus much of the effort to demonstrate the necessary broad support will turn on what the University does, he said.

In order to pass the resolution, the Steering Committee wants a full faculty meeting rather than the meeting of only some professors—to be held. The group meeting Friday, did not have the power to pass a resolution purporting to represent the faculty's view.

Faculty consideration of the problem began with a question directed to Gebhardt and Dougan regarding what activities were planned for Moratorium Day. Gebhardt listed two levels of activities: First, within the Law School, the Forum is planning a symposium to last through much of the day, and Boston lawyers have been enlisted to hold smaller teach-ins or symposiums with students.

Second, there will be church and memorial services in most communities, programs at local high schools, and a rally at Boston Common scheduled for 3:30 p.m. at which Senator George McGovern and others will speak.

Students and professors may participate in any of these activities, they said, and Gebhardt made it clear that professors were particularly being solicited to sign up with the Speakers Bureau of the Massachusetts Moratorium Office.

Most of the faculty were troubled by the propriety of a law school faculty taking what was conceded to be a political position. One professor said that as a Republican he thought Nixon was doing a good job of trying to extricate the United States from the war, and he labelled the Moratorium project a "partisan political exercise" being carried out by the Democrats. He did not think allowing individual professors to hold classes was a real alternative because it placed an onus upon the individual professor.

Other professors did not share the concern that the Moratorium

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Job Choices and Salaries on Rise

By John York

Where will you work next summer? Next year? According to surveys conducted by the Law School Placement Office over the past 19 years, chances are good that you may work for a majority law firm at a starting salary upwards of \$10,500 year.

But there are trends pointing in other directions, as indicated by the job preferences of students interviewed by 487 firms, companies, and government agencies here last year. Salaries are ascending. Students are spreading out geographically. More are accepting jobs outside law firms. And criticism of the law firms themselves is growing.

"New activities being entered today — such as the American Civil Liberties Union and legal aid organizations — were unthinkable fifteen years ago," commented Placement Director Eleanor R. Appel. Table I shows the emergence in the past few years of public service work as a job choice for recent graduates.

"There are rumblings of change," Miss Appel continued.

TABLE II		
	Beginning Salaries	Summer Clerkships
Los Angeles/		
San Francisco, Cal.	\$13,000-14,000	\$200-250/wk.
Washington, D.C.	\$12,500-14,000	\$200-250/wk.
Atlanta, Georgia	\$10,800-12,000	\$150-175/wk.
Chicago, Illinois	\$12,500-13,500	\$200-225/wk.
Boston, Massachusetts	\$12,500	\$200-225/wk.
Minneapolis/St. Paul, Minn.	\$12,000-13,000	\$200/wk.
New York City	\$15,000-18,000	\$250/wk.
Cleveland, Ohio	\$12,500-13,500	\$750-850/mo.
Philadelphia, Penn.	\$13,500	\$175-200/wk.
Houston, Texas	\$11,500-12,000	\$600/mo.
Seattle, Washington	\$10,500-11,500	\$600/mo.

"Today students participate in these things while still in law school. Their contributions are impressive," she adds. "But it will take several years to see if there is going to be any impact on the outside world by the students with this background.

New Legal Profession?

"Whether emergent lawyers will in fifteen more years mold a new type of legal profession — with law firms combining private practice and public service — remains to be seen," Miss Appel feels. "Perhaps young lawyers will be missionaries for a couple of years, and then go into private practice."

However, as Table I also reveals, the percentage of individuals entering the newer public service areas remains fairly small. And almost no one starts his own practice fresh from school. But a significant rise appears in the percentage accepting judicial clerkships.

The law firms continue to hold their own. "Despite the fact that students now sport mustaches and sideburns," remarked Miss Appel, "they are not going into anything after graduation that is significantly different than the classes before them."

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TABLE I

Percentage of Each Class Entering Given Fields

	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
Law Offices	42%	52%	52%	52%	50%	61%	54%	48%	49%	54%	51%	49%	41%	44%	48%
Own Practice	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Business Concerns	3	3	5	5	5	5	2	4	4	3	3	2	4	4	1
Government	3	6	5	11	6	10	9	9	9	7	8	7	8	8	5
Judicial Clerkships	6	6	6	7	10	8	8	11	10	13	14	13	12	12	13
Banks, Accounting & Insurance	2	3	3	1	1	4	1	1	2	1	1	2	2	—	2
Teaching	1	—	—	—	1	1	2	—	1	—	2	2	3	5	2
Research & Study	4	4	4	4	4	5	10	5	8	8	6	4	2	2	3
Legal Services	—	—	—	—	—	—	—	—	—	—	—	1	2	1	2
Fellowships	—	—	—	—	—	—	—	—	—	—	4	5	2	2	3
Peace Corps	—	—	—	—	—	—	—	—	—	—	—	3	1	—	—
VISTA	—	—	—	—	—	—	—	—	—	—	—	—	—	1	1
Miscellaneous	—	2	—	—	2	1	—	—	1	2	1	1	1	1	2
Eligible for Military without jobs	38	23	23	18	15	4	14	20	14	12	10	11	15	20	20
Percent in Class	100%	99%	98%	98%	94%	99%	100%	98%	98%	100%	100%	100%	93%	100%	102%
Number in Class	444	452	473	462	496	468	476	468	489	514	515	515	513	517	517

Black Dean Plows Tough Row T

By Oliver Henry

From ploughman on a tenant farm to Assistant Dean of Harvard Law School — a long road — but one travelled by Walter Leonard.

Born during the depression in Alma, Bacon County, Georgia, Dean Leonard was fatherless by the time he was two years old, a fact which might account for him quitting high school in his sophomore year to join the Coast Guard. And while in the Guard, Leonard spent nearly four years as a messmate on a cutter patrolling the North Atlantic.

Those days seem to have no connection with the man in the freshly painted light gray and blue office on Everett Street. "You'll have to pardon the way this place looks, we're still in the process of moving in." And sitting behind his paper strewn desk, Leonard appears modest about his considerable achievements, "You don't have to mention all of those things. . . ." The "things" to which he refers fill an eleven page "Biographical Sketch," a veritable Horatio Alger story, detailing the life and activities of the "small town boy who made good."

College Involvements

After leaving the Coast Guard, Leonard enrolled in Savannah State College where he became involved in the kind of activities and commitments to which good students and campus leaders fall heir: president of the college chapter of the National Association for the Advancement of Colored People, student reporter for the local newspaper, and a fraternity. But Savannah proved perhaps a little too small for the young man from Bacon County, so he left.

