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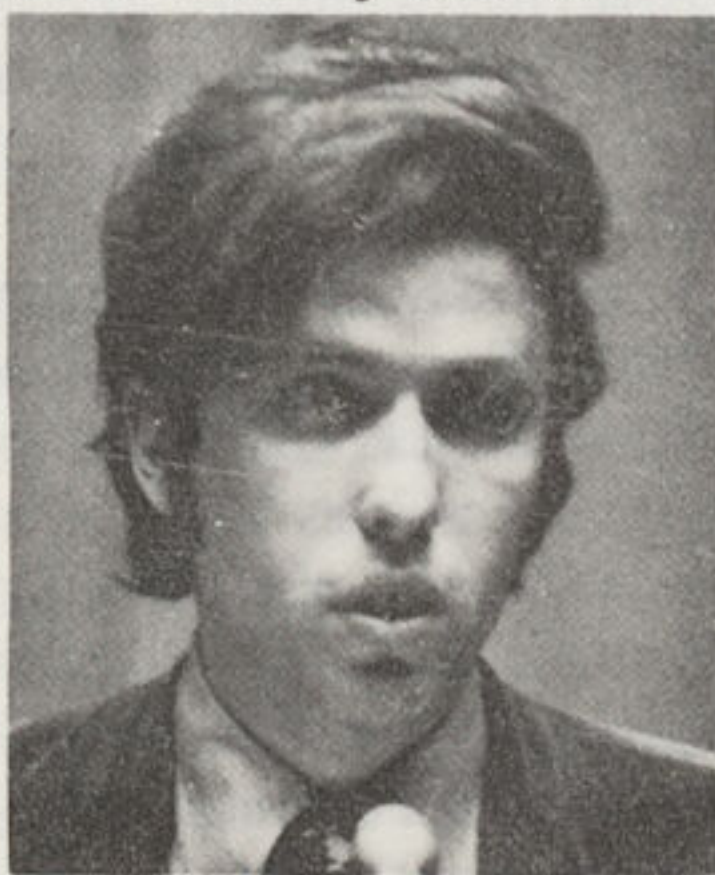
TWENTY CENTS

ABA Answers Nader Charge

By Daniel M. Taubman

Following consultations with the American Bar Association Administration Committee and most ABA section committee chairmen, Association President Chesterfield Smith has rejected charges of corporate conflicts of interest in the ABA made by consumer advocates Ralph Nader '58 and Mark Green '70.

The charges by Nader and Green were detailed in a four-page letter to Smith on August 8; that letter grew out of a counterconvention to the ABA's annual convention, and a subsequent challenge by Smith that reformers make their views more widely known.



Mark Green

According to Nader and Green, "many section and Association Committee decision-makers in the ABA speak from the allegiance to those special interests with whom they have vested their professional lives."

Smith responded to Nader and Green in a letter. (Continued on Page 6)



Mark McNeil

Lone student searches for public interest job at Law School Placement Office.

Office To Open For Public Interest Jobs

By Arnold Rosenberg

Within the next month, law students seeking public interest employment will have a "mini-placement office" of their own, according to Assistant Dean Robert A. Williams.

Williams told the RECORD earlier this week that the conversion of the Milton Dammann Room on the Pound Building's third floor will be accomplished "as soon as Buildings and Grounds gets around to it," which he expects to be within a month. The office, first

proposed in February, will come equipped with expanded files and counselling services, and will correspond with public agencies across the country.

Another proposal made last winter, the development of a directory of legal employment opportunities in the public sector analogous to Martindale - Hubbell's directory of private law firms, has yet failed to materialize. Williams cited the generally low - 20% - proportion of questionnaires filled out and returned by public interest organizations solicited for information. (Continued on Page 7)

Dershowitz Defends Double Agent

By Jim Stewart

Professor Alan M. Dershowitz unveiled a series of tape recordings Tuesday which expose the tactics — among them the use of Dershowitz' own client as an informant — used in the prosecution of members of the Jewish Defense League (JDL) for the 1972 bombing of the Manhattan offices of theater promoter Sol Hurok.

The tapes record a series of secret meetings between JDL member Sheldon Siegel, Dershowitz' client, and representatives of the New York City Police and U.S. Attorney's Office who attempted to coerce Siegel to testify against his associates in the JDL, a militant Jewish organization.

Dershowitz caused the overturn of a U.S. District Court ruling against Siegel for contempt by introducing evidence that illegally obtained evidence had been used to coerce Siegel to testify for the state. (Continued on Page 8)

Yearbook Staffers All Resign Posts; New Staff Sought

After serving less than a week, the newest Harvard Law School Yearbook staff has resigned. The staff had consisted of five 2Ls serving as co-editors: Ricardo Hinojosa, Abel Lopez, Jr., Robert E. Mack, Charles C. Stebbins, and Karen Daykin Youngstrom.

The mass resignations followed a Monday evening meeting with Marley S. Weiss 3L and Robert Abramowitz 3L, editor and business manager respectively of last year's yearbook. Several members of the now defunct staff met with Vice Dean William L. Bruce Tuesday morning and tendered the group's resignation.

