

HARVARD LAW RECORD

America's Oldest Law School Newspaper

VOL. 55, NO. 9

DECEMBER 8, 1972

TWENTY CENTS

Law Wives Group Changes Its Name After Forty Years

The Harvard Law Wives, in a break with their 40-year tradition, voted Wednesday to change their name to the Harvard Law Community Association. The final vote of the HLW membership, compiled from a mail-in ballot, was 20-16 in favor of the change.

"We did it to keep in step with the times," said Carolyn Stewart, president of the group. "There has been such a change in the makeup of the enrollment of the Law School, so many women have been admitted, that the name has become an anachronism."

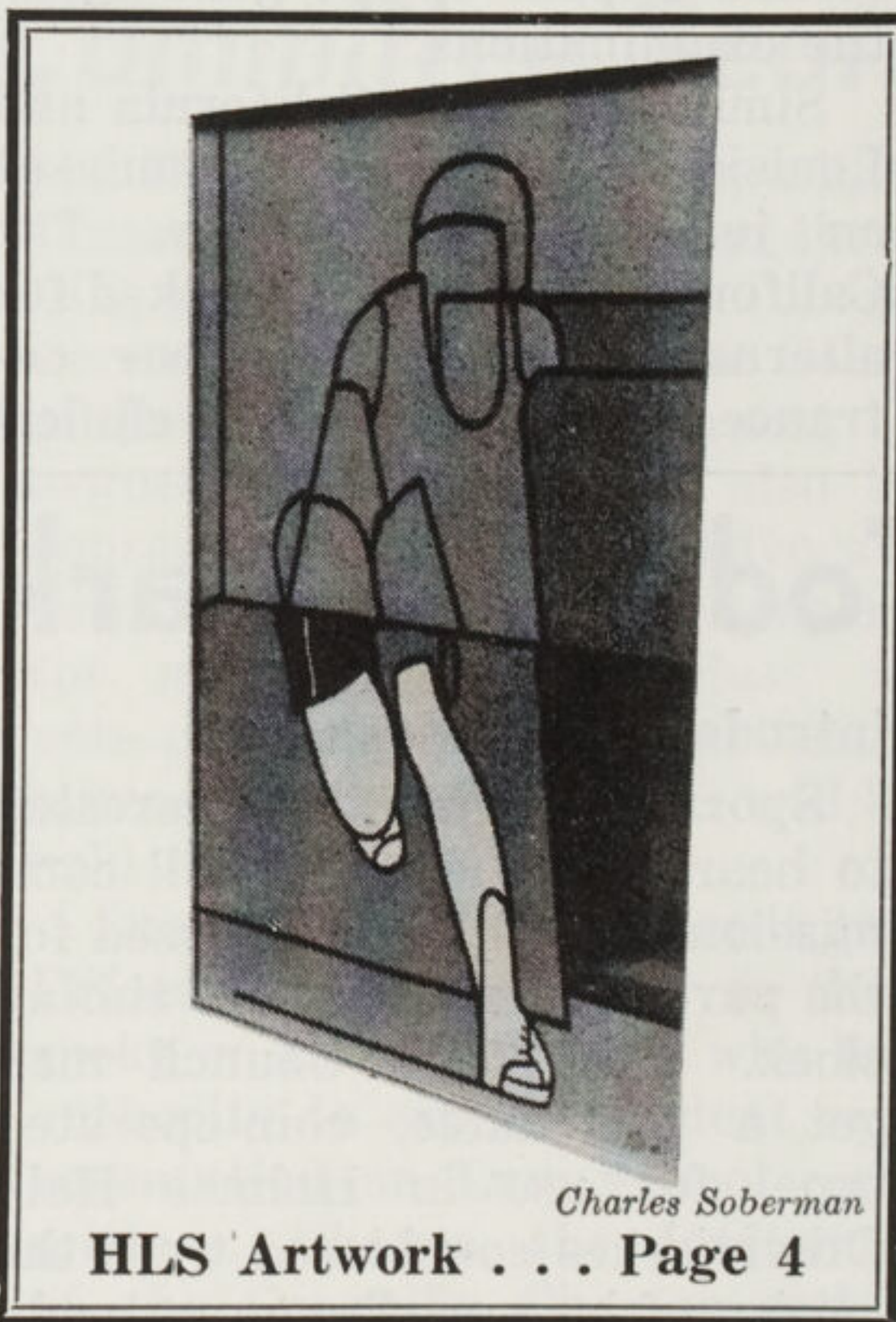
A change in the organization's name was expected. Increasing criticism had been leveled at the group, both within and without its membership, for the "sexist" overtones of the name "Harvard Law Wives." At the first general

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Three 1972 Grads Fail Bar, Bring Rights Suits in South

By Kermit Kubitz

Three black Harvard Law graduates are or will be plaintiffs in



class action suits in Alabama, Georgia and Virginia challenging allegedly discriminatory bar examination procedures which they claim have systematically kept black lawyers from practicing in the South for decades. All three of the 1972 graduates were themselves denied admission to the bar this year.

Henry L. Thompson '72, speaking in a telephone interview from Birmingham, Alabama, said he had brought suit, along with the Alabama Black Lawyers Association and McKinley Bailey, president of the Huntsville, Alabama, Chapter of the NAACP, after he and another seven of the 10 black applicants to the Alabama bar were denied admission this year. He said that the 20% admission rate for blacks this year compared to a 70% rate for white applicants. The suit will be co-ordinated, Thompson noted, by the NAACP Legal Defense Fund.

In addition to Thompson's standing as an injured applicant, Bailey is suing as a member of a class unable to obtain legal representation because of systematic exclusion of blacks from practice. There are only 28 black attorneys in a lawyer population of 3,410 in Alabama.

In Georgia, of 32 blacks known to have taken the bar examination this year, none passed. A 1972 graduate now working for a large Atlanta law firm, who asked not

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Dreben, Sargentich to be Lecturers

A former president of the *Harvard Law Review* and a woman partner in a Boston Law firm have been named as lecturers for the spring semester to teach two courses formerly taught by Massachusetts Supreme Judicial Court Justice Benjamin Kaplan.

Lewis D. Sargentich, '70, 1969-70 president of the *Harvard Law Review* and former clerk to Supreme Court Justice Thurgood Marshall, will teach *Advanced Civil Procedure*. Sargentich is currently employed by the Wash-

ington Research Project, a public interest law firm.

Raya S. Dreben '54, cum laude graduate and winner of the Nathan Burkan Copyright Essay Competition when a student of Kaplan, will teach the course on *Copyright*.

She is a former clerk of Judge Bailey Aldrich and was a teaching fellow at the University of Chicago from 1956-57. She is currently a "part-time partner" at the Boston law firm of Palmer and Dodge.

Three Black Grads Sue for Entry to Bar

(Continued from Page 1)

to be identified, will soon become a plaintiff in an action to challenge that state's admission rules. He did not want to comment further because the suit has not yet been filed. He did note, however, that there are less than 50 black attorneys in Georgia.

In Virginia, the name of the graduate involved could not be determined but the RECORD did learn that the suit alleges discrimination because over 70% of white applicants enter the bar, while less than 20% of the blacks seeking admission are generally accepted. The Virginia action further alleges violations of the First, Sixth and Fourteenth Amendments and of 42 U.S.C. §1983 for racial discrimination "under color of state law."

All three of the suits seek to have present examination procedures declared arbitrary as unre-

lated to legal competence, and seek immediate admission for some black applicants previously rejected. In Alabama, these include the class of applicants unable to avail themselves of the "diploma privilege" of immediate admission to the bar, granted to graduates of the University of Alabama Law School, which was racially segregated until 1965.

Procedures in the bar examination pointed out as potentially discriminatory include requiring photographs of applicants, fingerprint cards filled out by the police which include a racial designation, listing of the applicant's undergraduate school, and lack of formal appeal of the grading of the examinations.