Dean Leonard completed his undergraduate education at Morehouse College and continued his studies at Atlanta University. While in Atlanta, he was involved in the life of that southern metropolis. In the premier city of Henry Gray's "New South," Leonard established the Leonard Land Company, a real estate venture which handled \$200,000 in business during its first full year of operation. This prowess in business earned for him a feature length article in the *Wall Street Journal*, the first Negro so noted by that "establishment" organ.

Considering the difficulties historically encountered by Negroes in American business life, the *Journal* commented that "his race . . . caused a number of white owners to turn to him to sell properties in neighborhoods changing from white to Negro; the whites wanted to take advantage of his familiarity with the Negro real estate market."

Leonard was able to parlay the knowledge he possessed into dollars and cents. And concerning his successful real estate career, he told the *Journal*,



Dan Chill

Assistant Dean Walter Leonard

"I've sold several white homes to Negroes in transitional areas, but I've also turned down sales to Negroes in all white neighborhoods because of the charges of blockbusting which always result even though that's not what you have in mind."

What in Mind?

What did he have in mind? For seemingly, this Horatio Alger in hue possessed the trappings of the life many Americans expend a lifetime attempting to acquire. He married his college sweetheart, was a respected and prominent member of his community, and owned a very successful business. What more could one desire? The answer to that question might depend on the person and the goals he sets for himself. In Dean Leonard's case, Atlanta proved perhaps a little too small and, as related to the *Journal*, he always wanted to study law.

In 1965 Dean Leonard relinquished his Atlanta life and moved to Washington, D.C., where he entered Howard University Law School, commencing a new phase in a life which had begun on a Georgia tenant farm.

While a student at Howard, Leonard made *The Howard Law Journal*, was the first National Chairman of the Student Forum on International Order and World Peace, and served as a research assistant to then dean, Clarence Clyde Ferguson, who, according to Leonard, "represents a sort of hero of mine." And upon his graduation in 1968, this relationship resulted in the dean offering to him the position of Assistant Dean of the Law School, a new post.

How To Obtain Law School Position

"I had several offers and I didn't know which one to take, but the dean persuaded me that I could make a contribution at Howard. I took the post because I wanted to address effectively the question of how to increase the quantity of black legal talent whether it be in scholarship, teaching or practice. I thought that Howard was the place where I might make such a contribution."

Leonard did make a contribution at Howard, for while assistant dean, he established an annual alumni giving program. "Until that time, the school had no development program. And I thought that if the level of alumni giving could be increased, we might be able to get more students because we would then have sufficient financial aid resources."

Another project he initiated at Howard was an alumni publication, *The Howard Lawyer*. Until the establishment of this sheet, "the school only had the *Howard Law Journal* and the student newspaper, *The Barrister*. The *Lawyer* aided us in the development program and gave the alumni some means of communication to and about the school."

Not Only Areas

Work with development and alumni affairs were not the only areas of concern to Leonard while at Howard. "I attempted to involve myself in student affairs. It all goes back to how I see a university: it is a community made up of two kinds of people — senior scholars and junior scholars. The senior scholars are the faculty members because of age and experience while because of their searching and inquisitive minds the students represent the junior scholars. In this community each group in search of knowledge must work with the other because both have something to offer."

When Howard Law School was racked by a student strike, this view of the university fortified Leonard. "I didn't find that I was not with it because I had opened a dialogue with the students."

During Strike at Howard Leonard Began Dialogue

They had been made to feel that they were important, had something to contribute. I felt as though I had been successful in this," he said.

With all of this success, one wonders why he chose to leave the mecca of the Negro legal profession for the predominantly white climes of Cambridge? For while at Howard, not only was he a ranking administrator, but he taught classes in

Land Finance, Mortgages, and Real Estate. Seemingly, Leonard combined administration with teaching, a sometimes unusual ability. Only when confronted with this question does the short, cautious man in the conservative gray Herringbone appear hesitant.

Not Localized Problem

"Well, let me put it this way. The problem of how and where minority people, particularly black people, fit in the whole scheme of things is not a localized problem. And in our system, Harvard has

More Effective Recruitment Of Black Talent a Goal

a reputation of being representative of the best in legal education. Those people finishing Harvard or connected with it are looked upon as in some way shaping the course of events. I felt as though I might, from this vantage point, more effectively accomplish my first goal which is to attract, recruit, and develop black legal talent."

So, the man who has travelled a long road resolved a dilemma that increasingly confronts talented Negroes: whether to remain within institutions in the larger society, perhaps, as important in the long run.

Being the first Negro anything involves a certain amount of ambiguity, but Leonard is quite comfortable in being first. Before coming to the Law School, he was the first Negro appointed to the summer session faculty of the University of Virginia Law School. And he is one of a very few Negroes involved in the mutual fund industry serving as a director of Investment Opportunities Fund, Inc., a no-load fund with a 50 million dollar capital authorization.

Of Special Service

With this background, Dean Leonard feels that he can be of special service to "the present number of black students at Harvard and to the increasing numbers certain to come." He feels strongly that he "can share with students an experience and observation in the business world and relate that to their legal education." Leonard makes it quite clear that he "won't be a spokesman" for black students because his "responsibilities at the Law School — as director of the first year financial aid program and assistant director of admissions with responsibility for all recruiting, not just blacks — involve all students."

Still, he has a somewhat special concern for Law School Negro students. "I am very impressed

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Profs to Make Own Decisions on Holding Classes

(Continued from Page 2)

was a Democratic ploy, but they were concerned with individual professors being forced into the position of declaring themselves. One member of the faculty, who announced that he had decided he will not teach that day, nonetheless criticized the resolution because of this pressure. He foresaw a serious problem of student feeling being aroused against any member of the faculty who decided to teach in the face of the resolution.

The consensus of opinion was that the resolution is simply not a proper subject for institutional decision. According to one member of the faculty, "I was not aware in joining this faculty that I was joining a group which took positions on political issues. Do lawyers always have to come up with a resolution?"

Another professor conceded that all institutions, including the Law School are "somewhat political" in nature. But, "the important issue of the day is to what extent an institution should em-

phasize its somewhat political nature." And he was "very against any extension."

Thus, the plan which gained most support was for the Law School, as an institution, to do nothing. Individual professors would then be free to hold classes or not as they wished.

One professor was enraged at this result. A democratic society forces the minority to make concessions, he said. For example, while he does not feel particularly patriotic, he is forced not to teach on Veterans' Day. "If it's true that the vast majority of the faculty are conscientiously opposed to holding classes, then as a simple matter of convenience, we ought to cancel all classes."

