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McGovern Prevails In Student Poll

By David Cocke

Senator George McGovern topped the list of presidential candidates in a recent poll of Harvard Law students conducted by the RECORD. The South Dakota senator garnered 28% of the total vote, far outdistancing his closest rival, Senator Edmund Muskie, with 20%. Representative Shirley Chisholm was a solid third in the voting with 14%. The President was fifth with a 7% total.

Nader Castigates Law Reviewers

By Richard J. McManus

Ralph Nader '58 levelled his guns at the Law School, its students, and, in particular, the *Law Review* during a Law School Forum appearance Saturday night.

"What do you think should be done," he said, "with 2500 hours of work per week by students among the brightest, most self-disciplined in the Law School? Would you have them working at Gannett House? I couldn't think of a more useless way." In response to a question he called for "complete abolition of a student-run *Law Review*."

He urged students to split into groups from the first day of law school — "State Street, Wall Street, LaSalle Street and the other direction." Those going in the other direction, he said, engage themselves in para-legal activities "to get access to the facts" (Continued on Page 2)

The poll showed that any of the front-running Democrats could beat Nixon at HLS in a head-on race that included Governor George Wallace on the ballot as an independent. The Democratic percentage varied somewhat in these hypothetical races with Muskie defeating Nixon by 83% to 14% and Senator Henry "Scoop" Jackson upending the President 65% to 31%. Wallace consistently polled between 2 and 4% in each race.

Nixon even had trouble within his own party. Eleven percent of those voting labeled themselves Republicans but only 41% of these students marked the President as their first choice. Forty-four percent of the Republican voters marked Democrats as their first choice for president in 1972.

The poll was conducted Febru-

ary 17 by members of the RECORD staff. It attracted 669 voters who cast votes for 31 different people including Ralph Nader, Lyndon Johnson, Richard Daley, Benjamin Spock and Paul Cravath, each of whom received one vote. No vote was recorded for Mayor Sam Yorty of Los Angeles although he was listed on the ballot.

Forty-eight percent of those polled called themselves Democrats, 33% independents and only 11% Republicans. The other 8% either did not list a party affiliation or wrote in an alternative.

McGovern was the first choice of both Democrats and independents with 32% and 30% of their respective votes. Muskie was a close second among Democrats with 28% but trailed significantly

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Charles Soberman

Jan Clachko, Michael J. Hudson, 3L, and Sue Brown (l. to r.) rehearse for the upcoming Law School extravaganza, "The Greatest Show Unearthed."

Nader Recommends Non-student Law Review

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that are the substance of legal analysis."

Nader cited the lack of direct experience with the problems of most persons' daily lives as the single greatest failing of legal education at the Law School. He suggested "breaking down the homogenization of law students and faculty" by having the labor unions or other groups send 50 or 60 workers to spend some time in classes here, and said further that he admired the cultural revolution in China as "the one major attempt to break down the isolation of bureaucracy." It was done in the spirit of "even if you don't want to do these jobs, you ought to because that's where the problems come from," he said.

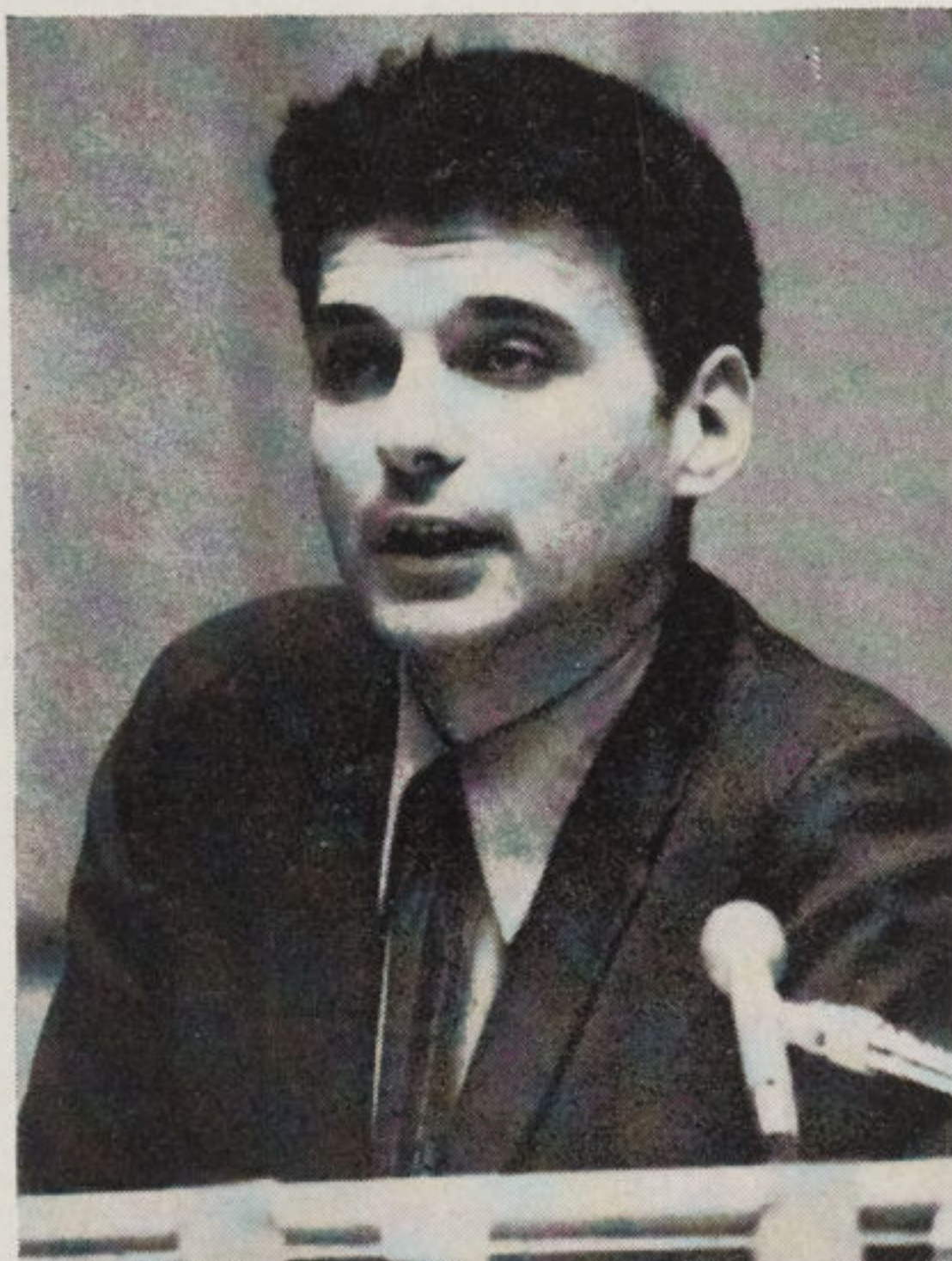
Nader spoke on the same program with his fellow public interest attorney Mark Green '70, a former editor of the *Civil Rights-Civil Liberties Law Review* here. Green recently authored an article in *New York* magazine, "Lawyers 1972: Good-Bye To Pro Bono," in which he argued that a reaction from the idealism of the late 1960's is already taking place and that more graduates of prestigious Eastern law schools are going to work for the large law firms that serve large corporate clients than ever before.

Green spoke first and elaborated on this thesis giving several possible explanations for the trend: a conservative national administration and Supreme Court which are a source of "negative reinforcement" to young lawyers; a scarcity of jobs caused by the recession ("In five or ten years we may be like the scientific engineers on Route 128," he said.); insecurity bred in law school "by learning through dread process"; a desire to avoid the total commitment demanded in public interest work ("We want not only pay and prestige but interwoven vacations as well," he said); and the socialization process at the Law School which teaches that Wall Street

type jobs are desirable.

Green concluded, however, that "the monkey should be thrown on the student's back and not on the environment." He argued that students weren't applying for the available public interest jobs, that law firm morality was not going to change if the consciousness of recent graduates hasn't, and that "students are going to have to be more willing to be paid off in a different kind of currency."

Nader picked up the theme in his address. He said that he



Peter Hlavacek

Ex-RECORD Editor Ralph Nader

failed to understand "why a student who managed to live on three to four thousand a year all of a sudden couldn't do with less than \$15,000."

Fewer people, he said, were now willing to engage in the "sacrifice" of working for a public interest or legal aid organization. "Why does a graduate go into one type of work and not another?" he asked. "All the traditional answers — challenge, creativity, independence — are in the public interest area except pay."

Nader blamed the situation in part on "the *Law Review* apex structure."

"Everything here is shaped for it," he said, "courses, the *Law Review*, the Law School, the alumni and the faculty."

The *Review*, he said, is "the most pernicious aspect" of the acculturation process at the Law School. "If you were going to devise a plot to suck away the most idealistic expectations of some of the most talented students and train them instead for commercial practice, you would have created the *Law Review*," he added.

How Many Pioneers In HLS History?