Similar suits in California and Louisiana were recently dismissed on jurisdictional grounds. The California plaintiffs had asked for alternative methods of bar entrance, such as a period of clinical

internship or certification of acceptable performance by an attorney, judge or law school dean.

In 1970, a committee of the Philadelphia Bar Association found a "strong presumption" of racial discrimination in Pennsylvania's bar admission practices. The body's report resulted in changes in admission procedures which brought the number of successful black applicants in that state from less than 25% to over 75%.

More developments in all three actions are expected in the near future.

Con Law Profs Uncertain For 1973-74 2L Sections

With two of every five 1Ls planning to take *Constitutional Law* during the second semester, the future of next year's professors for that subject is currently in doubt.

Loeb University Professor Paul A. Freund and Professor of *Con Law* said Tuesday that he is considering taking a sabbatical next year, but that his plans are not yet definite.

Visiting Professor John H. Ely revealed Tuesday that he had received an offer to join the Law School faculty last year. "Certainly there's a chance I'll stay," he said. However, he too said he wasn't sure where he will be next year.

Meanwhile, Registrar Mary Upton said that Professor Robert Keeton's Committee on Legal Education will now consider whether the number of *Con Law* sections will be changed next year as a result of the large 1L enrollment for that course.

Holiday Fete Today in Hark

Holidayfest, sponsored by the Dormitory Council, will be held from 3 to 6 p.m. today in Harkness Commons. All members of the Law School community are invited to the party which features a variety of snacks and a cash bar.

The Dorm Council has appropriated \$300 for the party, and will use these funds to buy meatballs, cocktail franks, cheeses and beer.

Last week, the combined TGIF with the Kennedy School of Government was the best attended of the year and will probably be repeated in the future.

In other Dorm Council actions, the question of security in the dorms was discussed amid reports that outsiders have been trying to open doors on upper floors. One student who fell asleep with his door unlocked reportedly awoke to find a person entering his room, but chased the

intruder away.

Sports fans will be interested to hear that the basketball commissioners will be reimbursed for the purchase of a new \$17 timing clock. The Dorm Council may get a pool table, coin-operated type, for use in Holmes Hall. Other issues considered were the return of large coffee cups, problems with dirty walls in the new dorms, and selection of second semester movies.

Last week's Dorm Council Borgia movies, *The Maltese Falcon* and *Dark Passage*, were sell-outs, and earned the Council a substantial profit. Tomorrow's flick will be *To Kill a Mockingbird*, starring Gregory Peck, who won an Oscar for his performance in that movie in 1962.

Published weekly ten times each semester by The Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138. Telephone 495-4418. Subscription price: \$3.00 semester, \$6 year mailed; students, \$3.00 year distributed at the Law School. Individual copies: 20 cents at the Law School, 35 cents mailed. Second class postage paid at Boston, Mass. Copyright 1972 by The Harvard Law School Record Corporation.

1Ls Like Con Law As Spring Elective

By Daniel M. Taubman

Approximately 42 per cent of the first-year class will be taking *Constitutional Law* this spring, according to figures released earlier this week by Registrar Mary Upton.

This represents the first time that 1Ls will be taking the traditional basic second-year course during the first year, and comes as a result of the first-year semesterization program approved last year by the faculty.

Students who pre-registered for *Con Law* will be divided ran-

domly into sections taught by Professor Archibald Cox and Visiting Professor Gerald Gunther.

More than 150 other 1Ls have signed up for two other traditional upper-class electives: 86 for Dean Albert M. Sacks' *Legal Process*, and 68 for Professor Clark Byse's *Administrative Law* course. Both are three credits.

The 546 members of the first-year class signed up last month for either four or five credits of elective courses. Those who did not sign up for a four-credit course must take two courses,

either two two-credit courses, or one two-credit course and one three-credit course.

According to Upton, only "minimal cuts" were necessary for oversubscribed courses. She said that those who signed up for courses taught by Professor Lance M. Liebman, John P. Dawson, and Alan M. Dershowitz should check the bulletin board at the registrar's office after noon today to see whether they had been cut.

Upton also explained that 16 1Ls will be taking English legal history taught by Visiting Professor F. S. C. Milsom. This is believed to be the first time that 1Ls will be jointly enrolled with upperclassmen in a regular Law School course.

In addition to the above courses, enrollment for the spring electives are as follows:

Two credits: *Environmental Law*, Professor Richard B. Stewart, 25; *Introduction to the Theory of Law*, Professor Robert M. Unger, 75; *Law, Lawyers and Social Change*, Professor Derrick A. Bell, 19; *Law Reform in Torts*, Professor Robert E. Keeton, 21.

Also, *Law, Technology and the Environment*, Professor Milton Katz, 30; *The Legal Profession*, Professor Richard H. Field, 41; *Origins of Judicial Review*, Professor Morton J. Horwitz, 38; *Quasi Criminal Confinement*, Dershowitz, 25; and *The Western Legal Tradition*, Professor Harold J. Berman, 29.

One credit: *Consumer Credit*, Dawson, 34; *Private Damage Actions for Deprivation of Civil Rights*, Professor John H. Mansfield, 16; *Law and Socio-Economic Organization*, Professor Oliver Oldman, 16; *Suburbs and Cities: Issues of Segregation and Finance*, Liebman, 25; and *Television and the Law*, Professor Roger O. Fisher, 19.

Council Awards Committee Seats

Rebecca Anne Donnellan, a 1L Law School Council member, was nominated by the Council at its meeting Monday afternoon to serve as the Law School's representative on President Derek C. Bok's University Committee on Investment Policy.

The Committee will begin meeting soon in a wide-ranging review of the University's investment of its \$1.3 billion endowment. Donnellan, a graduate of M.I.T., served on that school's investment-review committee last year.

In other action, the Council voted to place Council members Thomas G. Walde, GL on the Law School's Policy Committee, Robert C. Brown, 2L on the Committee on Legal Education, and Rene Townsend, 2L on the Committee on College Programs in Law.

The Council also designated Stephen R. English, 1L as a member of the Library Committee. His selection completes the placement of 1Ls on Law School committees. Over 40 members of the Class of 1975 had expressed interest in serving on a committee.

The Council debated whether it should move to seat a 1L on

the Placement Committee, which presently holds three 2Ls, three 3Ls, six alumni and several members of the administration. Council member Steven B. Johnson, 1L argued that 1Ls should also be represented in order to advocate greater Placement Office concern for members of that class. A vote on replacing a current committee member with a 1L will be held next week.

Dean Stephen J. Bernardi and Professor Abram J. Chayes then spoke on the question of who has authority to expand student representation on Law School committees. Chayes, the draftsman of the Council's Charter and a Council member, expressed the view that the answer can only be worked out in practice, but that either the Dean or the Chairman of a committee probably could expand the number of student members on the committee.

Sixteen of seventeen student members of the Council were present at the meeting, held in Room I-4 in ILS at 3:00 p.m., but only Bernardi and Chayes of the five faculty members were in attendance. The next meeting will be next Monday at the same time and location. Students are welcome.