The professor who first suggested that voluntary individual participation was preferable to an institutional decision took issue with the Veterans' Day — October 15 analogy. First, Veterans' Day has been around a good deal longer than the latter. Secondly, he distinguished in terms of the source of the call for no teaching,

the established political system on one hand contrasted to an *ad hoc* committee on the other.

Gebhardt was asked what difference there would be if the faculty participated on an individual basis rather than through an announcement by the Law School.

He was clearly not satisfied with individual participation. In terms of demonstrating widespread support for Moratorium, Gebhardt conceded that the ultimate goal was publicity. If the Law School announced classes would be called off, it would rate page one of the *New York Times*, he said. If the announcement were made that 20 or 50 professors did not hold classes, no such attention would be given.

For a number of professors, it was necessary to decide whether make-up classes would be scheduled, before reaching the merits of Moratorium Day. One professor suggested that holding make-ups would add to the seriousness of the Day by showing that it was not an attempt to get out of classes.

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Returning Prof Tells of Rio's Experiment

By Michelle Scott

Returned from an 18 month leave of absence in Brazil, Professor Henry J. Steiner spoke to members of the International Law Club September 29 about his experiences and observations teaching and consulting at a new experimental law course in Rio de Janeiro.

At the new school, he said, one major concern was the introduction of problem-oriented teaching



Prof. Steiner
Tells
International
Law Club
About His
Teaching
Experiences
In Brazil

Jan Gray

through the discussion method to students who knew only a lecture method and a systematic, abstract approach to law study. Another was to bring Brazil's contemporary problems into the classroom, and to encourage interdisciplinary work. The broad effort was to suggest relationships between law and development.

Working with postgraduate level students, Steiner found their initial reactions highly critical. "It was as radical as Langdell's methods were here in 1870," he explained. And the Harvard Law students of 1870 balked at critical inquiry into inherited rules, too. But the Brazilian students became enthusiastic advocates of the new approach.

Encouraged by the preliminary results of the work of his "brilliant" Brazilian colleagues who had developed this experiment as teachers in the new school, Prof. Steiner observed, "It caught on very well. It took off in a limited way. There are many open questions about the future, about how to convince others to this new school's example."

Provocative Experience

Steiner considered his South American visit the "most provocative foreign experience I ever had."

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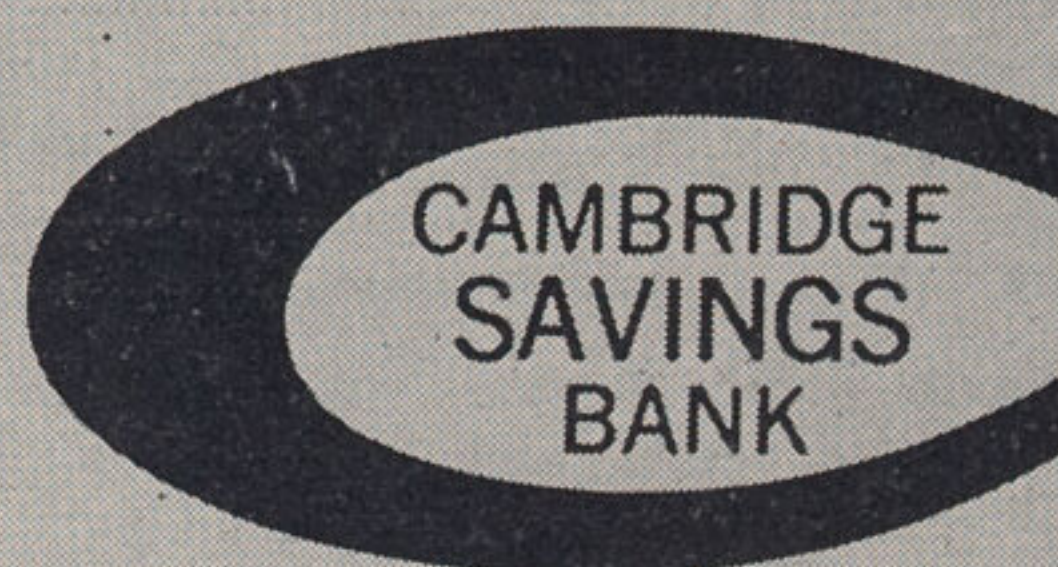
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There's really no need to argue against the War in Vietnam, it's senseless loss of life, both Vietnamese and American, its senseless destruction of a country, its perverting effect on both Vietnamese and American values. Vietnam is an exercise in the absurd and the horrible, and nearly everyone knows it.

But some still hold on, notably and unfortunately our national leaders. They still believe that the destruction cannot end until there is "victory." They still believe in war at any price rather than peace at, perhaps, some cost.

October 15 will be a day of protest. It will be a day to tell our national leaders that we will no longer tolerate them and their policies. It will be a day to encourage our fellows to do the same.

October 15 will be a day to do something. Whether or not the Law School officially cancels classes, we don't have to go. And we shouldn't go. Protesting against the war is infinitely more important than going to a Wednesday class.

But protest and anti-war activity shouldn't begin and end on October 15. The lull is over. President Nixon has no secret plan; he refuses to end the war now, just as did President Johnson. And thousands die while the President refuses to be the first to preside over a "defeat."

While many individual professors are as concerned and active as any in the Law School community, the faculty as a whole could do more. By taking a unified stand against the war and for the Moratorium and the cancelling of classes, the faculty could add even more strength to the voice of dissent. And why shouldn't they? The War is not a partisan political issue. Democrats fought Johnson, and Republicans are fighting Nixon now. Why shouldn't the faculty express an official opinion even if not all professors agree. A democratic body does not have to have unity to express an opinion. A minority has rights, but not the right to block the majority from expressing itself.

But let's fight the War and not each other. Let's convince as many professors and fellow students as possible to work out in the community on October 15 rather than hold or go to class. Let's show Nixon that it's our country, too, and we demand an end to the War... Now.

HARVARD LAW RECORD

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Fenno

"Hey Bunky!" shouted Fenno as he saw his friend at the distribution center trying to find enough positive identification to get his supplementary tax materials. "Here, sign this petition."

"What's it for?" said Bunky, looking around nervously to see if the nearby man with a trench coat and a crew cut had a camera in his hands.

"It asks the faculty to cancel classes on Vietnam Moratorium Day," Fenno said.