Concluding his speech, Nader asked the audience to "look at the heroes in the Harvard Law School pantheon — Holmes, Brandeis, Frankfurter. How many of them really sacrificed? How many of them endured the assaults of society? How many were really pioneers? There is a very narrow focus to the greatness that law school graduates aspire to."

At this point Nader said that he would not go any further for "fear of slipping into the sheer and unadulterated evangelism which is a prime sin in these halls."

Nader also spoke of his own experiences at the Law School, where he was on the editorial staff of the *RECORD* for three years. In response to the question "Where was your head at in 1955?" Nader replied that he "turned off on the Law School" as "the only way to avoid institutional corruption," but added "You don't have to do that now."

He also spoke of his current problems as the nation's leading public interest lawyer. Among them he noted "too much press."

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Kleindienst '50 to be Attorney General

By Mark Rutzick

Richard G. Kleindienst '50 was chosen last week by President Nixon to be the next attorney general of the United States. Kleindienst, who has served since 1969 as deputy attorney general, the number two position in the Department of Justice, is the first alumnus of the Law School to be attorney general since Francis Biddle, who held the position in 1941-45.

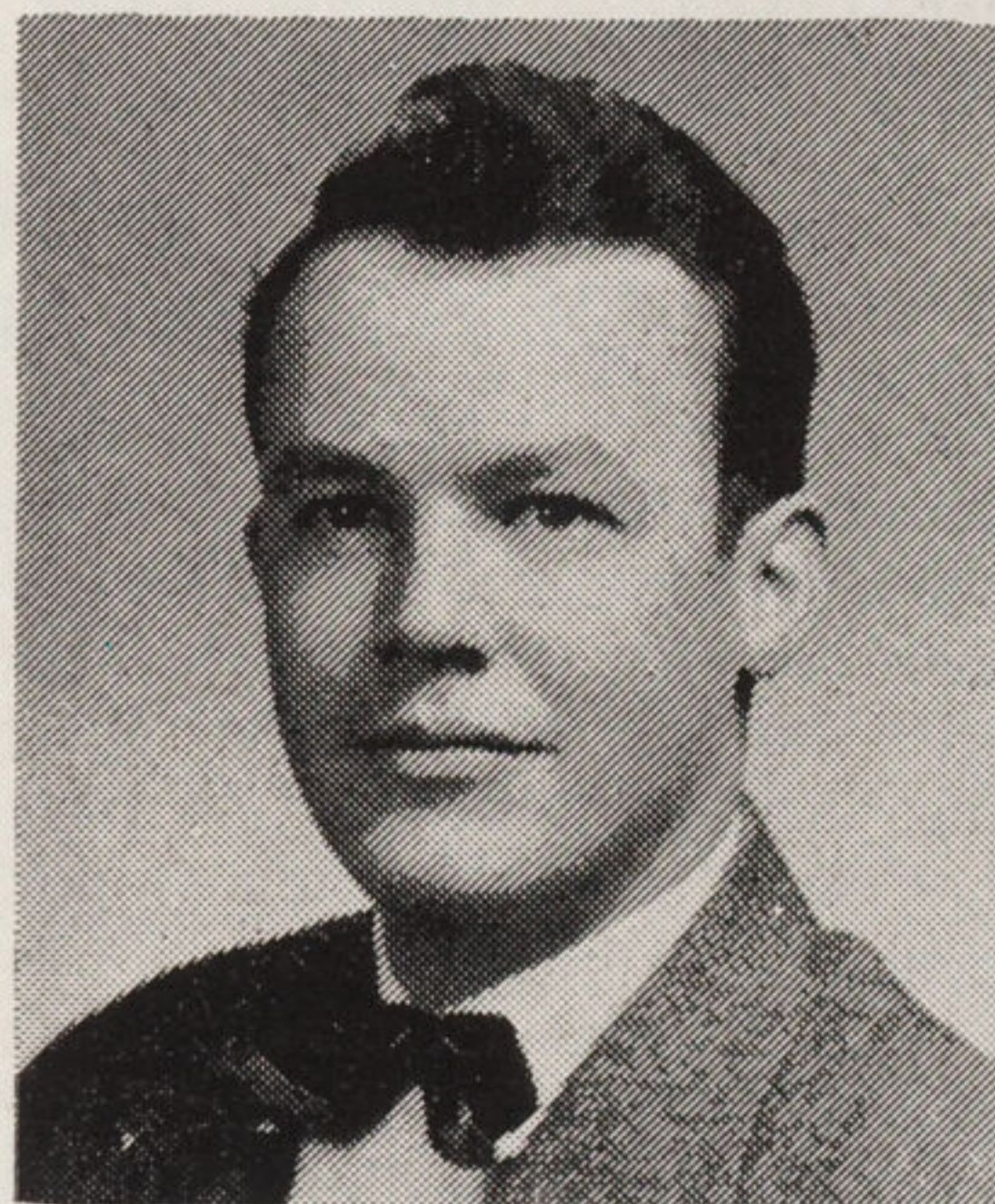
Kleindienst is a native of Arizona and a close political associate of Senator Barry Goldwater. He is regarded as a conservative but not an extremist.

In the context of Arizona politics he is in the middle of the Republican Party, but in Washington he has come across as something of a hard-liner, even in a relatively hard-line administration. He favors wiretapping without court order in national security cases, and opposes federal gun control legislation and the legalization of marijuana.

Kleindienst is part of a group known as the "Arizona Mafia," former supporters of Senator Goldwater who have taken high positions in the Nixon Administration; others are Justice Wil-

son and a year behind Kleindienst in Law School, recalls, "I have the general impression that he was conservative even then. But you have to remember that the entire Law School community was a good deal more conservative then than it is now."

When asked if the Law School atmosphere may have contributed to Kleindienst's conservatism, Professor Vagts replied, "I doubt it. I think his philosophy and ideology were pretty much set by the time he came here. He was 24, married and a veteran when he began Law School."



Richard G. Kleindienst as he appeared in 1950 Yearbook.

Professor Vagts continued, "The class back then was split between veterans and non-veterans, and most of the veterans seemed to have a conservative attitude, and a belief in hard work and self-reliance. Kleindienst shared those feelings."

Richard Kleindienst indeed is the paradigm of the American success story. He was born in

1923 in Winslow, Arizona, an unappealing little town on Route 66, next to a Navajo Indian Reservation. His father was a brakeman for the Santa Fe Railroad.

In high school he accomplished the classic American political achievement—he was elected president of his class. And he did so in an even more classic manner—he put together a coalition of Navajos, Chicanos, and Anglos to win the election in a school with a minority of white students.

After high school, Kleindienst served with the 15th USAAC in Italy, then came home and with the aid of the GI Bill attended Harvard College and the Law School. He returned to Arizona after graduation and joined the Phoenix law firm of Jennings, Strouss & Solman.

He entered politics almost at once, and in 1952 he broke with the conservative wing of the Arizona Republican Party, which supported Robert Taft for president, to hunt delegates for Dwight Eisenhower.

Kleindienst remained both in politics and law practice. He served two years in the state legislature, and he became a partner in his law firm, specializing

Deputy Attorney General Worked for Goldwater

liam Rehnquist and Chairman Dean Burch of the FCC.

Kleindienst served as Goldwater's director of field operations before the 1964 Republican Convention, and has been credited with primary responsibility for Goldwater's first-ballot victory in the convention.

Richard Kleindienst came to Harvard Law School in 1947 as a veteran of the U. S. Army Air Force and a *magna cum laude* graduate of Harvard College. Apart from his Ames club, his

Nominee Specialized In Labor Law

in labor law, from the side of management. In 1958, he left Jennings, Strouss to form his own firm, Shimmel, Hill, Kleindienst & Bishop. He remained with them until he went to Washington as deputy attorney general in 1969. Also in 1969, his firm removed his name from their letterhead and opened a Washington office.

In 1963 and 1964, he worked for Senator Goldwater's campaign, and was the Republican

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Nixon Nominates Kleindienst for Attorney General

(Continued from Page 3)

nominee for governor of Arizona in 1964, losing narrowly while Goldwater was winning the state but losing disastrously nationwide. It was said that if Kleindienst had spent more time on his own campaign and less on Goldwater's, he might have won the governorship; surely Goldwater wouldn't have done much worse.

In 1968, Kleindienst served as Western states campaign manager for Richard Nixon, and in January 1969 he joined the Justice Department. In his three years as deputy attorney general, Kleindienst became known as a temperamental opposite but political twin of his boss, John Mitchell.

Two highlights of his tenure both involved anti-war protests in Washington, D.C., and reflect at least a consistency of doctrine on his part.

In November 1969 when 300,000 people were coming to Washington to protest the war, Kleindienst in a planning session advocated mass arrests in case of violence. When questioned about the constitutionality of his plan, he brusquely replied, "We'll worry about the Constitution later." The protests were peaceful and no mass arrests were made.

Two years later, in May 1971, Kleindienst was put in charge of handling the Mayday protests, which were aimed at physically shutting down the federal government. Though the White House repeatedly denied it, it was Kleindienst who ordered the arrests of thousands of demonstrators and some on-lookers. Ultimately all but 300 of the 7,000 arrests made were thrown out by

the D.C. courts on the grounds of vagueness, lack of evidence, and general failure of due process in the arrest procedure.