Art for the Classes

Committee Oversees HLS Art Collection

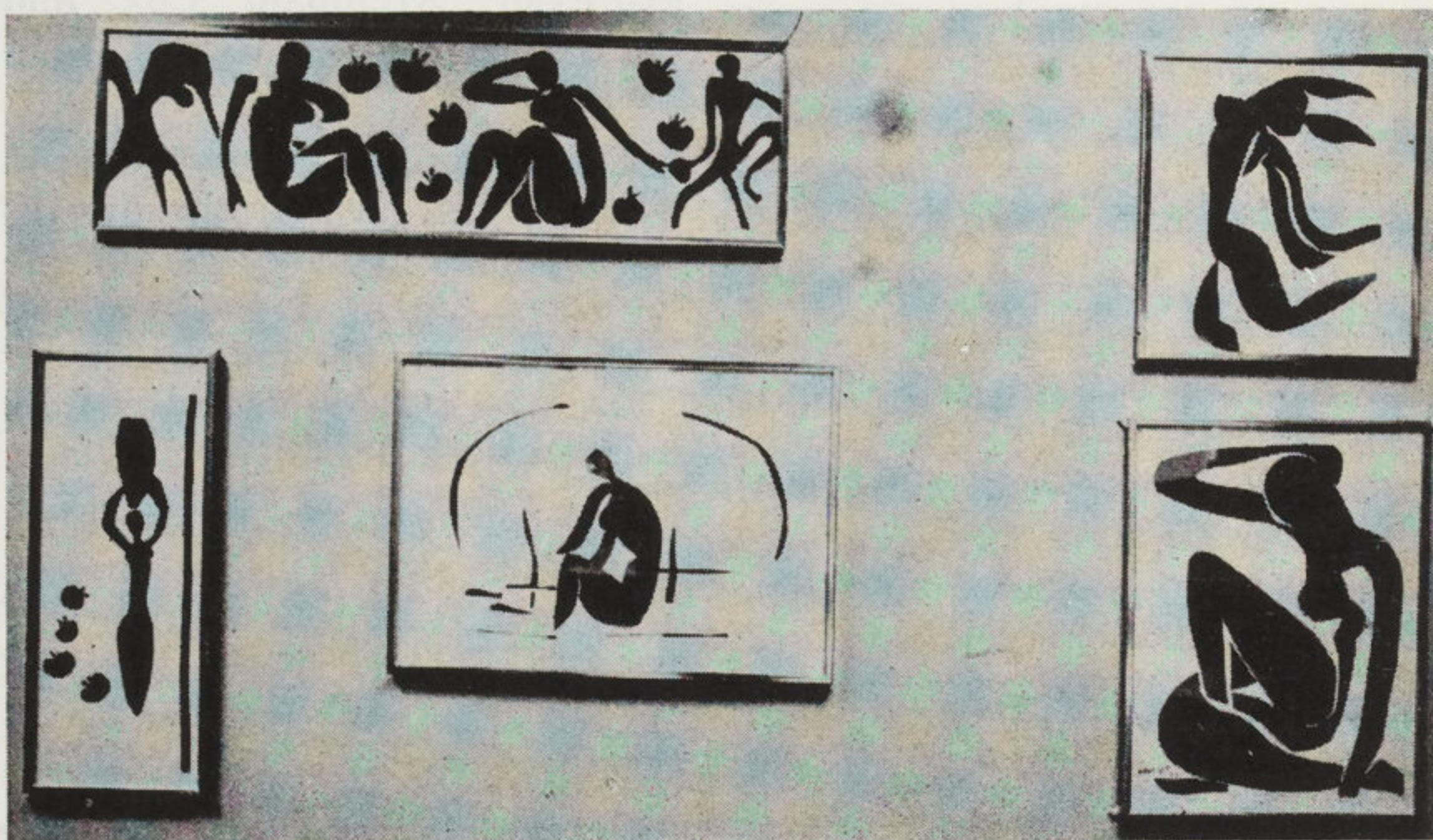
By Mark C. Rutzick

Many of us may think we attend a law school, but for Professor Morris L. Cohen's Advisory Committee on Art and Aesthetics, HLS is nothing more than an art museum and a living space. For his committee, created by Dean Albert M. Sacks last year, is responsible for the placement and care of all artwork on the entire Law School campus, and is currently embarked on a program to make this venerable legal institution a nicer place to live.

The committee, of which Cohen is chairman, also includes Professors Phillip E. Areeda and Louis L. Jaffe, Mrs. Bernice Loss, wife of Professor Louis Loss, and Roger H. Lustberg, 3L. In addition, Lee MacDonald, a part-time assistant librarian involved in the reorganization of the Law School's art collection, works closely with the group.

The collection, which contains over 250 oil paintings and between eight and ten thousand prints and photographs, is valued conservatively at over one million dollars. A portrait of the family of Harvard benefactor Isaac Royall, which hangs by the Langdell receptionist's desk, is alone valued at \$100,000.

One of the committee's more successful recent ventures was the installation of a group of prints in the Pound Building. The reproductions included a number of works by Henri Matisse, the



Charles Soberman

New Matisse prints brighten Pound Building.

French post-impressionist, and a series of German Olympic prints from the recent Munich games. Cohen indicated that the Matisse works would probably remain on display permanently, while the other prints were likely to come down in the not-distant future.

Cohen explained that the expenses for the recent print acquisitions, for the restoration of many damaged paintings in the collection, and for Lee MacDonald's salary, come out of a small fund at the Fogg Art Museum established many years ago by the late Dean Roscoe Pound, who was responsible for most of the acquisitions in the collection. Cohen noted that most of the money had been spent in the past 18 months, since MacDonald initiated the first extensive review in decades of the entire collection, with the intention of effecting restoration of every damaged work. The existence of the fund is very fortunate, Cohen added, because in ordinary circumstances artwork would not rate very high priority as a budget item.

MacDonald is also working on the compilation of a card catalogue listing every work in the collection. No such catalogue has ever before existed, but MacDonald hopes to complete the list by the spring. She is looking for

student volunteers to help out on a part-time basis in the effort.

"Not the least of our difficulties," she explained, "is just locating everything in the collection. Every week we keep finding something new in another strange cranny somewhere in the school."

The problems of contemporary society also insinuate themselves into the world of art collections. Cohen explained that the Law School currently owns no portraits of black jurists or lawyers, and that the committee has been trying to stimulate new portraits to fill that gap.

Cohen noted that the committee has been successful, and the school would soon be receiving a portrait of William H. Hastie '30, former Chief Judge of the U. S. Court of Appeals for the Third Circuit, a black. A ceremony commemorating the gift will be held in the spring. Cohen added that the portrait would be a significant addition to the Law School's collection because Hastie was "a great judge."

Cohen also lamented the lack of any portraits of women in the collection, except for one of the late Eleanor Glueck, together with her husband Sheldon. He is hoping to obtain one or more soon,

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Ames Alternatives Attract 171 1Ls

By Phil Spector

In what its director from the Board of Student Advisers called "the first year this has been run as a genuine program," Ames Alternative projects are being called generally successful by the first-year student participants and by the Board itself.

The number of 1Ls doing Alternatives, which involve research, traditional briefs, and oral arguments on actual problems for student organizations, as opposed to the moot Ames competition, has more than doubled from last year, when the option of alternatives was first offered. While only about 80 students did alternative projects last year, according to an estimate by Michael L. Lehr, 3L, this year's Alternatives director, one-third of the class of 1975, 171 students, were involved this year.

The scope and diversity of alternative projects offered were important factors in drawing 1Ls. More than 10 law school student organizations, plus the Center for Criminal Justice and the Center for Law and Education, supervised alternative projects, and 18 students did projects independently of any organization. All projects were supervised by a member of the Board of Student Advisers — 13 members of the Board were assigned exclusively to alternatives — and thus most 1Ls doing alternatives had two advisers, one from the Board and one from their sponsoring organization, while their classmates doing regular Ames had just one adviser from the Board.

Lehr, the student director of the Alternatives program, has been very pleased with the results so far of a detailed questionnaire sent to all student and faculty participants in the program. While pointing out that final results won't be available until January, Lehr commented that "the questionnaires coming in are saying that the supervision was either good or very good." He

also said that faculty participation and interest in the program were "outstandingly high," and noted that persons from the greater Boston community, such as Massachusetts state legislators, had been involved.

Several first-year students interviewed by the RECORD generally agreed with Lehr's assessment of the Alternatives, although

Ten Organizations Supervise Projects

there were specific criticisms among projects which varied widely. Jon Meyer, for example, who worked with the Center for Criminal Justice studying rules made by police departments to govern criminal investigations, pointed out that, in comparison with traditional Ames, "what I'm doing has a certain meaning beyond learning to write briefs."