"I don't sign petitions, Fenno. First, their wording is always too simplistic and general to accurately express my views. Second, students will just sign anything these days, so petitions are really meaningless. Besides, I don't want to jeopardize my getting a job after graduation."

"But Bunky!" exclaimed Fenno. "The success of the anti-Vietnam movement depends on your signing the petition. You can canvass, you can write letters to the editor, you can work for liberal candidates. But if you don't sign petitions, this war is never going to end."

"But I don't see what good it will do. The faculty will just take the petitions, pat us on the head, and tell us to work hard and be earnest. Besides faculty members want to be apolitical, except during presidential election years, of course. Why don't we just wait until the war is over and then make a reasoned judgment?"

"Bunky!" Fenno screamed at him. "There's no time to wait. Every day innocent people are being butchered. Villages are being destroyed. The Green Berets are still on the loose. And we might be drafted at the end of the year."

"There's really nothing to get excited about, Fenno," Bunky said calmly. "President Nixon has the situation well in hand. He has his secret plan for peace right in his coat pocket. And as soon as it comes back from the cleaners, he'll let us know what it is."

Do Your Own Thing at Moratorium

By Jerry Snow

It has come to this: virtually everyone wants out of the Vietnam War now. But the variety of reasons for and expressions of this desire is great indeed. While on the one hand there is admittedly a great deal of genuine idealism in the effort to bring the Vietnam War to an immediate end, and there is no faulting those who act consistently and courageously in support of their convictions against the war, there are those on the other hand whose motives are mingled with the lust for power — why not call a thing by its right name? — or who are simply on a big ego trip. Not only the war effort, in other words, is in need of a re-examination, but the nature and quality of dissent to the war as well.

October 15, Moratorium Day, is a case in point. There is some real validity to the idea of having a day on which those opposed to the war can express their dissent in unity, even more validity if that day can somehow be made less of a partisan protest against the war and more of a non-partisan day of reflection and concern in which everyone can fairly join. But to make the administrations of

Harvard University and of the Law School the immediate target of dissent and to ask them to suspend the operation of the University for that day is both unfair and misplaced.

It used to be objected that a university is non-political by nature, but by now it is apparent that there is no institution in our society that is not at least quasi-political in that it cannot avoid, even by default, a political stance of some kind. But what is the nature of the political alternatives open to the administration of Harvard Law School? Who can it purport to represent by its decisions? The faculty of the Law School is not a monolithic bloc; the breakdown of faculty opinion on the war is almost as diverse as in the community outside. A simple yes or no on the question of whether or not to close down on October 15 cannot possibly represent the faculty as a whole any more than it could represent the student body as a whole.

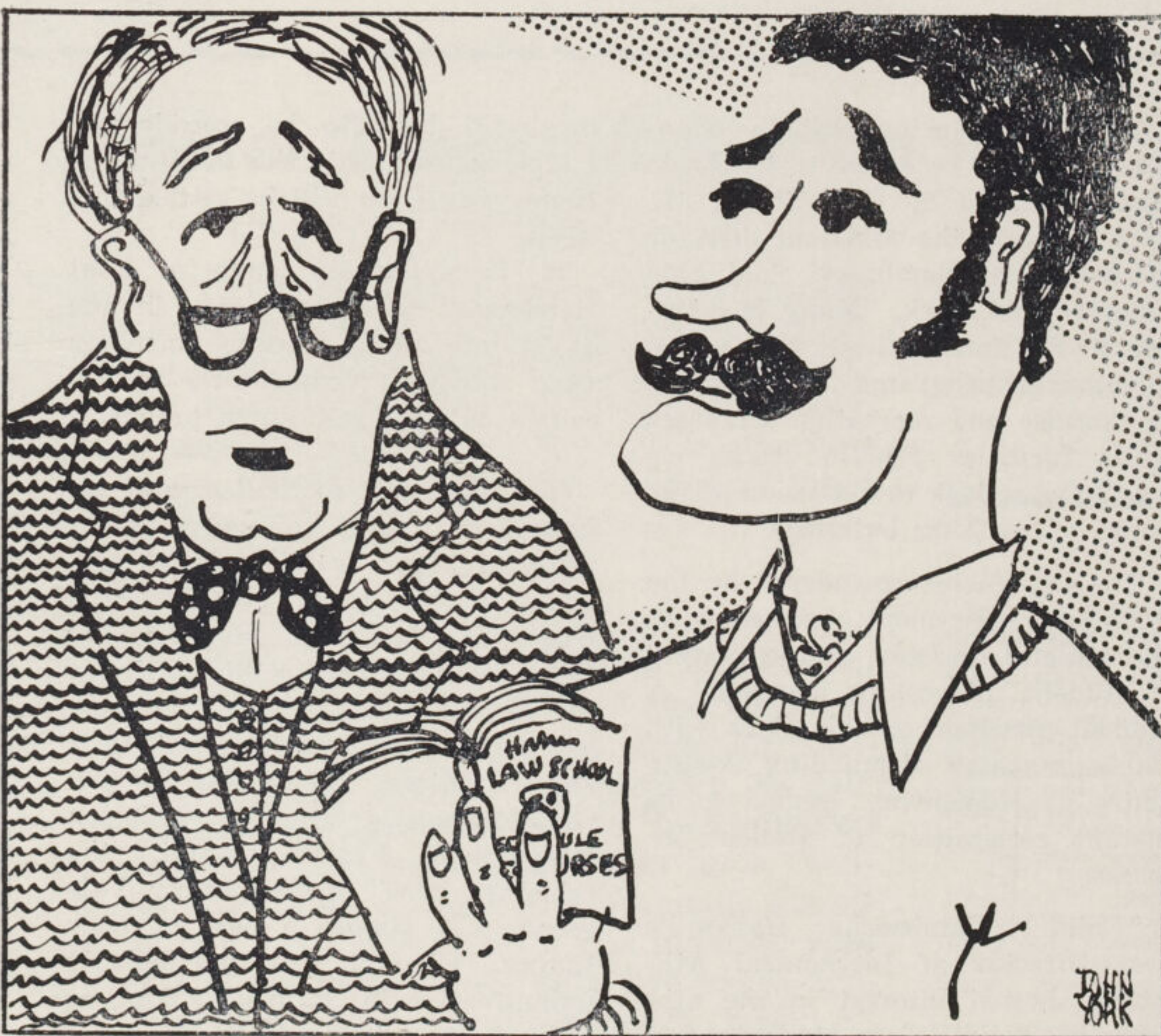
The only political question facing the administration is one of political honesty, whether or not to pass off a decision of its own as that of the Law School, or to leave to each individual professor his own decision of whether or not to hold classes on Moratorium

Day. And the question then confronting the professors and them alone, is that of the need for and rightness of such a day. *They* have the freedom to hold class for those who want it, to discuss Vietnam in their classes, or not to hold class at all.