In 1970 when members of the Law School community travelled to Washington to lobby against the Cambodian invasion, Kleindienst arranged for a meeting between Attorney General Mitchell and Dean Derek Bok and Professors Louis Loss, A. James Casner, Livingston Hall and Vagts,

If we do see some policy differences, they will probably reflect the degree to which Kleindienst's thinking is related to that of Barry Goldwater, and in turn the extent Goldwater's philosophy is that of conservative economist Milton Friedman, Goldwater's 1964 presidential campaign advisor.

Friedman advocates governmental withdrawal from many economic areas, but advocates in-

Kleindienst Ordered Mass Arrests Of 1971 Mayday Demonstrators

for the purpose of conveying to the attorney general the depth of dissatisfaction in the Law School with the Cambodian affair. The meeting is not believed to have had much impact on the attorney general, but he did listen.

Will Kleindienst as attorney general differ from his predecessor? Mitchell's public voice as campaign manager and bond lawyer will be lowered, if not his private voice as presidential advisor, so statements of policy will be coming from elsewhere. In the selection of judges, Kleindienst's personal choices are likely to be better than Mitchell's at least in their qualifications, if not their philosophies, due partly to Kleindienst's own greater academic accomplishments.

But in general it is doubtful whether Kleindienst, who is not as close to the President as Mitchell, will have either the power or desire to make significant independent policy stands contrary to the President.

tensified federal intervention in the field of antitrust, with the aim of increasing pure competition in all sectors of the economy. In part, the Nixon Administration's surprisingly vigorous antitrust policy has reflected these ideas, but a true Friedmanite would go much further, probably past the point desired by some of the President's big-business friends and contributors.

Richard Kleindienst's antitrust policies may well be a valuable indicator of his belief in the conservatism of Milton Friedman, and of the degree to which Justice Department policy under him will differ from that of John Mitchell.

PUBLIC INTEREST LAWYERS

Boston attorney seeks other attorneys to form litigation and action-oriented public interest law organization. Interested third-year students may respond. Send name, address, experience to Box 100, Harvard Law Record.

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Blacks Confront Harvard on Investments

Last Thursday about 50 blacks held a mill-in at University Hall, demanding that Harvard divest itself of its 617,187 shares of stock in Gulf Oil Company. On Tuesday, 200 members of the Harvard-Radcliffe Association of African and Afro-American Students (Afro) unanimously endorsed an ad hoc strategy committee which had organized following the mill-in to press the University's investment policy.

President Derek Bok issued a statement after the mill-in promising to "arrange for representatives of the group to present their views to the Harvard Corporation, which is responsible for Harvard investment policies."

According to James L. Winston, 3L, Bok has had since last fall a copy of a detailed report confirming charges of Harvard's involvement in Portuguese colonialism in South Africa, but has refused to take a stand on the issue. "He saw it as a fairly low priority item," commented Winston, who is a member of the Law School's Administrative Board. "He said that the University might want to consider the question in the spring, but not now."

In Harkness last week members of the Black Law Students' Association distributed a pamphlet entitled "Repression in Southern Africa: An Indictment of Harvard University," focusing on the connections between Portuguese control of Angola and Mozambique and Harvard's financial stakes in companies with substantial holdings in those countries.

The pamphlet was prepared by the Pan-African Liberation Committee, associated with the Southern Africa Relief Fund of Brookline Village which had been organized two years ago by blacks from the Law School. The Committee is presently composed of former students, members of the Boston-Cambridge black community, and South Africans.

A draft of the 16-page pamphlet was distributed to black leaders within and outside the United States, and it has been endorsed by forty of them to date, including the vice-president of Zambia, the Tanzanian ambassador to the United States, Congressman Charles C. Diggs of Michigan, Congressman Louis Stokes of Ohio, Congressman Ronald Dellums of California, Julian Bond, and Professor Derrick A. Bell, Jr.

The pamphlet contains an analysis of the Portuguese colonization of Africa, the involvement of Gulf Oil and other American companies, and Harvard's specific financial involvement with each of the companies. The information is documented from such sources as company reports, the *Wall Street Journal*, United Nations reports and the *Harvard University Gazette*.

"The connection between Harvard and Portugal is very simple and clear," the pamphlet explains. "Harvard invests in American corporations which are operating in the Portuguese colonies. For operating in these colonies, these corporations are required to pay vast amounts of money to the Portuguese government. This money is then used by the Portuguese government to finance their wars against the freedom fighters of Angola and Mozambique. Last year half of the total went toward the war effort."

The document urges Harvard as a first step to divest its Gulf Oil Company stock with a public statement for the reason for the divestiture, an appeal for other stockholders to do the same, and a statement of its intent to follow the same course against other corporations "as a meaningful act in support of freedom and self-determination for people everywhere."

It points out that Gulf is the largest American investor in Portuguese Africa. Gulf began prospecting in Cabinda in 1954, struck oil in 1966 and by the

end of 1969 had invested \$310 million, with an additional \$76 million projected for the immediate future. In 1969 Gulf made payments in excess of \$20 million directly to Portugal, almost half of Portugal's allocation to its military budget in Angola. Harvard, for its part, is the single biggest university investor in Gulf, with 617,187 shares of stock with a 1970 book value of \$15,437,301.

The study details Gulf's direct and indirect contribution to the Portuguese war effort. "It is clear that the policy of Gulf Oil Corporation as well as numerous other firms participating in the economic system of Portugal, directly subverts the struggle for African liberation. It is equally clear that, by maintaining financial ties to such firms, Harvard University (the largest university shareholder in Gulf) stands as a validation of Portuguese colonialism as well as an extension of an exploitative U.S. policy toward the African people."

Among the U.S. companies with substantial holdings in Angola and Mozambique, the pamphlet points to the Caterpillar Tractor Company (in which Harvard holds 165,482 shares with a 1970 book value of \$5,729,814), Chase Manhattan Bank (in which Harvard holds 40,020 shares with a 1970 book value of \$1,690,845), General Electric (in which Harvard holds 99,039 shares with a 1970 book value of \$6,685,132), Getty Oil (in which Harvard holds 107,000 shares with a 1970 book value of \$4,601,000), IBM (in which Harvard holds 671,187 shares with a 1970 book value of \$46,852,000), I.T.T. (in which Harvard holds 40,413 shares with a 1970 book value of \$1,394,248), Charles Pfizer & Company (in which Harvard holds 13,500 shares with a 1970 book value of \$406,687), Standard Oil of California (in which Harvard holds 190,380 shares with a 1970 book value of \$7,662,795), Texaco (in which Harvard holds 770,259 shares with a 1970 book value of \$20,026,734), and Union Carbide (in which Harvard holds 69,644 shares with a 1970 book value of \$2,359,248).

Winston, who participated in the preparation of the pamphlet, noted that not as many whites had responded to the pamphlet as had been anticipated. "We're not concerned with how many read the paper as with how many use whatever influence they have in the days ahead. I would like to see whites take a position on this."

McGovern Challenged In Student Poll

(Continued from Page 1)

with independents (13%). Shirley Chisholm on the other hand scored well with independents (20%) but was the choice of only 9% of the Democrats.

Mayor John Lindsay was fourth in the over-all voting with 9%. Senator Edward Kennedy, who has disclaimed any interest in the 1972 presidential race, polled 7% while Senator Hubert Humphrey, a leading contender in the national race, could not even muster 1% of the Law School vote.

The voting clearly disclosed the Law School's liberal preferences. Eighty percent of the ballots cast were for "liberal" candidates, including McGovern, Muskie, Chisholm, Lindsay, Kennedy, and former Senator Eugene McCarthy.

This liberal outlook is reflected in the sampling of hypothetical

PERCENTAGE OF TOTAL VOTE IN HYPOTHETICAL THREE-WAY RACES

Humphrey	73	Lindsay	76	Jackson	28
Nixon	23	Nixon	21	McCloskey	69
Wallace	3	Wallace	3	Wallace	3
(N:575)		(N:610)		(N:574)	
Jackson	65	McGovern	81	McGovern	78
Nixon	31	Nixon	17	McCloskey	18
Wallace	4	Wallace	2	Wallace	4
(N:603)		(N:630)		(N:615)	
Kennedy	78	Muskie	83	Muskie	71
Nixon	19	Nixon	14	McCloskey	25
Wallace	3	Wallace	2	Wallace	3
(N:612)		(N:614)		(N:606)	

races presented on the ballot. Democrats overwhelmed Republican candidates Nixon and Representative Paul McCloskey except when represented by conservative Senator "Scoop" Jackson. Nixon failed against Jackson but by a smaller margin and the more lib-

eral McCloskey beat the Washington senator 69% to 28%. This vote seems to indicate that HLS voters are swayed by ideology before party and preferred liberals by roughly a 3-1 margin.