He had some difficulties, however, because there was no actual case involved and because the project presumed a background in administrative law. He appreciated the opportunity to meet with an attorney from the Center several hours a week for two months, and most of the difficulties were resolved in those sessions.

Susan L. Lennox, who worked with the Center for Law and Education, researching rights of high school students, also felt her project had been worthwhile but had some different criticisms. She saw her adviser from the Center "a total of half an hour" during the program, although she felt her adviser from the Board had been helpful. She spent over 200 hours and missed a week of classes working on what she called a "massive project" and felt somewhat handicapped working alone, with no one to talk to about ideas. In terms of its educational value, she commented that she learned researching and briefing skills "as well as or better than in Ames."

Another student who sacrificed some classwork because of an Ames Alternative, Kevin S. Wiley, praised the program because it "opens up contact with people outside the Law School with whom the law student shares interests." In Wiley's case, the community group was the Boston Citizens' Housing and Planning Association, for whom Wiley and two others drafted a statute regarding low-income tenants, under the supervision of the *Journal on Legislation*. The statute will be introduced in the Massachusetts legislature. His most important criticism of the project, and one shared by several other students interviewed, was that the problem as originally presented to his group was too open-ended and hadn't been fully thought through for all its implications and issues.

One student who worked independently, rather than with an organization, was, like Wiley, pleased to have a project with direct practical application. David C. Harrison worked with another 1L, Dan Marshall, on a brief to be used by Navajo Indians in the tribal courts on an important jurisdictional question. Harrison noted that he had to go on his own initiative to see his Board adviser, whom he found helpful on writing the brief. Agreeing with nearly every 1L interviewed, Harrison said, "I would be working on this project even if Ames or an alternative hadn't been required."

SUNDAY BRUNCH

10a.m. - 2p.m.

In the
Harkness Commons
Dining Room

Judge Discusses Women and Law

By Karen Bier

"It's been the most exciting thing in the world to be a lawyer and a judge. I'm still young, and I've got lots of fights to fight before I'm through." So said Judge Zita Weinshienk '59 of the District Court of Denver, Colorado to about 30 Law School women Monday in a discussion of women and the law.

Weinshienk, who asked as many questions about the Harvard of today as she answered about the Harvard of the 50's, encouraged the students to work in fields where women lawyers have been scarce, such as criminal law and teaching. She emphasized both personal satisfaction and the pursuit of political goals in career choices, saying, "If we're going to be token women, by God, let's take advantage of it and get our foot in the door for the sake of other women."

The judge was critical of the Harvard she knew as a law student and pointed out that the school enrolls a smaller percentage of women than some law schools "ranked among the top 20 in the country." Responding to student comments on the recruitment of undergraduate women, Weinshienk said, "You can't start recruiting in college. You've got to start in kindergarten." She depicted Harvard as having been "one of the worst" in its attitude towards women in the 50s, "back in the days when women were really pioneers."

Weinshienk said that "women's lib" and the "metaphors" associated with the name worked against the women's movement by "alienating big groups of women whom you don't want to alienate." She added that although recent studies have gone far to change attitudes about women lawyers, both private firms and the judicial system practice discrimination in hiring, advancement and salary policies.



Charles Soberman

Zita Weinshienk '58

Citing the criminal courts as one important area of discrimination, Weinshienk said, "I'd like to see more women prosecutors. The best way to change the prosecutorial system is to get into it." She told one student, who had heard it said that "women can't win a case," that "women do very well with juries." But she added that a merely average female attorney would encounter more criticism than her male counterpart.

Judge Weinshienk sprinkled the discussion with personal anec-

dotes of her years on the bench, her family, and her experiences as a student. She said that interviews had discouraged her from working in a law firm. According to her, the firms frequently asked such questions as "What does your husband do?" and "What happens if you get pregnant?" Several students replied that many firms still ask the same questions.

Weinshienk also discussed the Harvard classroom, which one woman said "increases your feeling that you're all alone." The judge asked those who were offended by classroom jokes about women, "How are you going to handle this later when it happens in practice?" She added that the best way to ward off such humor was to respond "with a crushing joke of your own."

Weinshienk also participated Monday for the third consecutive year in a panel discussion of the movie "The City and County of Denver v. Lauren R. Watson," shown two weeks ago to first-year students.

Other speakers at the panel discussion were Robert J. Glass, legal adviser to the Boston Police Department, and Harry Silvergate, a Boston Attorney.

Law Wives Change Name

(Continued from Page 1)
meeting of the group this fall, those present voted 26-10 to change the name, but they reached no decision regarding an alternative.

Two weeks later at another general meeting several names were discussed, one of which was "Harvard Law Wives." "This created a problem in that we had already voted to change the name," remarked the December issue of the *HLW News*, the official newsletter of the organization. "[T]herefore, could we legitimately consider Harvard Law Wives as an alternative?" it asked.

To remove the impasse the executive board unanimously decided to throw the question to the entire membership by way of a mail-in ballot published in the newsletter.

Sixteen of the 20 members who voted for a change expressed a preference for the new appellation, "Harvard Law Community Association." One cast a vote for "Harvard Law Couples," one for "Harvard Law Club" and two merely voted for a change.

The brief announcement of the vote was followed by a film and wine tasting party sponsored by S.S. Pierce and Co.

Castaneda Sees World Authority For High Seas

By Daniel M. Taubman

The Mexican Ambassador to the United Nations' agencies in Geneva predicted here Tuesday that an international authority would be established within a generation to supervise the use and distribution of the world's maritime resources.

Jorge Castañeda, addressing Professor Richard R. Baxter's *Law and the Sea* seminar, spoke in his capacity as a UN official involved in the planning of the International Conference on the Law of the Sea, scheduled to be held early next year, probably in Santiago, Chile.

Castañeda discussed the problem of the territorial sea which some Latin American nations have claimed extends 200 miles from their shore lines. Most nations presently adhere to a 12-mile limit.

The 200 mile limit has been justified because of the "close physical, biological and economic relation between land, sea, and man," Castañeda said, addressing the seminar and members of the International Law Society in English.

Mexico favors a compromise between the 12-mile and the 200-mile limit, the Mexican plenipotentiary explained. By allowing nations a "patrimonial sea" or "economic jurisdictional zone" of up to 200 miles to regulate fishing rights, the claims of the Latin American nations seeking the wider territorial limit would be satisfied.

Under this plan, however, the political jurisdiction of nations would extend only the traditional 12 miles, Castañeda said.

Earlier in the day, Castañeda lunched with a small group of students from the International Law Society, and, speaking in Spanish, compared the Mexican and American legal systems.

Committee Acquires Art To Adorn HLS Buildings

(Continued from Page 4)

but believes that the lack of a long history of women in the law will hinder his search. He added with some humor that at least the Matisse prints in the Pound Building were of women, thus becoming technically the first women in the collection.

Cohen describes the committee's work as an effort to combine art of legal significance with aesthetically pleasing works. An ideal combination of those elements would be a collection of political posters, or lithographs of famous trials such as that of Sacco and Vanzetti, Cohen added. He is in the market for such acquisitions, but has so far been unable to find an appropriate purchase.

Cohen explained that like everything else at the Law School, there is an internal politics to the selection and placement of artwork around the school. The Matisse prints aroused intense criticism from some faculty members who are partial to 17th century English judges, he added.

Cohen noted that all the members of the committee have highly developed ideas about artwork in the school, but that there is usually little agreement. He cited Areeda and Jaffe as tending toward the conservative side, and Loss and MacDonald as being more adventurous. The result, Co-

hen said, was that it has become easier for him to reach decisions by approaching each member separately than by holding a committee meeting.