And what if classes are held? It's not likely that those who want classes called off can be too worried about the detrimental effect of missing a day of classes. There is clearly more at stake. If the Law School stays open, that will not keep anyone who wants to from missing class, but it will be a political setback of an attempt to force the Law School to take the kind of political decision it has no right to take and one which would be widely interpreted, not as general support for a day of concern, but as an expression of support for those who are against the war, which it would not be.

Finally, any kind of a confrontation with the faculty and administration over this issue smacks of a student power confrontation with the Establishment. If this is to serve as an excuse for a confrontation, then it has even less to do with the avowed purposes of October 15 and has even less justification.

In short, the only fair and honest way of responding to this issue is for the Law School to remain open, and for each student and each professor to make his own decision on the basis of his own conscience, without dependence on the decisions of others.



Say, who's this Haynsworth guy that's teaching the new course on Securities?

Law Notes

Allard K. Lowenstein, whose name is well known to those at the Law School, active in the McCarthy campaign and currently a congressman from New York, will speak on the Oct. 15 Vietnam Moratorium at 8 p.m. tonight in Lowell Lecture Hall.

* * *

If you've been infected by Ralph Naderism, you might want to go to Langdell North Middle at 7 p.m. tonight where some law students will be discussing how to put into operation a public interest law firm.

Letters

Alum Asks For HLS War Stand

The following is an exchange of letters between alumnus Charles O. Porter and Dean Derek Bok on the subject of whether the Law School should take a stand on the Vietnam War. In light of the debate over the Moratorium, we think it is particularly pertinent now. Mr. Porter was a founder and the first president of the RECORD.

June 18, 1969

Dear Dean Bok:

As an alumnus who is proud of the Law School and as a sometime politician who is anxious about his country, I am asking that you appoint a committee of faculty, students and alumni to explore how the Harvard Law School as an institution can do more to hasten the end of the Vietnam war.

This request relates to what you referred to in your statement dated May 12, 1969 as "the unfortunate events that have recently taken place at Harvard."

It follows the question I put to you at the Class of 1944 reunion luncheon May 10, 1969 in Cambridge: Did you feel that more should be done by the

Law School, its professors, alumni and students, and you yourself as Dean and personally, to end the war in Vietnam?

Various Law School professors on an individual basis are contributing their services to promote their points of view about the war. That is not enough. The School as an institution is involved, like it or not. The view that the School itself has no business dabbling in political matters will not wash. The issue is too vital. The stakes are too high.

Last month the fifty members of the Chicago City Council, seldom of one mind on any matter, unanimously urged immediate U. S. withdrawal from Vietnam. They know, as you and your colleagues know, what that war is costing Chicago and this nation in lives, resources and, above all, in the minds of our younger citizens.

The student commencement speaker at Yale, elected by his classmates, referred to the "sense of frustration and despair" overwhelming him and his fellows who are "tired" of the "rhetoric" of our leaders. "Immediate and dramatic action must be taken to extricate us from the disaster that is Vietnam," he said.

I agree with him and I want the Law

School to be a part of that action.

In your May 12th statement you refer to student concern about the moral basis of laws and the social responsibilities of lawyers toward community problems. What I am proposing is that the faculty frankly confront the questions of whether and how the School itself can involve itself—brains, books, physical facilities—in hastening an end to the war and, beyond, that, an end to the conditions that led to it and kept us entangled.

The School itself, by vote of the faculty, should take a stand on immediate withdrawal, with an appropriate qualifications about evacuation of certain civilians, U. N. presence, and so on. There is a point, and we have reached it, where such political issues must be recognized and resolved by the persons and institutions affected. This kind of war is too important to leave to the generals and the politicians.

Both the Harvard Law School and the City of Chicago, along with most other major entities in this nation, stand to lose unless their erstwhile trustees at least admit and confront the question of their role with respect to the Vietnam war.

The apparent indifference of our leaders, whether in Washington or on a faculty, to this war, our vast military budget and our readiness to use

(Continued on Page 12)

Sports Briefs

By Jim Schuyler

Football Intramurals . . . Football rules and schedules are posted on the athletic bulletin board in Harkness Commons, according to Roger Holt, chairman of the Athletic Committee of the Dorm Council. This week is the first playing week for the Law School's league. Game dates and times will be set by the mutual agreement of the team captains. The goal in sight is the championship tournament. Holt's office is in Hastings 423A (547-2865).

* * *

Decision on a student proposal to extend the hours of use at Hemenway Gymnasium seems much closer than last week. The idea was to be discussed at last Monday's meeting of the Faculty Committee on Athletic Sports. Dean Watson's committee is responsible for changes involving the University's athletic facilities.

Athletic Director Adolph Samborski seemed receptive to the basic idea presented by Guy Blynn, 3L, in a letter to the assistant director of athletics. Samborski told this reporter last week, "Many law students come from colleges with active intramural programs. As interest in exercise and recreation increases while facilities remain static, we may have to look to extension of the hours of existing buildings."

The key factor considered by the Athletic Department, according to the athletic director, is the "extent of student interest or demand." A student petition on his desk with 100 signatures demanding longer hours at Hemenway seemed to be instant recognition of student interest.

"Dolph" Samborski, Harvard's first Director of Intramural Athletics, showed interest in the athletically inclined law students, but he emphasized that "economic fac-

tors will have to be considered." It is hoped that the matter of Hemenway Gym will be settled this week.

It is extremely doubtful that Hemenway will open later in the day, since many faculty members (and students) frequent the squash courts during their lunch breaks.

* * *

The Crimson football squad returned to reality this week, after suffering their first loss in 11 contests to crosstown rival, Boston University, last Saturday. The Ivy League season begins this week for the Big "H" as they face the hapless Columbia Lions (0-2) at Harvard Stadium. . . . The Sunday Globe's feature story on Crimson quarterback, Frank Champi, "the reluctant hero" of last year's Yale game, was simply a case of poor timing. Champi was particularly unimpressive in Saturday's loss, as BU's defense dropped him six times for minus 68 yards.

Radical Lawyers Discuss Civil Liberties Trial

(Continued from Page 1)

marks: "I don't mind the title 'radical lawyer.' In fact, I aspire to it."