Other candidates who received more than 1% but less than 3% of the first-place votes are McCloskey, Jackson, Representative John Ashbrook, McCarthy and Wallace. Senator Fred Harris, Representative Wilbur D. Mills '33. Senator Vance Hartke and comedian Dick Gregory each received more than one vote but less than 1% of the total. One percent of the voters expressed no preference for president.

The RECORD poll reflected quite accurately an earlier telephone poll of 50 law students conducted by Mark Rutzick, 2L. Rutzick's tabulation listed McGovern the favorite with 32% of the total followed by 22% for Muskie and 12% for Nixon. The only major disparity in the two elections was an 8% vote for Chisholm in the earlier poll coupled with a higher percentage for Nixon.

The Rutzick poll also sampled hypothetical races involving Nixon, Wallace and five Democrats: Muskie, McGovern, Humphrey, Kennedy and Chisholm. Wallace received no votes in any of the contests. Muskie ran the strongest race against Nixon, winning 86% of the vote against Nixon's 12% with 2% undecided. In the

PERCENTAGE OF TOTAL VOTE FOR PRESIDENT

	Chisholm	Kennedy	Lindsay	McGovern	Muskie	Nixon	Other
1L Democrats (N:120)	9	6	11	35	25	2	10
2L Democrats (N:92)	10	3	10	35	28	1	12
3L Democrats (N:88)	9	9	10	26	32	1	12
Grad Democrats (N:10)	10	20	10	20	30	—	10
All Democrats (N:321)	9	7	10	32	28	1	12
1L Republicans (N:25)	4	4	4	12	16	36	24
2L Republicans (N:25)	16	—	4	12	4	32	28
3L Republicans (N:17)	—	6	6	12	6	53	17
Grad Republicans (N:0)	—	—	—	—	—	—	—
All Republicans (N:71)	7	3	6	11	8	41	23
1L Independents (N:82)	17	5	7	33	16	6	15
2L Independents (N:57)	21	9	12	23	11	9	13
3L Independents (N:65)	23	8	8	31	12	6	11
Grad Independents (N:7)	14	—	29	29	—	—	14
All Independents (N:223)	20	7	9	30	13	6	13
ALL STUDENTS (N:669)	14	7	9	28	20	7	14

Students who indicated party preference without noting class are counted in the "All . . ." totals. Students who did not indicate either party or class are included in the "ALL STUDENTS" category.

By Muskie

other races it was: McGovern 78%, Nixon 22%; Kennedy 66%, Nixon 28%, undecided 6%; Chisholm 62%, Nixon 30%, undecided 8%; Humphrey 62%, Nixon 24% and undecided 14%. Nixon's showing was thus slightly better in this sampling.

A few other statistically interesting correlations were made in the Rutzick poll which were not included in the RECORD poll. This sampling suggests that married students are more liberal in their presidential preferences than single students. Sixty-eight percent of the married students sampled favored one of the "liberal" candidates, compared to only 43% of the single students. (The sample consisted of 44% married students and 56% unmarried.)

First-year students are more liberal in their choices than 2Ls, according to the Rutzick poll, who in turn are more liberal than 3Ls. Sixty-eight percent of the 1Ls sampled favored the "liberal" candidates, compared to 56% of the 2Ls, and 38% of the 3Ls. And among single students, those who live in the dorms are less liberal in their choices than those who live off-campus. Those in the dorms picked the "liberals" 36% of the time, compared to 50% for single students outside the dorms.

Ames Alternatives

Faculty Okays Program Extension

By Bob Brown

The faculty has decided to continue the Ames Alternatives program next year. Indications are that the size of the program, which will be improved in a number of ways, will be about the same as this year, roughly 100 students.

"We plan to go ahead with vigor and enthusiasm in a better organized Ames Alternatives program next year," said Dan Broderick, 2L, new chairman of the Board of Student Advisers. "A substantial number — although not a majority — of Board members favor the Alternatives program."

A recently completed BSA poll of Alternatives participants shows that the faculty decision is well-founded. Every one of the students responding (about one-third of the nearly 100 who chose Alternatives) favored a continuation of the program. The reasons given for electing an Alternative were quite uniform: projects were described as "relevant," "concrete," and "interesting." A member of the Committee for Legal Research on the Draft described it as the "most worthwhile part of Law School so far."

The responses were not devoid of criticism, however. In some

cases, the BSA drew brickbats for lackadaisical or non-existent support. "Give yourself an F on this," wrote one student. Other people felt that the sponsoring organizations were too concerned with their own needs and not enough with the needs of floundering 1Ls trying to learn legal research. The result was that the educational value of some alternatives was not as great as it might have been.

But Brackett Denniston, 2L, BSA's newly elected chairman for Ames Alternatives, feels that

BSA Poll Shows Alternate Support

these difficulties can be overcome by more advance planning and closer supervision. "We will have more BSA supervisors assigned to Alternatives next year," he said, "but we also want to continue to rely to some degree on the sponsoring organization supervisor because of his familiarity with the substantive law in a specific area."

A strong supporter of the Alternatives program, Denniston noted that some of this year's projects were "ill-advised," but felt that by contacting organizations which sponsor alternatives early in the year, the BSA will be able to ensure a suitable number of well-planned, useful projects. Denniston hopes to have additional organizations sponsoring alternatives next year.

Many students responding to the BSA questionnaire found the freedom inherent in the Ames Alternatives one of its most attractive aspects. Denniston hopes to continue this flexibility next year. For example, not all projects will involve writing briefs, nor will oral argument be a necessary component.

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Naderism and the Revolution:

By Bob Hernandez

February 26, 1972. I attended a fascinating political rally tonight. Ralph Nader '58 and Mark Green '70 (apparently Nader's right hand man today) spoke to a nearly full house of over 500 people in the Ames Courtroom on a cold, wet, snowy Saturday night. The program had not been

Opinion

massively publicized. Even Forum officers had expected a sparse turn-out. There was no national press coverage. But the Nader mystique combined with the tremendous internal motivation of socially-conscious students ensured success.

Green paved the way with an almost philosophical talk about self-perception and fulfillment. Then Nader grabbed the audience, with his slow-but-forceful, appealingly unprofessional speech. He wrapped up the audience through his inside knowledge of the Law School, of its oppressiveness to people, of its crushing impact on egos and consciences. He projected a type of self-confidence built on the students' own confusion about the world and their role in changing it. His underlying sarcasm evoked laughter from the audience — nervous at first but heartier and more committed as the speech continued.

No one should doubt that Nader's message was political. He spoke of lawyers throwing out corrupt city governments. He referred to the fact that most Americans are shut out of the legal system today. He blasted the Law School's channelling process and suggested an overthrow of old value systems in which the *Law Review* represents the apex of achievement. He spoke of individual sacrifice to a movement, of commitment to the "public interest." He pointed to the Chinese cultural revolution as a model for forcing those in power to go to the fields and factories "where the problems really are."

But he was not speaking of "power to the people." His vision was very different, and thereby very disturbing to some. It is important to understand what Nader was doing to the audience, to recognize the meaning of the language he used, in order to understand why it was so disturbing.

In the first place, Nader was specifically directing himself to the feelings of inadequacy suffered by most students. He repeatedly blasted the *Law Review*, not only as irrelevant but as a symbol of exclusiveness. He was talking to a mass of law students, "bright" enough to get into Harvard, but not quite up to making the *Law Review*. Nader

pointed out that he, for one, was not on the *Law Review* (he was only on the LAW RECORD). Therefore, we must assume, the mass of students can identify with him. He knows their humiliation by the system, their sense of inadequacy resulting from not making the big one. Don't worry, he told us, "People relate to hot dogs."

Second, Nader played heavily on feelings of financial insecurity. There are a tremendous number of public interest jobs open to graduating law students, Green told the audience. Many 3Ls who have tried unsuccessfully to get such jobs would disagree. If the Massachusetts Public Interest Research Group (PIRG) is created by the students, Nader told us, there will be 50 jobs opening for graduating law students, with salaries from \$6,000 to \$9,000 a year. To people with a deep social conscience but fears of financial insecurity, this was most appealing.

Third, Nader used guilt feelings to stir students to join his movement. For example, he noted that it was unsafe for a person to use "sheer, unadulterated evangelism" in the classroom today, obviously pointing to the *Business Planning* incident of several weeks ago. The audience reacted with a murmur of nervous laughter, demonstrating full awareness of the incident, but highlighting the fact that no one had done anything to demonstrate concern about it. Not that anything effective could have been done. But the victim was a mere human being, not a law student, suggesting perhaps that people should turn to humanity rather than run to new lawyer organizations as we might suppose Nader's logic would lead us.

Nader Uses Guilt Feelings To Expand His Movement

Fourth, Nader was preaching a new elitism. A new organization has been set up for those with consciences. Rather than relying on their individual good judgment and experimenting with new methods of integrating the legal profession with oppressed groups, law school graduates should join the new meritocracy, the Public Interest Organization. The meek (lawyers) shall inherit the United States. By sheer force of numbers Naderites will become the new governors of political power.