Cohen solved a minor mystery regarding the recent placement and subsequent removal of two large and rather unusual photographs in the first-floor alcove of the Pound Building near Room 107. Cohen explained that Benjamin Thompson, the architect of the building, had placed the pictures there himself because the structure was being considered for an architecture award, and he wanted to fill some of the empty space in the alcove.

One problem the committee is trying to deal with is the rising theft rate of art around the school. Cohen remarked that most "rip-offs" were of small items in the more isolated parts of Langdell Hall. The committee is investigating the possibility of bolting down all artworks, but Cohen added that this raised a problem of immobility and thus inflexibility in the collection.

But in spite of disagreement, thefts, and inertia, Cohen is enthusiastic over the future of the HLS art collection. He says, "We want to make the Law School a more pleasant place to live in, and we think we'll be able to accomplish that."

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From LA to the UK, Labor Prof

By Paul Weiner

When Visiting Professor Benjamin Aaron '40 attended the Law School, he was "just another student." He wasn't on the *Review*. In fact, he participated in "no organized activities — except moot court my first year.

"I was quite interested in the labor movement and what was then the very recondite area of industrial relations. There was only one *Labor Law* course, which was taught by Dean Landis, and which was excellent as far as it went. Basically, I just studied a lot on my own. . . . I was ill a good part of the time so I couldn't do a lot of things that I wanted to do."

Aaron, 'just another student,' studied labor law on his own

Aaron had majored in sociology at the University of Michigan; "another thing I fooled around with was the sociology of law. . . . I tried to find out whether there really was such a field." He concluded that there was "nothing there" — at least so far as his own interests were concerned. To be fairer to the field's practitioners, he decided that it must be a branch of jurisprudence.

On a purely physical plane, Aaron commented that the School now "looks much grander — generally more attractive, more comfortable. I started out in old Perkins Hall — godawful barracks.

"Students still seem to have the same complaints," he added, but "there's a good deal more informality in class. . . . My impression is that the faculty as a whole is considerably better than it was when I was here. . . . We had a few great teachers, but we also had a lot who in retrospect seem to me to have been not so good and the curriculum was much narrower.

"The faculty as a whole tended to accept the prevailing standard of values much more than it does now . . . with a few exceptions."

After graduating from the Law School, Aaron returned to Chicago, his birthplace. He studied labor law at the University of Chicago under Charles Gregory, a noted expert in the field. During World War II, he served with the War Labor Board "from start to finish." He found it "enormously valuable — the best public experience I've ever had. In fact, I would say that most of the older successful practitioners in the labor law field today are W.L.B. alumni — arbitrators in particular."

From his experience Aaron believes that the World War II wage and price control system was more successful than that imposed during the Korean War, as well as that in force for the last year and a half. The W.L.B. managed to bring about a number of temporary compromises for labor and management, he noted, compromises which have not survived the last 25 years, but it also introduced a modern procedure for grievance settlement which has persisted.

For a few months after the war, Aaron served as a member of a special advisory commission to General Douglas MacArthur's headquarters in Japan, to advise the Japanese military government on new labor legislation. "I think the whole motivation of the American military government was cockeyed," said Aaron, in imposing American ideas of labor relations on a completely different culture. "Labor relations systems are really not exportable or importable. They're outgrowths of the particular society and culture out of which they arise," he concluded.

After his Japanese interlude, Aaron joined the Institute of Industrial Relations at UCLA; he became Director of the Institute and Professor of Law in 1960. The Institute gives no courses and confers no degrees. It is primarily a research institute, Aaron noted, "but with very active programs in community services for both labor and management groups."

The Institute did the first major study of the Watts section of Los Angeles about six months before the Watts riot. "It was a community ready to blow up with frustration," the Visiting Professor said. No one on the study was "at all surprised" when the riot occurred, he added.

"Watts is an island — it's a submerged island. People pass it daily on the freeways and don't even know it exists. We gave a student an assignment:

'Watts is an island — It's a submerged island'

"We've got you a job at Douglas Aircraft at Santa Monica on the 8 o'clock shift." The student replied with a memo — there is absolutely no way to get there by public transportation. He would have had to leave at 5 a.m. — if any buses ran that early."

Not too surprisingly, Aaron said, the study was ignored until after the riot, when government officials pored over it. The Labor Department subsidized improved transportation in and out of the area.

Aaron Can Drive a Hard Bargain

The Industrial Relations body was originally set up with the active assistance of then-Governor Earl Warren as a statewide establishment with one independent institute at Berkeley and one at UCLA — “to improve the climate of industrial relations,” Aaron explained.



Bernard Nelson

Visiting Professor Benjamin Aaron

Until World War II, Los Angeles was “the best-known open shop city in the West,” Aaron said. “There was an active, aggressive, anti-union organization, and equally militant unions. Things were not entirely peaceful — there were frequent strikes. I like to think that we did help to improve the climate quite significantly.”

After the War, the Institute set up a series of courses for labor and management personnel, a number of whom went on to bigger and better things. One was former Labor Secretary James D. Hodgson, who was then just a low-ranking manager at Lockheed.

Members of the Institute cannot take sides in labor-management disputes, such as the farm labor unionization controversy in California. However, Aaron chaired a federal farm labor panel in the early 1960's which was instrumental in recommending the abolition of the bracero program. Under that program, contract laborers could be brought in from Mexico, thus effectively undercutting any organization that might have developed among workers who were U.S. residents.

For the past six or seven years, Aaron has been working with a team of European law professors whom he encouraged to produce a series of books on the comparative aspects of labor law and industrial relations in Britain, France, West Germany, Italy, Sweden, and the U.S.

The third book in the series dealing with “Industrial Actions” (strikes, lockouts, boycotts, and

the like) has just been published. According to Aaron, who has been working to develop a technique for writing about comparative law, the third book “came closer to the ideal than we had done so far.” Each author took one subtopic and developed it for all six countries, thus making the study more than a series of national reports.

Aaron is also contributing to an encyclopedia of comparative law a long essay on the settlement of workers' grievances throughout the world.

Aaron commented that there are basically two systems of labor law: the American system, which leaves most matters to the collective bargaining contract or arbitration, and the Continental system, which decides many aspects of the employment relationship by statute and special labor courts. Thus, in Europe, an employee is usually given holidays and protected against arbitrary dismissal by law.

In England and on the Continent, “the political aspect is much more important,” Aaron added. Most countries have a political party affiliated with the labor movement, and often trade unionists are party members first.

Besides teaching at the UCLA law school, Aaron is an active arbitrator, especially in public collective bargaining; he successfully mediated a school strike in Los Angeles several years ago. He is the chairman of a committee to recommend a comprehensive labor statute for California state government employees.

Aaron spent two very busy years as chairman of the UCLA academic senate during which he reorganized the body. Just before he became chairman, he wrote the report to the Chancellor for an ad hoc committee on the Angela Davis case.

Aaron is “not necessarily an advocate” of faculty unionization. “There's a very real risk that it would make the university a very different kind of place and inhibit the kind of freedom that exists now for most scholars and teachers at the better universities.” But Aaron is convinced that “if a majority of a faculty wants to organize, I think it should have the right.”

Does Aaron have any hobbies? “I find my work so interesting that I really don't feel the need for hobbies much,” said the man who has the distinction of being the first living graduate listed alphabetically in the most recent alumni directory. “It's kind of a hobby in itself.”

Aaron, who has been teaching *Labor Law A: Collective Bargaining* at the Law School and *Industrial Relations* in the Business School's Program for Management Development this term, will spend 1973 as a visiting fellow at Clare College of Cambridge University in England, doing research and writing through the year.

Race Ipsa Loquitur

The bar exam, an instrument that has been used both to guarantee certain standards in the legal profession and to solidify the unitary bar, is under fire. Applicants, including at least three HLS graduates, who failed the exam in three Southern states have sued to overturn the results, charging that the tests have been used systematically to exclude blacks from the profession.