When questioned by the **RECORD** former members of the group were reluctant to discuss the matter. Former co-editor Youngstrom stated that her reasons for resigning were personal and should not reflect on any future staff that may be found. Stebbins declined comment except to say that Youngstrom's statements did not reflect his own feelings.

Mack, former secretary of the staff, refused to elaborate other than to say that there was more than one reason for the group's resignation. Mack did however state that the group would definitely return the keys to the yearbook office at some future date.

When interviewed by the **RECORD** Tuesday, Dean Bruce stated that he understood that the resignations might have been prompted by a fear of missed deadlines.

The group had scheduled a Wednesday morning meeting with a representative of the American Yearbook Company to discuss the deadline problem. This meeting was subsequently cancelled. Bruce is currently searching for a new editor and staff.

Earlier in the year, three candidates in succession turned down the position of yearbook editor, according to a statement by Dean Bruce in the September 21 **RECORD**.

Coop Agrees To End Sale of Farah Slacks

By Gerald S. Greenberg

Responding to what he termed "continuous and intense concern" of some members, Harvard Cooperative Society General Manager Howard W. Davis has announced that the Coop will phase out its stock of Farah clothing by the end of 1973. Farah clothing in stock will be sold but no new orders will be placed with the El Paso concern.

The action came in apparent response to the pressure of Chicano students, including Law School students, who sought a change in the Coop's buying policies last spring. The Texas clothing firm has been engaged in a continuing controversy with the Amalgamated Clothing Workers Union in its attempts to organize its largely Chicano work force.

Hoping to answer criticism that the Coop is "reactionary, inflexible and establishment-oriented," Davis stressed the role that student opinion played in the decision. "We cannot just sit back and not listen to our own members. We are trying to be responsive to our members who have ambitiously supported the Chicano movement even though they are a minority."

The Chicano Law Students' Association played a major role in creating public concern about the issue last year. Their effort culminated in the campaigns last spring of Carlos M. Alcala '73 and Jose Silva, 2L for Coop director on platforms calling for ending Coop sales of Farah products.

Alcala and Silva had charged that Farah engaged in unfair labor practices and racial discrimination in their dealings with the Amalgamated Clothing Workers Union. Farah denied the charges although it was found guilty of unfair labor

practices by the National Labor Relations Board in April, 1973.

During the summer of 1972 the Coop allegedly agreed with the ACWA to stop handling Farah products. However, the existence of this agreement was denied in December 1972 by Davis, who stated that "we aren't going to take a loss on that product without some real justification." Instead the Coop began a study of the question which culminated in Cambridge interviews with spokesmen for Farah and the ACWA.

Davis emphasized that he alone made the decision to drop the clothing line in response to member sentiment and not as a judgment on the issues. "The decision should not be seen as any sort of judgment of the case of Farah and its workers. We believed and continue to believe that the situation is being worked out by the appropriate groups. We are not convinced either side is right."

Howard Brod Brownstein, 2L, the only law student on the Coop board, reported that he played no part in the decision.

In prior years the Coop's annual purchases from Farah were in excess of \$100,000. Davis reported Monday that there has been very little reaction to the management decision. The Coop, which has over 50,000 members, has received only five letters on the problem: two in favor and three opposed.

Referring to the Coop decision, Silva commented that he was "definitely for it." "It would have been better obviously if they could have eliminated their present stock in some other way, but that would not have been practical. I feel this is the best they could have done."

"We're very happy, no question about it."

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Profs View 3-Term Calendar

By Michael Bowen

The faculty got its first look this year at the latest elaboration of the three-term proposal last Friday. The idea, which would extend the academic year and divide it into three terms instead of the current two, had been outlined to the faculty last spring in a May 21 memorandum.

A committee headed by Professor Robert Keeton had studied the suggestion over the summer, and Keeton presented the committee's favorable recommendation of the proposal — as well as the concept's general operating details — to the faculty last Friday.

Discussion of the matter was the only item on the faculty's agenda.

The shift of the Law School program from a two term per year to a three term per year format, Keeton said in presenting the results of his committee's study, would permit students to complete all credit requirements in two calendar years, while leaving them the option of spreading their studies over a longer period if they wished.

One version of the proposal would divide the year into three 14-week terms. Twelve weeks of each term would be devoted to class work and two to reading and examinations. Ten weeks of vacation would be divided among the Christmas season, a spring break, and a brief summer recess. An alternative plan would establish three 15-week terms, with seven weeks of vacation and shorter reading periods.

Both plans would involve longer individual class periods. The first postulates a 60-minute standard class, as opposed to the present 50-minute period. The second would retain the 50-minute "hour", but anticipates more 75- and 80-minute classes.

The tone of the faculty's response was set when Professor Morton J. Horwitz asked if the administration was prepared to air-condition Langdell and Austin Halls, as a prerequisite to teaching classes during the

summer. Dean Albert M. Sacks replied with evident irritation that the three-term proposal was a far-reaching one, the implementation of which would require years of preparation. Sacks stressed that the purpose of the discussion was to obtain a preliminary reaction of the faculty to the proposal's educational ramifications, not to investigate technical details.