It is interesting that Nader speaks of a "less hierarchical" rather than a non-hierarchical system to replace the present power structure. It is interesting that many of his Raiders come from

The Promise and the Threat

upper-middle class backgrounds (one even became the President's son-in-law). We might suppose, now that the main organizational slots have been filled, there is a great need of manpower that can only be filled by a different class of law students.

If Nader is not speaking a new elitism, why his ambiguity toward the *Law Review*? Although he blasts it as obsolete, he decries the fact that the Law School has "the brightest students working in Gannett House." Why are these the "brightest students"? By what evaluative system has it been determined that these are the most able to serve the "public interest"? Wasn't his point that non-Law Reviewers, those who have gone beyond believing that grades are significant, are to be the basis of his movement? It seems an odd position for one who seems to appeal to the humanity of the average law student as the backbone of his movement.

In addition, we might note again that the inequities to which he directed himself were less the inequities suffered by the poor, the undereducated, the blacks, than the inequities suffered by warm-hearted lawyers. He is promising them their day of glory.

Fifth, Nader demonstrates a clear bias against the counter-culture. He urges students to take their legal education seriously, to become efficient specialists of the new technocracy. Green, in a recent article in *New York* magazine, blasts "Legal Yippies," who, according to him, "take to heart the aphorism that all law school does is postpone life. Lazy, irreverent Frisbee freaks, usually stoned, they have rejected both the social activism and analytical rigor of their colleagues. After law school they hitch through Africa, shoot movies, open a bicycle shop in Portland or teach skiing in Aspen." Thus Naderism slurs those who would build a new value system which views people as members of a community rather than slots in a social hierarchy. It typifies the Consciousness II bureaucrat rather than the Consciousness III revolutionary. We know from *The Interstate Commerce Omission* (Nader's task-force report on the Interstate Commerce Commission) that the trains will run on time when his followers have seized power. But is that necessarily the "public interest"? As determined by whom?

Sixth, the Nader movement is extremely egocentric. This is perhaps less evident from the speech than from information which filters out from those students who have worked for the organization. Nader himself repeatedly told the audience that he was way ahead of his time even at Law School. How else could a former LAW RECORD editor make such a big hit? Students have reported that he is

extremely sensitive and reactive to any type of personal criticism and that certain personalities within the upper crust of his hierarchy tend to be extremely domineering. An interesting omission from the speech was any mention of leaders outside the Nader organization. There was token praise for clinical legal education, but has he failed to recognize the leadership of men like Gary Below?

Seventh, the Nader organization tends to be extremely manipulative, as is suggested by several of the comments above. He was clearly speaking Harvard, seeking rapport with Harvard Law stu-

Nader In Consciousness II: Obsessed With Review, Corps.

dents. In Newton College of the Sacred Heart one of his organizers spoke recently in support of the PIRG movement. He spoke women's lib. After the speech he asked those who were interested in organizing to stay around. After speaking to the smaller group, he asked those who would start working immediately to step into another room. They were loaded with pamphlets on how to organize their fellow students and given the word to spread the message. The Law School experienced a subtler variation of the same thing.

Finally, Nader is advocating the corporate state, not revolution. Although he speaks of distribution of power, wealth, access and lawyers he is clearly not speaking of a redistribution of wealth, of equality of all individuals, or of responding to the specific needs of the most oppressed as defined by the most oppressed. The Public Interest System is to be a base of power for a new elite to combat and eventually control the corporate system.

This analysis is not intended as a personal attack on Nader. He may not be doing and saying these things consciously, but it is clear that this is how his message comes across. It is perhaps too early to call his appeal fascistic, but the fascistic overtones of his movement must not be overlooked.

It is good that more and more students demonstrate their social conscience, that they are thinking about their relation to the rest of society, that they feel they must commit themselves to helping other people. To the extent that Nader is reinforcing these things in students, he must be applauded. But elitism is *not* good; seizure of power for its own sake, even if masked in terms of a pre-

(Continued on Page 16)

A Voice, Not An Echo

The tuition hike announced two weeks ago marked the end of what had become a routinized system of increases. The Law School realized that it could no longer meet rising costs by raising tuition every three years and decided to reconsider tuition every year. One advantage of this new system is that it will allow students three times as many opportunities to voice their concern about getting the most out of their educational dollar.

No attempt was made to offer the students a chance to voice their opinions before the recommendation for a tuition increase was made to the faculty by Dean Albert M. Sacks. In fact, the Law School Council was not even approached until after the recommendation had been made. One argument advanced in defense of the increase was "At this stage of the game, what else could have been done?" But why were things allowed to get to this stage? Why wasn't the problem presented to the Law School community in an attempt to discover the most acceptable solution?

The faculty and administration insist on operating as if they regard the students as incapable of adding any helpful hints on matters such as budget. The council was rightfully indignant when Sacks came to them for "approval". How, they asked, can they intelligently comment on the increase without knowing the budgetary considerations? The council was asked to approve a hike "necessary" to meet increasing costs. But what are these costs? Were they supposed to accept on faith the faculty's determination of legitimate budget expenditures?

What is being called for is not student control of the budget or tuition decision-making process (I spell this out for the benefit of those who insist on reading into concise editorial statements unintended demands for action) but rather the availability of budget information so that the students may voice their opinion as to whether the money is being wisely spent and tuition increase is the only solution. If the administration is going to ignore us in the end we at least expect to be in a position to be heard.

The administration might argue that students who object to HLS's financial policy should have gone to some other law school. But one would hope that the decision to attend Harvard Law does not mean a waiver of such objections.

HARVARD LAW RECORD

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Fenno

It was clearer than the noonday sun, right from the beginning, that craziness was in the air.

After all, on the normal Areeda Airways shuttle flight you don't usually see a man with dark glasses, a red beard, and a horrible scar on his right eyebrow, carrying a violin case. When he slid into the seat next to me and nonchalantly whipped out *Wigmore on Evidence*, my suspicions were confirmed.

The stewards (Areeda Airways being non-sexist) began to move through the aisles. My seatmate reached out and tapped one of them.

"I want to see the Captain," he said.

"That's quite impossible," the steward replied.

My seatmate sighed and unzipped his violin case, revealing a sawed-off shotgun. He seemed to be contemplating a spraying of corpses.

"The Captain," he repeated.

The steward returned in a twinkling with the Captain, a tall, distinguished-looking, and pompous fellow.

"Captain, baby, we're taking this ship to Haiti. I need a divorce, and I want it quick. Now go back up front and start flying south."

"See here, you insolent fellow, you can't dismiss me that way."

"If you don't watch your step, I'll dismiss you from life—with extreme prejudice."

There were some tenderfeet behind me, and they were taking it all in. One of them was mumbling something about false imprisonment. The other one leaned forward.

"As a student at the Harvard Law School," he volunteered to my seatmate, "I feel obliged to tell you that what you are doing is against the law."

The man shoved his shotgun into the still-open mouth of the speaker.

"The only law you need concern yourself with is the law of ballistics," he growled, though not without a smile.

By this time, the federal sky marshals had been alerted. They moved in quickly and subdued the man, whom they dragged away, kicking and screaming. Part of what he was screaming was that he didn't want to leave *Wigmore* behind on the seat.

The tenderfeet were all excited. One of them sat down next to me. He began to babble. I thought of my late seatmate.

I could have better spared a better man.

Letters to the Editor of the RECORD

RECORD Chided For Future Shock

To the Editor:

The issue of the alleged assault in Professor Herwitz's class deserves some comment, whether it is a tempest in a teapot or something more. It would seem to be the latter from the amount of reportage and editorial comment given to it in the RECORD, and I would agree, but for far different reasons. The RECORD seems far more concerned with a wrinkled collar and an unexpected ouster for a non-business uninvitee than with the far deeper implications of the incident and its potential effects on the academic environment at the Law School. Throughout the reporting and the editorial comment of the RECORD, a distinct lack of attention was paid to the disruption already caused by this outsider to a law school class and the continuing disruptive effect which the incident has on the harmonious functioning of the Law School Community. So far as I can tell, The RECORD deems this continued and prolonged harm to the academic community, and to the free speech and academic freedom therein, to be secondary to the deep and profound considerations of first year tort law, i.e., whether or not an assault was in fact committed and what the administrative, civil or criminal consequences of this vicious assault ought to be.

I would think that the ordering of primary and secondary considerations should be reversed, and the issue of free speech in an academic environment should be pushed to the fore and the issue of the tort to the aft, at least in so far as the continued functioning of the Law School is concerned. I would think that the great issue of free speech and its implications to all who want to be free to choose when and where they will listen to what, and to all who want to be free to learn what they wish to learn, is far more worthy of comment by a law school paper.

I grant that certainly the administration ought to pay some attention to the conduct of an enrolled law student who commits an assault, provoked or unprovoked, in a law school class. But in these circumstances, where an uninvited outsider decides to move his religious or political forum into a classroom and to impose his rude and arrogant conduct upon unwitting and involuntary listeners, the issue of dis-

cipline by Harvard University of this encroaching student is far worthier of comment and philosophical discussion. The circumstances surrounding another individual's childish pleasures which encroach upon the chosen pleasures of tens of others in attending a class on business planning are of far more social and legal significance than the conduct of a law student who may have been acting with far more right and justification in the context of the situation.