In response to such charges the National Bar Association, the professional association of black lawyers, has recommended that all bar examinations be eliminated and that standards for admission to the profession be left to the law schools.

In defense of the NBA's position Judge Edward F. Bell of Michigan has attacked the exams, calling them tests of memory, not ability, and highly susceptible to racial discrimination. He cited the fact that there are only four black bar examiners in the 46 states with bar exams (and the District of Columbia) as an example of the cause of discrimination, and comparative percentages of white and black applicants passing the exam (70 and 30% in Pennsylvania and 71 and 16% in Michigan) as examples of the discriminatory effect. 57 A.B.A.J. 1215 (December, 1971).

In reply to Bell's article, Georgetown Law Center Professor William Stanmeyer defended the bar examination procedure, although admitting that efforts should be made to eliminate the possibility of discrimination and to improve the quality of the exams. He rejected the idea that law schools should be the final arbiter of standards, however. Too many schools, he said, were buckling under the pressures from minorities and reformists to lower the quality of legal education and to create "flexible standards" for admission and graduation. "[T]he bar examination protects a certain core of learning," he said, "the existence of which channels the schools' approach to law and helps school and student alike restrain their restless eagerness for exotica." 58 A.B.A.J. 489 (May, 1972).

Stanmeyer has revealed much of the problem with the bar exam in these remarks. Instead of a standard of competence and relevance his standard is more one of tradition and uniformity. This view contrasts vividly with that of a recent report of the Carnegie Commission by Stanford Professors Thomas Ehrlich and Herbert L. Packer which advocates a more flexible role for law schools and for the bar. More importantly, Stanmeyer's view creates "built-in headwinds" for cultural minorities and others whose definition of competence and whose view of the legal profession may differ sharply from that of the traditional bar.

To stand intractably in the face of society's demands for more flexible solutions to legal problems is to cause a serious blow to justice. One solution may be to eliminate the bar examination.

HARVARD LAW RECORD

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Fenno

Fenno pulled up his collar snugly. The icy Cambridge winter wind swept across his face and drifted off his ears in tiny swirling chills. The evening was dark and empty as Fenno walked up the pathway between Hastings and the Faculty Office Building. The street-lamps glowed in fuzzy dimness like dying candles lost in a black sea. Fenno smiled and thought, one of these days this would all be behind him.

There was, to Fenno, something inherently sensational about being a lawyer; standing center stage in some judicial arena leading the way to justice. Or, Fenno thought, in exposing the "real murderer" before a crowd of astonished on-lookers. "Your Honor, I object!" Fenno whispered to himself. Gosh, he thought, that had a nice ring to it. "YOUR HONOR, I OBJECT!" he shouted. He saw someone enter the ILS building shaking his head incredulously as Fenno's words echoed off the Pound Building. No matter, Fenno thought, as he envisioned himself a Super DA pointing an accusing finger at the smug jewel thief and demanding that the culprit "fess up." Fenno's thoughts drifted. In an instant he was Judge Learned Fenno laying heavy legal doctrine, deciding the great judicial issues of the day: the legal ramifications of returning the "Mighty Mo"; the relative merits of walking to school or carrying a lunch; the difference between a tort. On the Supreme Court Fenno could see himself declaring no-fault insurance unconstitutional in denying lawyers a chance to make use of due process; changing statutory rape to petty theft; having so much power that he could refer to members of the ABA as bartenders.

Harvard had taught him the basics, Fenno thought, such as: always get a retainer, never tell your client that he's drawn the "Hanging Judge", never refer to the jury as the "Peanut Gallery" nor ever call the Judge the "Court Jester." Yes, Fenno thought, there has been a lot to learn but even a longer road lies ahead.

Yet who knows what the future holds or what excitement lies in tomorrow? But Fenno knew that when his career was over and he went to chase that big ambulance in the sky, that people would think of him and say, That Fenno, now there's a lawyer! Fenno smiled.

Letters . .

Wright and Rights

To the Editor:

The closing minutes of Skelly Wright's Forum address on First Amendment rights last week were delightfully ironic. The audience, which ten minutes earlier had given Wright's excellent speech a standing ovation, found it necessary to hiss down the unpopular views of a questioner from the floor. But more ironic was the audience's willingness to allow the individual to complete his statement, once he had assured them he was a graduate of this institution. Apparently both the questioner and the audience felt that his degree qualified him to hold unpopular views, and justified his exercise of free speech. *These people are going to defend my First Amendment rights??*

Bill Hoffman, 2L

'Intemperate . . .

To the Editor:

I would like to find serious fault with the intemperate, and in many particulars inaccurate, article entitled "Voters Retire Older Judges" by Mark C. Rutzick [in the November 17 issue of the RECORD].

With the exception of the material quoted from George Putnam, the article discloses a profound ignorance of the Massachusetts judiciary which does not enhance the standing of the RECORD in the minds of responsible members of the bar. You should be highly ashamed of it.

Richard Wait '26

. . . Disgraceful'

To the Editor:

The generally unfavorable commentary about the retiring Massachusetts judges was disgraceful. For instance, I have known Judge Elijah Adlow for a very long time and consider him a sensible and competent judge, a delightful personality and a credit to the Harvard Law School. Similarly decent remarks can be made about most of the other judges. The RECORD should be ashamed of its one-sided and offensive position and apologize for its lack of judicial temperament.

Robert S. Hermann '41

Law Notes

Admiral Elmo R. Zumwalt, Chief of Naval Operations, will speak to the Harvard Law School Forum at 8 p.m., Wednesday, December 13 in the Ames Courtroom.

The American Trial Lawyers Association is sponsoring an **environmental law essay contest** this year with a \$100 prize for each school and seven prizes of \$500 each for best participants in the national competition.

All essays must be submitted on or before **April 1, 1973** to James F. Schaeffer, Esq., 253 Adams House, Memphis, Tenn. 38103.

A descriptive sheet including a full statement of contest rules is available at the Receptionist's desk in Langdell Hall.

Nguyen Phu Duc, special envoy representing South Vietnamese President Nguyen Van Thieu in negotiations with President Nixon in Washington, is a graduate of the Law School. He received his LL.M. degree in 1954 and his S.J.D. in 1956. His doctoral thesis was on *International Law in the American Legal System*.

All 1Ls who pre-registered for spring electives taught by Professors Lance Liebman, John P. Dawson, or Alan A. Dershowitz should check the

bulletin board outside the Registrar's Office to see whether or not they have been cut.

The lounge announced last week in the RECORD as the Marshall Club Lounge is actually an **Ames Clubs Lounge**. It is located in the Buckner Room of Holmes Hall and will be open as many evenings as possible Monday through Thursday the remainder of the fall semester.

The lounge is expected to be open on an expanded basis in the spring. It is open to all law and graduate students, whether or not they are members of Ames clubs.

Further information can be obtained from Richard L. Feller, 3L, chairman of the Marshall Club.

April 16 is the deadline for entries to the **Howard C. Schwab Memorial Award Essay Contest** in the field of family law, sponsored by the **American Bar Association's Family Law Section**.

Second and third-year law students are eligible for the contest, which offers awards of \$500, \$300, and \$200 for the first, second and third place winners.

Contest entry forms may be obtained from Division of Legal Practice and Education, Howard C. Schwab Memorial Award Essay Contest, ABA Section of Family Law, American Bar Center, 1155 East 60th St., Chicago, Ill.

Class Fetes Chadbourn, 67

Fessenden Professor of Law **James H. Chadbourn** celebrated his 67th birthday last Friday morning at a surprise party given for him by his *Evidence* class.



Charles Soberman

Professor James H. Chadbourn

The party, organized by 3Ls Olin G. Wellborn, Marcia Z. Blecker, and Lawrence B. Rodman, featured two large birthday cakes, soft drinks, and several gifts for Chadbourn.