Defender of Spock

Aspirant Dershowitz was followed to the stand by the old pro of the civil liberties-constitutional law bar, Leonard B. Boudin, last seen in these parts as defender of Dr. Benjamin Spock on conspiracy charges in Federal District Court, Boston. Setting the stage by observing that "we are in a new era — there's an unlimited amount of work and an unlimited amount of clients in the civil rights field," Boudin outlined the topics he felt he could discuss:

- What it used to be like to be a radical lawyer;
- Justice is blind, if not deaf;
- Judges are men, with all of their defects; and
- Lawyers are gods.

But awaiting the late entrance of William Kunstler, who upon arriving by plane from his professional duties in Chicago was rushed to Lowell Hall by a police

escort, Boudin limited himself to considering the changing nature of civil rights practice.

Behavior of Judges

Boudin contrasted the behavior of the judges in cases in Massachusetts and California: the questions which defense lawyers were permitted to ask prospective jurors in the "Oakland 7" trial and the questions the judge refused to ask potential jurors in the Spock case. "The character of the judges in the two cases was quite different," Boudin declared, "but in view of the contempt powers of Massachusetts courts, I won't say which was better."

Echoing recent advice given law students by Ralph Nader '58 to gain as much competence in traditional areas of legal practice as possible, Boudin, whose low-key delivery (if not his flat tonal effect) reminds one of F. Lee Bailey out of court, advised law students interested in civil rights to learn first to be good general practitioners while doing civil rights work on the side.

In introducing Kunstler, whom Boudin called "the fellow who brought charisma to the civil liberties movement," Dershowitz cast a bit of a pall over the gathering (and Kunstler) by recalling the last Forum participant he had introduced: Malcolm X, six weeks before the black leader's assassination. Overcoming this prelude, Dershowitz roused the crowd to fever pitch with his warning of the danger that harassment of lawyers such as Kunstler in Chicago courtrooms might be a portent of an era of repression.

Foremost Advocate

Perhaps the foremost advocate of the new style of civil rights defense, Kunstler posed the problem: "If you're extremely vigorous and even successful in defending radicals, you have the problem of what happens to the lawyer."

Explaining that the judge in the Chicago conspiracy trial, Julius Hoffman, has threatened to "deal with" the defense lawyers after the trial ends, Kunstler

(Continued on Page 14)

Steiner Traces Brazilian Military's Political Role

(Continued from Page 7)

While the extreme contrasts inside Brazilian society were most evident, Steiner also suggested comparison of the highly publicized Brazilian political conflicts with the radicalization of American society. Here too, especially since his return, he has become aware of the "breakdown in some areas of what we had thought of as ordered processes for reaching decisions."

Prof. Steiner noted that Brazil is going through a period which could be viewed as a transitional stage for a society experiencing profound economic and thus social change. In tracing Brazilian political history through the last half-century, he said that Brazilian development had to be evaluated under standards that were meaningful for a country of its traditions, culture and economic status — not by our own. Noting that the inflation rate was over 100 per cent a year only five years ago, he said, "In Brazil, 25 per cent is relative stability."

Role of Military

Steiner's discussion of the role of the military

in Brazilian public life pointed out that until recently the military had acted as arbiter among competing groups. Viewing itself as a body of technocrats disassociated from the often chaotic events in the civilian sphere, the military had taken power

(Continued on Page 13)

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Lawrence J. Gartner, Editor

Letters to the Editor of the RECORD

(Continued from Page 10)

force in the Dominican Republic, Vietnam and elsewhere, shocks and alienates our intelligent young people, and with good reason.

The Harvard I know and treasure connotes a skeptical search for excellence and the desire to use that excellence to help solve important problems, especially those having to do with less fortunate persons. Recently the younger partners in the Arnold-Porter firm in Washington, D.C. pressed hard to establish a branch office in the ghetto. Even medical students and young doctors are becoming politically minded, even radicalized, by the events disturbing students at the Law School.

Our School has led educationally for many years. It cannot now stand aloof. Its resources must be made available. Its faculty must take a stand. I urge that the issue of Harvard Law School involvement be explored by a committee and the committee's recommendations be considered by the faculty.

Sincerely yours,
Charles O. Porter '44 ('47)

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Dear Mr. Porter:

I have just returned from my vacation to find your letter of June 18. I am afraid that I cannot add much to what I stated at the reunion luncheon in response to a similar point which you made on that occasion.

Like you, I have had many discussions on this issue with a variety of people, and I recognize that the problems involved are too complex and too much a matter of personal conviction to be explored very fruitfully in a letter. As a result, I can do no more than say that we will continue working individually and in promoting opportunities for students to consider problems raised by the War. But we continue to feel that more harm than good will be done by attempting to take an institutional stand on matters of this sort.

Sincerely yours,
Derek C. Bok
Dean

Dear Dean Bok:

I have your letter of July 9, 1969. It is not clear to me that you have answered my request that you appoint a committee of faculty, students and alumni to explore how the Harvard Law School as an institution can do more to hasten the end of the Vietnam War.

I do not ask you to take a stand, only to have the matter explored responsibly.

Complex problems and deep personal convictions abound in every important issue.

I urge you to reconsider my request and if you don't choose to make me a member of the committee—and I would be glad to serve—at least give me an opportunity to explain my position as to what their recommendations should be.

Sincerely yours,
Charles O. Porter

Leininger Studying Law School Procedures

To the Editor:

In your editorial of September 25 you asked whether the Law School should not "have an ombudsman to hear complaints about dormitories, registration procedures, and the like, investigate them, and then present the findings to a committee dealing with such problems."

I am not an ombudsman. But Dean Bok has asked me to conduct a study of the Law School's administrative procedures and to recommend changes as they seem necessary.

I should be glad to talk with any of your readers who has complaints or suggestions concerning our administrative practices as they effect students. I am in the former Dean's Office, just off the vestibule in Langdell Hall.

Joseph E. Leininger

Chooses Blackman Over McCarthy

To the Editor:

Most of the September 18, 1969 letter to you from John F. Hellegers (Gowen Fellow, 1968-69) was considerably beyond my capacity to appraise. However, the reference at the end thereof to the "football coach mentality" etc., did penetrate my field of perception.

I would choose Bob Blackman over Senators Douglas or McCarthy any day, and allege that Robert Frost would have agreed with me. In a rash surge of ecumenism, I think I would likewise choose John Yovicsin.

Walter G. Van Dorn '60
(Dartmouth 1955)

When the Ordinary Just Won't Do - - -

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Steiner on Brazil . . .