I am merely calling for a proper ordering of the priorities in these circumstances, just as so many others have justifiably called for in other contexts involving the domestic and international affairs of our society at large. To do otherwise, as the RECORD seems to have done, makes the perils and the tolls of *Future Shock* upon the legal mind and conscience imminently more likely, if not a foregone conclusion.

Jacob C. Diemert '69

Strip Stingrays For America

To the Editor:

I read the car thieves' story and the editorial "Midday Auto Supply Company" in the February 4 issue of the RECORD with a touch of sadness. All that talk of thefts and crime waves and "an administration content to sit back while students' cars are being stripped, burned and destroyed." Are property rights the only rights considered at the Harvard Law School?

Should you not consider these incidents from the standpoint of the unfortunates driven by desperation to commit these acts? Why can't you see the Everett Street Garage as they see it—as a monument to misplaced priorities. Imagine—a student garage while there are slums in Cambridge. And the cars!—major polluters taking embryo corporate and estate lawyers to the ski slopes while the poor cry out for legal aid.

What your editorial should urge is "Strip a Student's Stingray for a Better America."

P.S. You may use my name. I am not up for re-election until 1982.

James J. Leff '45
Justice, Supreme Court of
the State of New York

Law Notes

Four special internship opportunities in the criminal justice system this summer have been developed by the Center for Criminal Justice:

1. The Police Foundation would like to place a few women in police departments in various cities in the country. It is interested in women who plan on making a career in criminal justice.

2. Odyssey House, a therapeutic community drug rehabilitation program in New York, would like two interns to live in the House this summer, observing the program and analyzing its records with a view to determining the program's effect on criminal behavior and continued drug use.

3. Commissioner John Boone, newly appointed head of the Massachusetts Department of Corrections, would like to have five or six interns with special interest in corrections and institutional change in his Department this summer.

4. The New York City Criminal Justice Coordinating Council would like two interns who have experience in or are particularly interested in problems of mental health as they are involved in the criminal justice system.

These internships will pay about \$1000 each for the summer. If you are interested in any of them, whether or not you have already filled out a Center for Criminal Justice internship application, please come in to see Elinor Halprin at the Center in Room 506 of the Pound Building as soon as possible.

* * *

The Harvard Club of Boston is inviting all Harvard Law School students, faculty and staff to their Jolly Up parties, which will be held on the first and third Mondays of every month beginning April 3. The parties will be held from 6:00 to 9:00 p.m. at their clubhouse, 374 Commonwealth Ave. in Boston.

The admission charge of \$3.00 per person (guests are invited) includes a selection of fine wines or cider. Women members of selected local clubs and graduate schools have also been invited. For more information, call the Harvard Club secretary's office at 536-1260.

* * *

Admiral Elmo Zumwalt, chief of naval operations, will speak at the Harvard Law School Forum in Ames Courtroom at 8:00 p.m. Tuesday, March 7.

For a Few Dollars More, Fistful of Goods Will Fight Bad and Ugly

By Robert E. McGaw

The glint of MassPIRG: East would glisten if Harvard University approves a proposed tuition increase of four dollars.

Harvard Law students are presently being asked by MassPIRG: East organizers to sign petitions supporting adoption of a plan whereby each student would pay an additional four dollars in tuition. The money would be given to MassPIRG: East, a Nader-inspired, student-funded and student-controlled, public interest research group for the Boston area.

The plan also makes available an optional refund to students who do not want to pay the additional four dollars.

Michael P. Berman, 2L, one of the MassPIRG: East organizers at Harvard, expressed hope that all law students would sign the petition. "Many colleges and universities in the Boston area are working to get approval. Currier College, Boston University Law School and Cardinal Cushing College have already approved it.

"In a referendum at Boston College, Monday, February 28, 83% of the students favored the plan. Formal approval by the Boston College student government is necessary, but this should

come shortly since the student body president favors MassPIRG: East.

"Northeastern University is making final plans for conducting a referendum while Simmons College has almost reached the majority of student names it needs for approval.

"MassPIRG: East will begin operation next fall regardless of whether or not Harvard approves the plan. It would be a shame for Harvard to absent itself from the group of colleges participating," comments Peter J. Millock, 2L, another organizer.

Since the Law School is commencing its campaign for student approval almost a week before Harvard College starts its campaign, the organizers have high hopes that the law students will take the lead and give the MassPIRG: East plan overwhelming support.

"This would make petitioning at the other Harvard schools much easier. Once one school approves, the others will fall into line, we hope," says Joseph R. Schmidt, 2L, a third organizer.

The Harvard organizers plan to petition students in each of the Harvard schools, and then use that show of support to seek the

(Continued on Page 15)

Engel Ousts Marks As Head of Review

Early Sunday morning, February 20, David L. Engel, 2L, was elected president of Volume 86 of the *Harvard Law Review*. The decision came at the end of a meeting of the *Review* editors which had started at 9 a.m. on Saturday.

Engel has asked 12 second-year *Review* editors to serve as officers of Volume 86, which will be published during the 1972-73 academic year. Robert L. Adler, Dennis M. Perluss, and John W. Thomson have been appointed articles editors. Timothy H. Gailey and Roger E. Podesta will be case editors.

Richard W. Benka and Jeffrey Schoenblum were appointed note editors; Michael C. Harper and David L. Raish, Supreme Court note and note editors. Stanley Langbein will serve as developments and note editor, Daniel Segal as executive editor, and William C. Powers, Jr., as treasurer and managing editor.

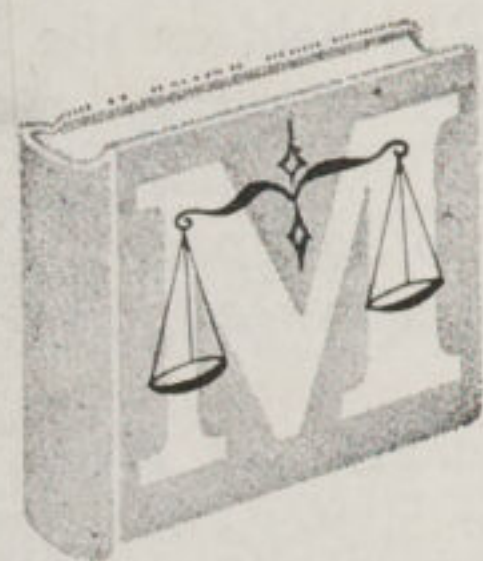
Five of the incoming officers were elected to the *Law Review* on the basis of superior performance in a writing competition held in September. The eight others qualified on the basis of their first-year grades.

Since 20 of the second-year members of the *Review* qualified on the basis of grades and only 10 on the basis of the writing competition, the writing competitors had a slight statistical edge in gaining positions as officers.

Eight of the 16 officers of the current volume including the president, Jonathan B. Marks, were elected to the *Review* on the basis of the writing competition.

Engel made the *Review* on first-year grades. He graduated from Harvard College and entered the Law School in 1967. He joined the *Review* in the fall of 1968, but left in December, 1968 to enlist in the Navy, rather than risk being drafted.

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Business can appear patriotic and statesmanlike while being extremely aggressive and even predatory by holding prices down.

In fact, business can benefit everyone including the consumer by raising prices to end inflation or conversely holding them down to eliminate the higher cost producers.

Inflation will end when prices go up more than wages and other forms of personal income. Paradoxical as this seems, it cannot be otherwise. The popular definition of inflation is "rising prices". This is only the visible symptom. More precisely inflation is an unstable equilibrium between prices and costs which accelerates the increase in costs. The only way to stop cost increases and restore stable equilibrium is to increase prices *faster* than costs or to increase capacity, which takes time.

The unstable equilibrium occurs when demand exceeds supply—both of which are normally regulated by price. An increase in price should reduce demand and eventually increase supply. Anything that prevents a price rise or full use of existing capacity automatically interferes with the ability of the economy to be self-adjusting and stable. Anything that interferes with the addition of capacity and the increase in output automatically interferes with the ability of the economy to stop inflation and resume a normal growth. Price increases must outstrip cost increases until available capacity outstrips demand, otherwise inflation not only never ends but constantly accelerates. *That is why the end of a period of inflation is always accompanied by rising prices without a corresponding increase in personal income.* It is also why the end of inflation is always a period in which available capacity finally outstrips ability to buy. *That is also the reason that price controls prevent the end of inflation.*

These facts of life do not mean that an individual business will profit most by rising prices even though it can do so and make them stick. All competitors do not suffer or benefit equally from a change in price levels. Certain competitors can gain a great deal by maintaining constant prices. The profit they forego is returned with substantial compound interest far into the future. Market growth compounded by growth in share, compounded by lower relative costs, compounded by increased safe leverage can produce profits in the future that amply repay foregone profits now.

Inflation is a particularly opportune time to change market share, especially if the government is using monetary policy to fight inflation. There is ample evidence that market shares rarely change unless capacity is inadequate for some reason. Periods of inflation are characterized by near full capacity utilization. Furthermore, tight credit restricts the addition of new capacity.