Presents included a bottle of bourbon, a box of Jamaica cigars, a toy rabbit (Chadbourn's nickname is "Bunny"), formaldehyde, and hangover medicine, which Chadbourn thoughtfully offered to Professor John P. ("Black Jack") Dawson, who was in the audience.

After receiving his largesse, financed by a collection taken in class earlier in the week, Chadbourn invited the class to share his birthday cake. "I am a senior citizen," the popular professor propounded, "but I am a senior citizen who voted for McGovern. So I guess I can say 'Let us eat cake.'" The class happily obliged.

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Pattern For Success

Successful companies make almost all of their profit from products in which they dominate the relevant market. Usually their market share for these products exceeds the combined market share of the next two competitors. This seems to be true no matter how large or small the company and in spite of U.S. antitrust philosophy.

But this characteristic pattern for success is not always obvious. Identical products do not necessarily serve identical markets, and different markets may have quite different distribution methods and costs. However, when products and markets are properly defined, it becomes apparent that there are only a few significant competitors in any given market for a given product.

The most profitable producers are those which dominate the market segments they serve. Conversely, when a company does not clearly dominate a product market segment, its profit margin is distinctly inferior to that of the producer that does.

This pattern should surprise no one. Pareto's Law states that most of the volume should be concentrated in a few producers. Experience Curve Theory shows that the producer with the largest market share should have the lowest cost. It follows that the products with the largest volume and lowest costs should provide most of the profit.

If profit margin is a function of market share, then market share becomes very valuable. Investment in market share is worthwhile when the market is growing rapidly and the value of market share is being rapidly multiplied.

The most rewarding way to acquire market share is to acquire it early. This requires early recognition of the high growth product. It also requires early commitment to the investment required to obtain and to hold the dominant share during the growth period. The return on such an investment can be very high indeed when the product becomes mature. The earlier the investment is made, the higher the return for leadership will be. This is why R&D can pay off so handsomely, even with the uncertainty and long time delay before there is a return.

Company success requires a series of products. Products mature as they must eventually. When they do, they provide the cash flow for investment in a new series of high potential, high growth products. Thus, mature products fund investment in market share of growth products until they too become mature and the cycle can be repeated.

This seems to be the pattern successful companies follow. The implications are far reaching. Those who understand the underlying logic, and can control their investments accordingly, have the opportunity to achieve and sustain high levels of growth and profitability. Those who do not understand the full consequences of this pattern will constantly exchange long term sustainable success for short term improvements in current performance.

Perspective #56

Bruce D. Henderson, *President*

Public Policy Note:

The public interest *requires* the concentration of production and distribution in the minimum practical number of competitors. This is necessary to achieve the lowest consumer-user prices and the highest national productivity.

Characteristically, if the size of the smallest effective competitor's market share is doubled, the price to the user should be expected to approach a level about 25% lower than it could have been otherwise. This can occur without affecting the profit margin of that producer.

The public is served best by concentration of marketing and distribution in a very few producers for any given product whether or not the companies involved are large or small. Unfortunately, it requires a diversified company to provide the input of capital necessary to develop and market a rapidly growing product at the rate which is optimum for both the company and the product users. Consequently, the most desirable situation from the users' point of view would be vigorous competition between a very few large scale, diversified companies that rapidly dominate the markets for their products.

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Report Challenges Unitary Bar, HLS

By David J. Cocke

NEW DIRECTIONS IN LEGAL EDUCATION, by Herbert L. Packer and Thomas Ehrlich. McGraw-Hill, \$10.00, 384 pp.

Generations of law students, carefully preparing for the rigors of the Socratic method or dreamily planning their careers, must have wondered why law school was the way it was. But few ever questioned why legal education followed such a strict and universal pattern and how it fit so carefully into the mold provided by the bar. Most accepted it for what it was: a very effective learning process for a very demanding profession.

It could have been very different. In 1921 a Carnegie Commission report, written by non-lawyer A. Z. Reed and sponsored by the American Bar Association, recommended a differentiated bar taking advantage of the different capabilities of the various legal institutions and recognizing the impossibility of every lawyer knowing everything. But the report was too late. In that same year a committee of the ABA chaired by the august Elihu Root, Class of 1870, former Secretary of State and pillar of the bar, recommended a single legal mold: a candidate for the bar would have to a) graduate from a law school with certain standards which included three years of full-time study or the equivalent number of hours in part-time work and b) pass an examination by a public authority establishing his qualifications. The legal mold, established at Harvard, especially under the guiding hand of Dean Christopher Columbus Langdell, was set.

Those advocating a conspiracy theory of history will be interested in how it happened. Leaders of the "elite" academic community, of which Harvard was the center, combined with the "elite" members of the bar, of which

Root was an elder statesman, to drive the part-time and night law schools from the profession and to solidify the bar. Playing on the indifference of the bar to legal education and carefully sidestepping the Reed report, which had not yet been published, they convinced the ABA to adopt their recommendations.

Over 50 years later, in a report which adopts its name from Reed's classic work, the Carnegie Commission has struck again.

Dean Thomas Ehrlich '59 and Professor Herbert L. Packer, both of Stanford Law School, wrote this report for the Carnegie Commission. In it they criticize the inflexibility of the Harvard model, recommending instead a two-year law degree with an opportunity for greater specialization. At the

50 Years Later...

same time they promote the development of different standards for the practice of law by encouraging sub-legal (under the supervision of a generalist lawyer) and para-legal (independent routine practice) professionals.

The two reformers attack the present model obliquely. They admit that today's legal education (primarily the Socratic-case method) is remarkably efficient and effective, especially in the first year, which remains for most students "an exciting, agonizing, challenging, intellectually eye-opening experience." But they feel that the learning curve tapers off quickly, with the same techniques becoming boring and inefficient in the more specialized courses. What they hope will happen is that the "elite" law schools, the ones which can afford to experiment with new teaching techniques and academic degrees, will do so; and that they will join the fight to reform the bar which itself presents the greatest obstacle to differentiation and change.

Although the report is about legal education, this then is the real focus of the authors' search for reform. Bar approval is necessary to institute a two-year degree, to modify the rules about unauthorized practice of law so that para-professionals can operate, to recognize specialization within the bar and to loosen the prohibitions against advertising such specialties.

Reaching the bar will be a very difficult task. The report touches on the problem when it notes that lawyers, after obtaining their degrees, generally have had little contact with law schools, and they do not feel the need for reform. Quite the contrary, lawyers are feeling the pinch of the massive new influx of law graduates into the profession and the reduction in caseloads precipitated by such reforms as no-fault insurance.

Reforms which would make it easier for more students to receive law degrees, which would delegate much legal work to relatively low-paid paraprofessionals, and which would give greater prestige to those in the profession with special expertise, wouldn't seem to sit very well with the average attorney. Perhaps, as the authors suggest, this pill will be a little easier to swallow when and if group legal practices, legal insurance and the expanding requirements of the Constitution for legal counsel in the judicial process expand the market for lawyers' services.

At the forefront of this radical change in legal education and the law is the need for law schools to take a broader look at the nature of justice. For too long legal education has existed in an intellectual box, rigidly defined by an educational model which may be inadequate for today's needs. Reform in this area may have a positive effect on justice itself, and Ehrlich and Packer believe it is a goal worth pursuing.

'Nice Girls': Not Exactly Liberated

By Carol Sue Robinson

WHAT'S A NICE GIRL LIKE YOU DOING IN A PLACE LIKE THIS? by Joyce Teitz. Coward, McCann and Geoghegan, \$6.95, 285 pp.

It's a question that has been asked many times and in some very awkward places, but never quite like Joyce Teitz '68 poses it. She has taken eleven moderately successful to successful, young to not-so-young women and interviewed them about their careers, their roles as women in their professions and their roles as women in their private lives.