(Continued from Page 11)

and, after ruling for a short time, had withdrawn. Since 1964, however, the army has remained in power and has, of necessity, begun to think of itself as a political force. It has not been very successful in the running of its military dictatorship, he said.

Political beliefs in Brazil at the present time, Prof. Steiner stressed, are deeply divided. Those opposed to the military government must remain largely hidden. Divisions extend apparently into the military itself. Radical activity and terrorism are carried on in the face of repression. The re-institution of the death penalty dramatically underlines the official effort to control dissent. The recent kidnapping of U.S. Ambassador Elbrick and allied events revealed to the world the effective presence of opposition within the country.

Political Labels

"Political labels of left and right make little sense," Steiner stated. Part of the military group itself advocated programs of land reform, expropriation and redistribution, which are considered "leftist" policies elsewhere. At the same time the same part of the military is strongly anti-communist and would consider itself "anti-leftist." A radical nationalist spirit among many younger army officers recalls Peru.

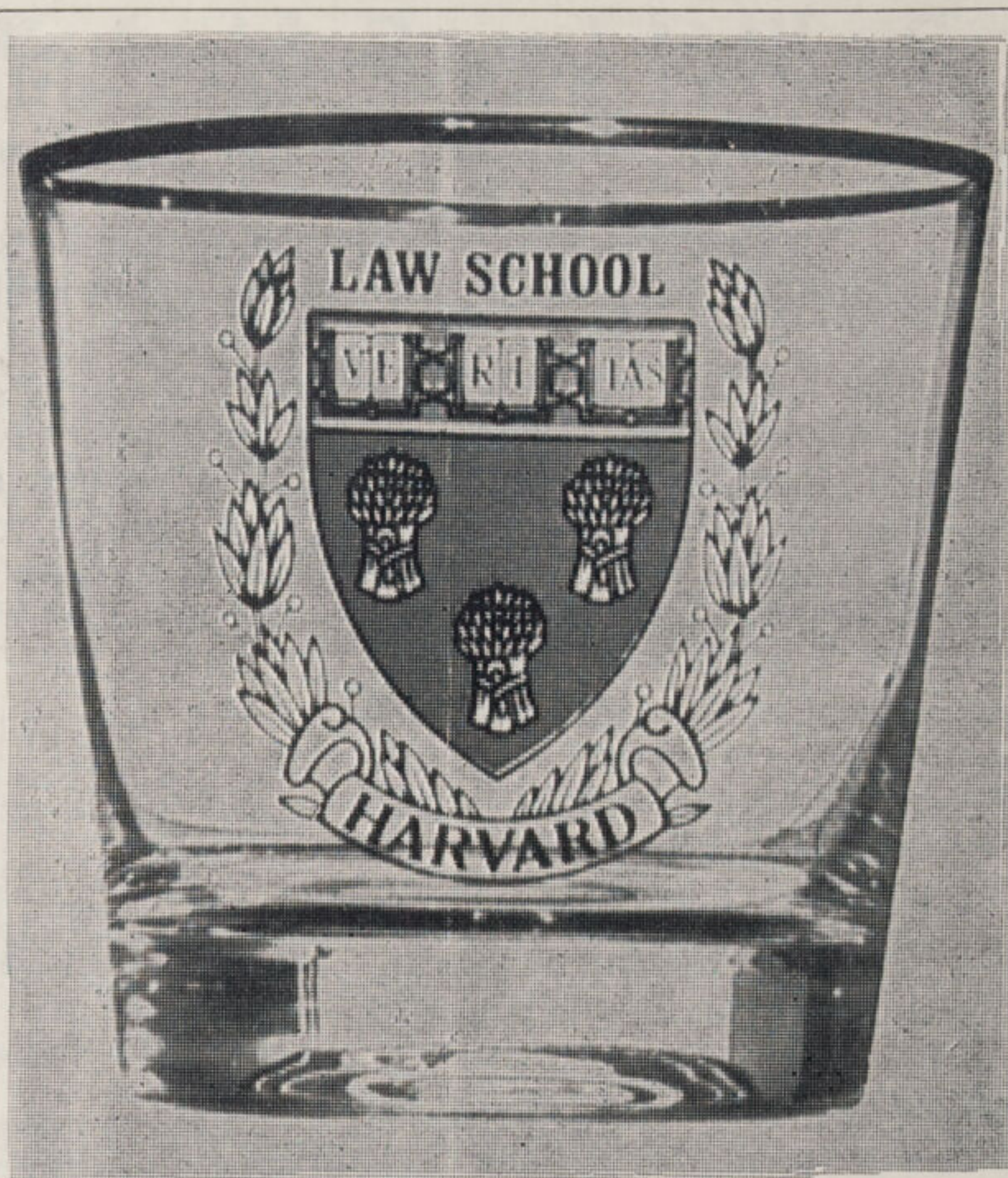
Brazil, Prof. Steiner said, faces a very grave political and cultural crisis. Intellectual life in the universities and elsewhere is tightly controlled. All ideas contrary to the regime are suppressed, and their authors put their careers or very persons in danger. It is not a healthy climate for the kinds of reforms necessary to the country's development, such as genuine education reform. This political crisis and the social problems from which it rises and which it aggravates should, Steiner feels, concern people outside Brazil too. Through its size and wealth and dynamism, Brazil will be a major factor in the future of South America and thus of the Western Hemisphere.

Leonard Takes on New Role

(Continued from Page 5)

with the students here, especially the black students. These students have a right to demand someone on the administrative staff with whom they can relate on the basis of life style, color and, hopefully, commitment."

In some respects, the Law School's new dean is the stereotype of the successful man on the move, one who just keeps "trying to do an effective job on the goals" he sets for himself. But, in any case, Dean Leonard exemplifies a variation on that theme, for being a Negro, the trek from Bacon County to Chestnut Hill was somewhat more difficult, a bit more arduous than, perhaps, it had to be. But to all students, Dean Leonard says, "I'm here."



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Radical Law Subject of Forum

(Continued from Page 11)

mentioned the possibility that he might be jailed, saying "I fully expect that to happen to me."

"Never has repression been so powerful; never has dissent been so vocal," Kunstler declared. Saying that the Nixon Administration is leading moves to stifle radical lawyers, Kunstler noted that Rep. Roman Pucinski of Chicago has asked that the 150 attorneys who travelled to Chicago to demonstrate against Judge Hoffman be disbarred.

After reading an editorial from the Chicago Tribune entitled "Hooligan Lawyers," Kunstler described the Chicago trial as representing a conflict "between the ends of the American spectrum: constitutional guarantees and a strong fascistic tendency which underlies what happens in this country."