This inevitably means that the end of inflation will be accompanied by shortages in capacity as the recession ends and full employment resumes. While this can lead to an instant resumption of inflation, it need not if enough capacity is added during the period of inflation. However, the capacity must be added squarely in the face of tight money, depressed earnings and misinformed political opposition to capital expenditures.

Major increases in capital expenditures during a period of inflation are not only good economics but also good business for everyone except the high cost producers. Since only the low cost producers can get the added capital for capacity expansion during a period of monetary restriction, one of the effects of inflation should be to shift market share to the hands of the most efficient producers. But this must be done by holding down prices to inhibit the growth of the less efficient.

Price is the critical control of the competitive system. Very small differences in price can make major differences in the ability to grow or expand capacity. This sensitivity is not spread equally among competitors. Inflation is a period of opportunity for the low cost producer. It is a period of greatly increased risk for the higher cost, lower margin producer.

Typically, the high cost producer is highly leveraged, pays a small percentage of earnings in dividends, and has a small margin on sales. A slight price decrease can completely inhibit his ability to raise the money or take the risks that are inherent in an increase in capacity. Inflation squeezes his profits and restricts his ability to grow. A price rise in excess of inflation is his only salvation. The high cost producer must not only match the cost increase with the increased revenues, but make enough additional to pay the income tax on the write-up in asset value which will occur with every asset turnover.

Conversely, the low cost producers with wider margins, less leverage, and a dividend as a cushion can not only raise the money to expand capacity but can well afford to take the risks and defer the benefits. By merely holding prices constant—which amounts to lowering prices during an inflationary period—and making certain that their capacity is equal to all customer demands, they can produce an increase in market share and consequent decrease in relative cost that would be very, very difficult to achieve in any other period.

Inflation has all the financial consequences of growth that would occur with an increase in physical volume in an economy without inflation. However, inflation also produces an added restriction in monetary supply that compounds both the rewards and the penalties for the use of financial policies as a major component of corporate strategy.

A period of inflation is quite likely to bring some substantial shifts in competitive performance. The identity of those who benefit and prosper will depend upon who has the insights and takes the consequent actions. Some competitors will understand the feedbacks and sensitivities of the competitive system in a dynamic phase. Most will not.

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No Exodus to New Hampshire for McGovern, But...

By Daniel M. Taubman

Despite the surprisingly strong support in the Harvard Law RECORD poll evinced for presidential aspirant George McGovern, a misplaced pragmatism and a cynical apathy have contributed to a rather meager showing of active support for the South Dakota senator at this point in an election year. With the New Hampshire primary four days away, only a handful or two of dedicated Harvard Law students have journeyed to nearby New Hampshire to trudge

is important to realize that had McGovern obtained senatorial support, that very support would have enhanced his candidacy and made him a more viable candidate against both Muskie and Humphrey.

Similarly, an unexpectedly strong showing by McGovern in New Hampshire will contribute to his political ascendancy and correspondingly shoot down the rising star of "Honest Ed." To the extent that McGovern surprises, he will become a more viable candidate, and his supposedly ex-

week-end canvassers and ensure that the definite McGovern supporters vote next Tuesday.

With a more extensive organization than any of the other candidates, it is clear that McGovern will fare better than expected. A January *Boston Globe* poll showed him to have only 18 percent against 65 percent for Muskie, while a mid-February New Hampshire television station poll revealed 58 percent for Muskie, and 19 percent for McGovern. When considering polls, it is instructive to recall a February 1968 Roper poll which gave McCarthy a mere 11 percent of the vote at that time. McCarthy had actually received a stunning 42 percent of the primary vote (approximately 23,000 votes).

Whether McGovern can do as well as McCarthy is debatable, owing to the greater number of candidates and the non-polarization of the Muskie-McGovern race, but there are some indications of how well McGovern must do to give his candidacy the lift it needs and to make him a real contender.

It is conceded by McGovern supporters that a showing of less than 20 percent would be considered a setback in light of the support he has generated to this point. While 20 percent will keep McGovern in the race in anticipation of greener pastures in Wisconsin and perhaps Oregon, it would seem that McGovern must obtain 35 percent of the vote and keep Muskie's showing to less than 50 percent for McGovern to increase significantly his national Gallup poll rating of five percent.

Whether McGovern can do this depends on the persuasiveness of his young supporters and on the independence of New Hampshire's voters. We will all know Tuesday night.

Press to Determine 'Winner' — Underdog McGovern Will Look Good

through the snow and ring doorbells on McGovern's behalf during the past several weekends. If McGovern is indeed as popular as his plurality in the poll would suggest, why haven't there been more manifestations of support?

Desire to be with a winner (alas, where are those who eternally root for the underdog?) has prompted a number of would-be McGovern supporters to go with the more trustworthy Muskie. How many times have you heard someone utter, "I think McGovern is the best candidate, but I just don't think he has a chance to beat Nixon"?

This bandwagon philosophy, unfortunately adopted by many of the leading Senate liberals, places undue emphasis on present polls and fosters a kind of following, rather than leading, of public opinion on the part of congressmen and senators. Law students as well as politicians making this calculation wrongly assume that public opinion will remain relatively static, and that today's front-runner is tomorrow's Democratic presidential candidate. It

treme views for cutting defense spending by one third will become more acceptable.

Disappointed by Eugene McCarthy's unsuccessful bid for the Democratic presidential nomination, some students have been completely turned off by the tarnished "new politics" of 1972. Undoubtedly many in this group cast their ballots for McGovern in the RECORD poll, but are otherwise resigned to either the reelection of President Nixon and/or the nomination of Muskie or Humphrey.

Notwithstanding this apathy, the 10 or 15 Harvard law students who have campaigned for McGovern each weekend in New Hampshire have been joined by more than 400 high school and college students from all over the East in an effort far better organized than that for McCarthy in 1968. Nearly 20 McGovern offices throughout the state have been mobilizing support in cities and towns, making extensive use of volunteer labor. Some full-time staffers work for room and board in their efforts to organize the

Faculty Okays Ames Alternates

(Continued from Page 7)

BSA was sharply criticized for what many felt was a negative attitude in the publicity given to this year's Alternatives program. Denniston indicated that this will be corrected next year by stating that the faculty has no preference and that both types of projects are valuable. "The publicity will make it clear that an alternative involves more work than conventional Ames," he added.

But the additional work did not seem to dampen students' enthusiasm. According to one Alternatives participant, "The sense of involvement in a for-real case is such a plus for a 1L that I'd favor switching the 'alternative' tag to the traditional moot court competition."

PIRG Petition

(Continued from Page 12)

Harvard Corporation's approval of the plan.

MassPIRG: East will conduct an ongoing program of research, education, investigation and litigation using a staff of hired professionals and volunteers. It will be student-funded and controlled. Each participating college will elect representatives to the board of directors which will determine policy. Projects to be undertaken will be chosen and supervised by the students.

Anyone interested in working to get Harvard's approval of the plan should call Mike Berman at 492-1060.

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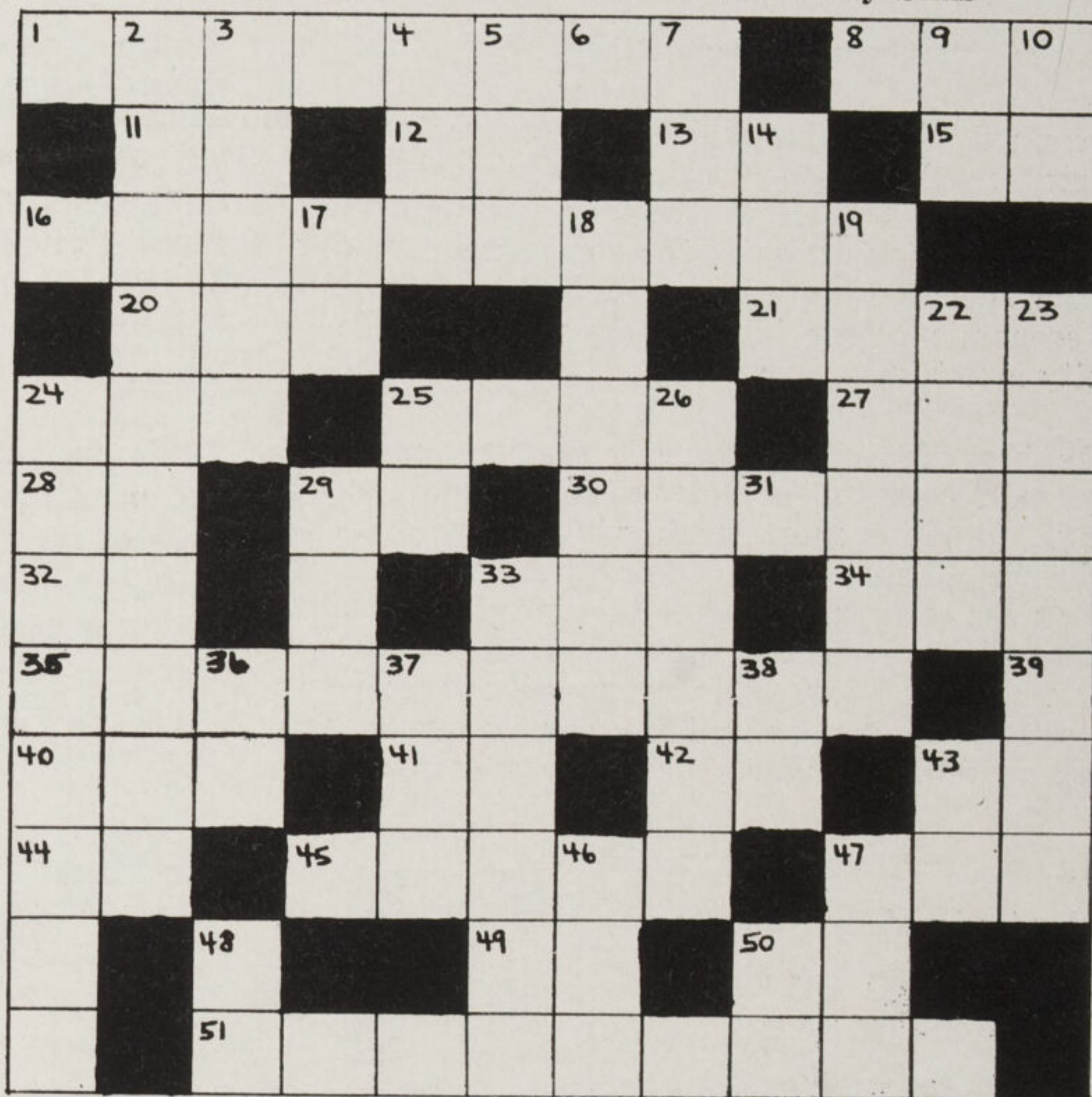
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SOLUTION ON PAGE 16