The result is a series of personal portraits of very different women who cover a wide spectrum of ideology, lifestyles, and professional interests. But, once you think about it, a number of them are not that liberated after all. Not to belittle their professional successes (from director of the Harvard Center for Law and Education to a director of Apollo computer programming), there is an unmistakable undercurrent of "non-liberation" in their private lives that crops up time and again. Despite all the talk about egalitarian marriage, anyone who says "a woman should be liberated from every man except her own" still has a long way to go. Basically the majority of women Teitz is dealing with juggle the roles of wife/lover, mother and professional—with family commitments taking precedence.

There's an exception—Gail Pierson—a single woman originally from Louisiana. She is now an assistant professor of economics at Harvard College—quite a feat in itself given the number of women on the Harvard faculty. But that is by no means all; she is also a championship rower and trapshooter. All in all she comes across as a fiercely independent person who surprisingly is still a traditionalist at heart—quite a unique character.

Not all of Teitz' subjects fare as well. Jane Evans—only 25 and president of I. Miller shoe company—was the only other one of the eleven who really made a distinct impression. And that was only because her egotism and brashness are unforgettable. The other nine tend to blend somewhat.

As a whole the book is pleasant to read—for a while. Conveniently, it falls into neat twenty page sections (each dealing with present job, past history, present attitudes) which makes it easy to put down.

Teitz does have some annoying habits. She frequently glosses over a woman's own self-perception. After one of the women babbled about her nuttiness around her husband, Teitz felt compelled

to minimize its importance by deftly adding that the nuttiness is imperceptible to the casual observer. She also tends to catalogue her subjects as to marital status, age, etc., as if she were doing some social science statistical study instead of painting role models.

Still there are some witty remarks. Describing her senior year in college she comments: "Diamonds are sprouting like warts from all of our friends' fingers." And there are some accurate observations: "The prospect of keeping house full-time always seemed most delicious to me just before finals."

Her advice in the concluding primer for the college student uncertain of her career ambitions, and for the housewife feeling the first stirrings of a need to leave the house, offers no drastic suggestions. For instance, she makes the not-so-startling observation that if you want to work, you should not marry someone who doesn't want you to. As is apparent, essentially *What's a Nice Girl* . . . offers no radical example of woman's lib—just gentle reassurance that you too can have a successful professional life without giving up the joys of family living.

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In Defense of the Socratic Method

By Mark C. Rutzick

Seldom in my life have I found myself on the conservative side of an argument, so it is with some trepidation that I speak out on behalf of a very popular target for reformers these days: the Socratic method. As it happens, I value the Socratic method highly, and hope it continues as an essential part of legal education at this school.

Glenn Stover's piece in the RECORD last week praising Duncan

The Backbencher

Kennedy's progressive classroom is the latest attack on the old Greek. Stover stated that the Socratic method has caused "tension and . . . repression" in the law classroom, and encourages "rapi-er-like criticism" by fellow students demonstrating the "laugh-able inadequacy" of an answer by a student called on to engage in Socratic dialogue.

My first response was to wonder if we go to the same law school. I have never been in a course in two-and-a-half years here where I felt repressed, or where I felt that there was any real hostility manifested among students. On the contrary, I have always been pleased by the degree of cooperation and camaraderie I found among the students here, and especially those in my first-year section. I have never witnessed one student trying to embarrass another on account of a class response.

Beyond factual disagreement, I reject his underlying thesis—that in the law classroom, no student should be asked to do anything he doesn't want to do, including speak. I fundamentally believe that the process of education, and of life, is a continual striving to move beyond one's

present capacity—to do more than you think you can.

And sometimes this requires being forced to take that extra step when you think you can't make it. Many students are not, or think they are not, articulate enough to carry forward an argument orally in class when they begin law school. If not forced to do so in a Socratic dialogue, many of them will never work up the courage to try by volunteering, and will never learn to do it.

But want to or not, one of the skills a lawyer must possess is the ability to talk forcefully and persuasively. This is true in any field of law, and both in and out of the courtroom. It is no less true for a poverty lawyer than a corporate lawyer, though this fact sometimes escapes the most sincere reformers.

As one who recently argued before a Massachusetts District Court judge in a criminal trial for the first time, I can say that when it came time to address the judge, I wished I had been called on more often in my classes, not less. The tension I felt the first time I was called on in *Contracts* two years ago, which was enormous, only served to lessen the tension I felt while waiting to address the judge that day.

But had you asked me two years ago, I would have paid my teachers not to call on me. The first three times I spoke, my voice cracked and I had to be prompted to talk louder. But gradually I learned to project, and to speak more directly and lucidly. By the end of the year I was even volunteering on occasion.

And with regard to the "forest of hands" which arose when my answers were off the mark, rather than feel hurt or inadequate, I would welcome whoever spoke after me as a saviour, taking me off a most unpleasant hook. I only wished the forest had grown faster.

Finally, Stover concluded by describing his feelings in his *Contracts* class with Kennedy's humanized approach. What amazed me as I read his description was how closely it described my own feelings about my *Contracts* class two years ago, which was taught by Phillip E. Areeda, one of the most rigorous and talented purveyors of the Socratic method at the Law School.

Stover wrote, "I . . . recall a healthy mutual respect in our section and . . . a sense of community. . . .[a]nd I can recall the personal satisfaction of feeling that I, in some way, made at least the subject of *Contracts* 'my own.'" My experience so closely mirrors his that I must conclude that Stover errs in attributing his feelings to Kennedy's teaching methods. Indeed, I would have said it was the rigor of Areeda's classroom which brought my section together.

If Stover errs in crediting Kennedy's teaching style for his good feelings about his *Contracts* class, and if he overstates the degree of inter-student antagonism as much as my experience indicates, what is left of his indictment of the Socratic method which balances the long-run benefits I and many others have received from it? In my view, nothing.



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Basketball Intramurals Commence

By Xavier Suarez

Last Monday the intramural basketball season began at the Law School. This year 54 teams are entered in the various leagues, including four teams in the 5'10"-and-under special league (an innovation imported into the Law School from Chicago high schools).

First-week games in the special league indicate that the best team may be an interfaith five, the "Ecumenical Movement," who religiously took apart a hydrophilic squad ("The Shrimps") who seemed a bit out of their element. Matt Botica's scoring and the rebounding of Bob Zahler and Mike Comiskey were crucial factors in the 51-13 victory.

The returning Law School champions, Mashuppee County Maulers, are back to attempt an unprecedented third straight championship. Last week they faced a team whose nucleus is made up of last year's C league champs, the Sky Kings (now Three-Fifths); the close final outcome of that game (53-50) may

be an indication of the tough competition that we can expect in the A league this year.

The powerful Bruce Campbell-Bill Fraumann frontcourt combination pulled Mashuppee to victory in spite of brilliant outside shooting by the Three-Fifths' super-guard Arnold Ellis.

In the B league, the defending champions, the Rabbits, have gathered new talent and reorganized with a more elegant name — "Cert. Denied." A team that had the same won-lost record last year, (6-2), Nunc Pro Tunc, was upset (50-35) by a group of newcomers appropriately named "Upstarts."

The team to beat, however, may be Little Big Men, who have two players with college experience: Dennis Waldon (U. of Chicago) and Doug Holford (Cal. Tech.). Waldon and John Duff played well at both ends of the court in leading their team to victory (52-24) over Don't Fight The Feeling.

In the C league, "Ducksoup" may be the team to fill the void left by the departure of Sky Kings; led by Jeff Jones and Jim Jardine they defeated the Recycled Containers 49-34. In the D league the Most Foul will be out to continue their streak from last year, when they won all eight of their league games.

Last year's E league champs, Yale Law Journal, are not back to defend their title; in their place last year's second-place squad, the Big Ten, will have to battle prospective powerhouse Stop Agnew Now, which last week poured in 44 points while holding the Be-leaguered E-leaguers to only 12.

The Big Ten's hopes rest on their returning sharp-shooter Tom Sugrue, since they lost the services of their top rebounder John Garvey.

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