Kunstler defined his style of lawyering as "partnership between lawyer and client" — "clients must control these cases." The role of the radical lawyer, according to Kunstler, is not to be a mystical "high priest of society but a worker-priest who works with people who see in courtrooms a chance to advance the aspirations of the people of whom he is a part."

This role, Kunstler said, means the end of the era of radical lawyers who represented their clients without involving the clients directly in the process. Kunstler noted that repression has been a result of his more aggressive courtroom behavior.

Opening the question period, Dershowitz proclaimed, "Judge Hoffman must be made aware that not only is he watching Bill Kunstler but we are watching him." The professor called for lawyers to observe the Chicago proceedings in order to testify to the judge's resistance to defense motions to "preserve rights on appeal" (the judge was said to have asked why the attorneys were concerned about appeals if

they were convinced of their clients' innocence).

"We have the responsibility of making sure that the bar associations don't get into the area of prescribing legal styles for lawyers," Dershowitz asserted.

Different View

Kunstler's view of prospects for radical lawyers differed from Boudin's advice. He mentioned the existence of "law communes" as places to begin and remarked that "money is only useful to stay alive." Noting that he had "broken every rule himself" (Kunstler's practice until 1962 consisted primarily of matrimonial and business cases), he nevertheless advised, "You have a chance if you can change your life-style, if you can exploit every way to stay alive. If you can do it, you'll be the happiest person I know."

The surrealistic evening reached its climax when "questioner" Daniel P. Sheehan, 3L, asked the crowd if it was typical of those "law students who come to a meeting and don't do anything afterward." He ended by asking how many in the crowd would join him in forming a public-interest firm or contribute part of their salaries.

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Job Choices and Salaries on Rise

(Continued from Page 3)

Even so, critical questioning of the law firm's role in society is on the upsurge. Miss Appel has received copies of three questionnaires being sent to firms. One from Yale Law School students and student organizations is aimed at finding out to what extent a firm involves itself or allows its members to involve themselves in social problems. Included are questions about public-work sabbaticals and non-discriminatory hiring policies.

Second Survey

A second, sparked by the summer work of three Harvard Law Students with "Nader's Raiders" in Washington, solicits responses from law firms about their internal operations and philosophical groundings. In addition to questions similar to those on the Yale questionnaire, queries are advanced concerning firms' opinions on the recent grade reforms here and their potential effect on recruitment.

The third questionnaire has been sent out under the auspices of the *First Annual Law Firm Guide: 1969-1970*. See story on this page.

Financial Rewards

Law students remain most interested in financial rewards, according to Miss Appel. "For all of the current criticism of law firms, students are still after the almighty dollar," she laughed. "We have not yet forsaken the materialistic world."

To students, the "going rate" is the highest salary that any lawyer can be offered, explained Miss Appel. This is true even though many firms offer less than the "going rate" in any given locale. A salary sampling for starting and summer pay appears in Table II.

The geographical distribution — where the members of a graduating class start out in their work — has varied somewhat over the years. As Table III shows, in a few instances trends can be detected in the years since 1955. The states appearing in this

TABLE III

Percentage Beginning Practice in Selected States

	1950-1954	1955-1959	1960-1964	1965-1969
California	4%	4%	7%	7%
Washington, D.C.	5%	6%	9%	9%
Georgia	0%	1%	1%	2%
Illinois	3%	4%	4%	5%
Massachusetts	11%	9%	11%	10%
Minnesota	1%	1%	1%	1%
New York	22%	21%	21%	20%
Ohio	3%	2%	2%	2%
Pennsylvania	3%	4%	4%	3%
Texas	1%	0%	1%	1%
Washington	0%	1%	1%	0%
Foreign	2%	2%	5%	4%

table are those containing the cities listed in Table I on salaries (as well as foreign nations).

Those registering significant gains include Washington, D.C. and California. Georgia, Illinois,

and foreign nations also increased their total shares of those Law School graduates just beginning work. On the other hand New York has shown a decline since 1955.

Law Firm Guide Effort Fails

By Michael Lurey

A Harvard Law School student recently sent a questionnaire to 16 law firms around the nation as the first step in producing the *First Annual Law Firm Guide: 1969-1970*. At present the project is stalled and perhaps nearing abandonment.

William Alsup, 3L, but currently studying in the Kennedy Institute, got the idea for the project this summer while working for a Los Angeles law firm. Working with a student from the University of Virginia Law School, Alsup formulated and sent a list of 25 questions to ten law firms in New York, six in Los Angeles and two in San Francisco. Alsup hopes to elicit answers to questions which students would actually ask during interviews concerning firms' professional standing and financial prospects.

If reaction to the test mailing of 16 questionnaires is favorable, Alsup intends to expand the survey sample to two hundred, perhaps eventually reaching all firms interviewing at Harvard (over 400). The results would then be compiled in the *Guide* and offered for distribution at law schools across the country.

Response to the test mailing has however been disappointing,

and at this point Alsup is ready to call the project a "total dismal failure." He has heard from four law firms, but still has no answers to the questions.

One LA firm stated simply "an answer to the questionnaire will not be prepared. The basic reason for this decision is that we feel that the questionnaire calls for certain information which, in our judgment, it is neither wise nor proper to distribute generally or publicly." However, the questions "would be gladly answered if asked by an individual interviewee."

In letters received three weeks ago, two other LA firms agreed to consider answering the questionnaire. The firms however have not been heard from further.

One of these firms admitted it didn't "like the idea of having the information regarding the firm circulated in a printed law students' consumer report." The other firm, one of LA's largest, while not answering the questions, offered extremely instructive criticism.

The fourth response was a phone call to Alsup from a large San Francisco firm. The firm preferred not to answer the questionnaire, but would if other firms were doing so.

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Bator and Cox on New Committee

Professors Paul M. Bator and Archibald Cox will serve as the Law School faculty representatives to the University-wide Committee on Governance. Dean Derek C. Bok has selected Robert Holmes, 3L, to serve as an interim student representative from the Law School and has asked the Joint Student-Faculty Committee to provide a suitable procedure for the students to select a permanent representative.

The Committee on Governance was formed by President Nathan M. Pusey to study the means by which Harvard is governed and to suggest improvements.

In honor of the illustrious Genoan navigator, The RECORD will not publish next Thursday. The next issue will appear on October 23. The RECORD proudly announces that its telephone, 868-7600, Ext. 4418, is now working.

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