ACROSS

1. Typical Exam Answer
8. Subject of Affection
11. Eau de Hemenway
12. Good Grade on Brudney Exam
13. Backward Eating Club (abbr.)
15. Legal Disease
16. Hall of Fame
20. Answer to Michelman Hypo
21. Drunken Legislative Meeting (abbr.)
24. Minnie's Man
25. Mottley Crew
27. Portia's First Name
28. With Va. Congressman, HLS Parking Garage Technique
29. See 42 across
30. Mellow Fellow
32. See 42 across
33. Simple
34. Brando flick (abbr.)
35. Paesano
39. Big Word at the *Review*
40. Answer to Admissions Crush
41. Seldom Used HLS Pronoun
42. The Last Word, in Legal Fashion (backwards) [with 29 across, 36 down, 6 down, 48 down (backwards), 32 across (backwards)]
43. 1 Harv.L.Rev. 1 (abbrev.)
44. Opposite of TGIF:— —IM
45. Devalued This Year (var.)
47. Sleeping Libber
48. Colorful Interviewing Letter

49. Member of Thrill-Kill Pair (initials)

50. Host of the Highways (abbr.)
51. White Man's Burden

DOWN

2. A. James Casner
3. Fenno ——— HLS
4. Road to Legal Heaven
5. Wall St. Lawyer (var.)
7. Consideration for Tat
9. Burger's Crony (abbr.)
10. N.Y. Fed. Ct. Div. (abbr.)
14. Nephew of 24 across (var.)
17. Dr. Stone's Nemesis
18. Member of Fringe Group
19. Synge Character
22. Relationship of Clinical Studies to Curriculum
23. What Ms. Moss Keeps About Her
24. Law Wives' Shibboleth
25. Lost & Found Initials
26. What 3Ls Feel While Writing Paper (var.)
29. FORUM Speaker (abbr.)
31. With 37 down, Those Ahead of Ollie Barrett
33. King of Kings
36. See 42 across
37. See 31 down
38. —L—, CJS Relative
43. Classroom Wizard
46. Famous Legal Initials (obsolete)
47. Newest Sup.Ct. Member (abbr.)
48. Local Swain (prefix) (initials)
50. HLS *parens patriae*

Naderism in Radical Perspective

(Continued from Page 9)

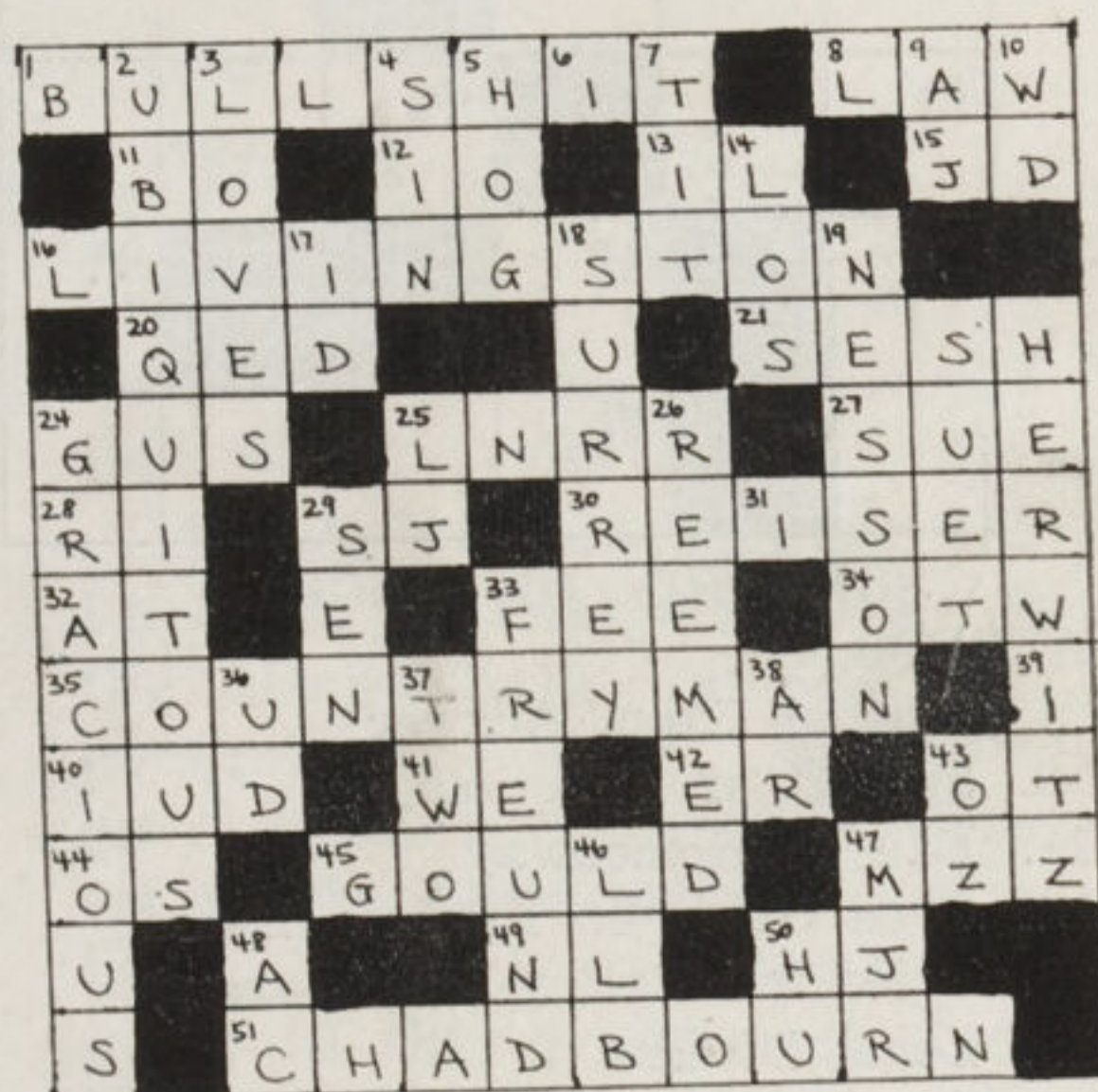
determined "Public Interest," is not good; financial security, masked as dedication to social activism, when it erects barriers between lawyers and their social groups is not good; the replacement of one set of corporate barons by another instead of vesting economic power in all the people as a community is not good.

The best side of today's law students is their increased recognition of the need for dynamic social change. What is most lacking is a sense of self-confidence, a belief that in their own goodness they possess the answers and that they are individually capable of transforming their good sense into action. To a great degree Naderism stifles creativity and self-assertion by providing easy compromises between desire for power or financial security on

the one hand and conscience on the other. It ultimately ignores the thought that only selflessness and pure dedication to people can bring about change. The question then is not whether the Public Interest Firm is better than traditional law firms. That has already been settled in the minds of many students. The question is rather: Is Naderism enough? Will it ultimately carry society where we know it must go?

We cannot criticize those who work for Nader because they feel strongly that change must come. Indeed, we must encourage them, through Mass PIRG or otherwise. But they must not lose sight of the dangers inherent in that movement or of the thin line between service to the people and service to self. As a humanity-trip, Naderism is fine. But as a power-trip, it is a menace to us all.

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