While this admonition did not succeed completely in defining the discussion's limits, it did confine debate on the matter to tentative exploration of decidedly abstract considerations. Professor Roger D. Fisher disputed Sacks' assessment of the complexity involved in implementing the proposal, pointing out that the Law School had operated on a three-term basis during the years following World War II. Professor Charles Fried agreed with Fisher that the difficulties of the changeover were exaggerated

by Sacks' claim that it would require several years.

Sacks noted in rebuttal that major issues — relating to the quality of life of faculty and administrative personnel as well as that of students — were bound up with the proposal, and that the suggestion raised vexing problems of procedure and detail as well.

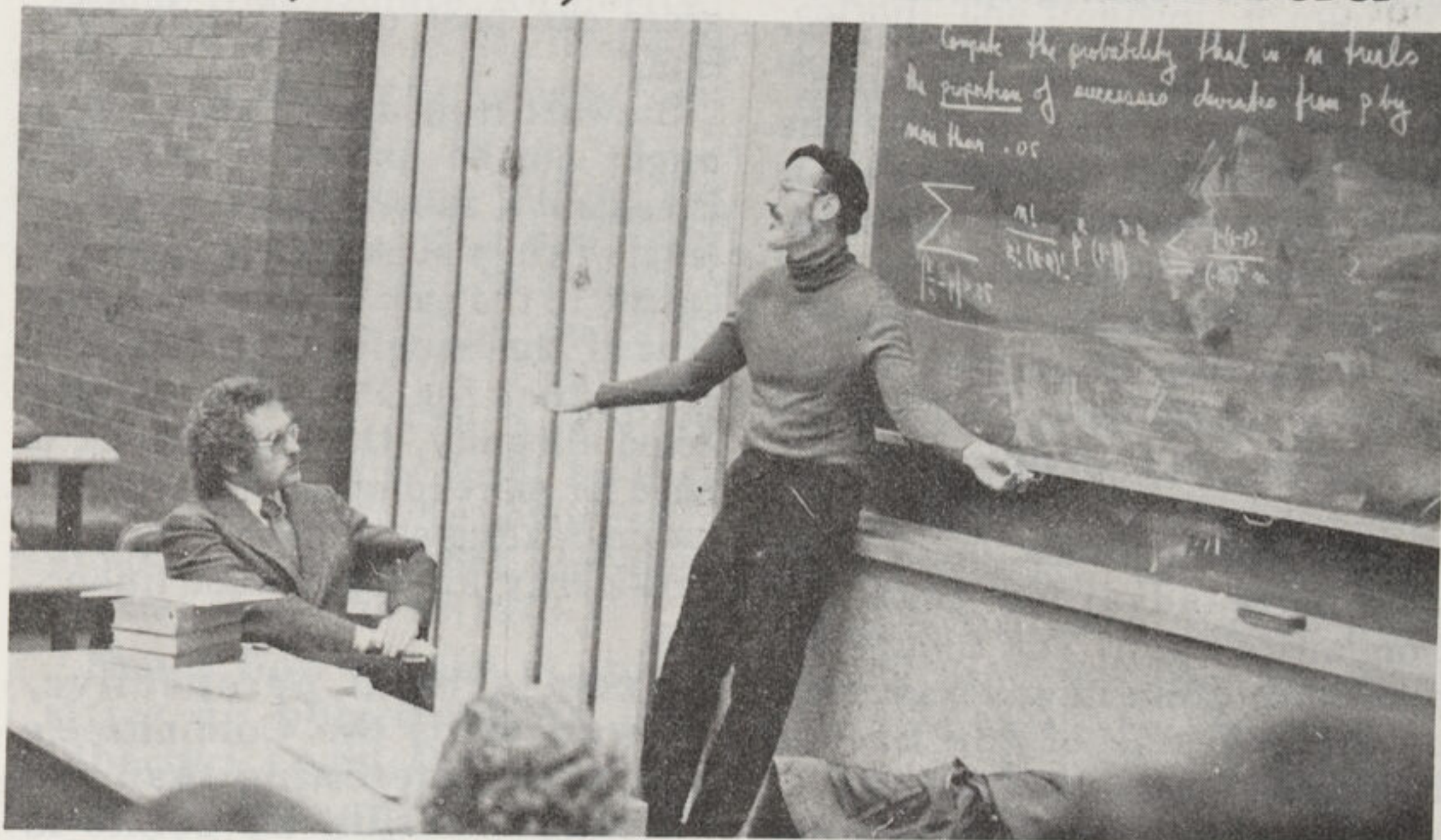
Keeton led proponents of the three-term suggestion, pointing out that:

- Interest in a three-term format is general throughout the University, and co-ordination of planning for it among the various schools is desirable.

- Since the number of students on campus at any given time under the proposal would be only two-thirds that under the present system, the strain on physical facilities currently affecting the Law School would be eased, with-

(Continued on Page 13)

New Harvard Course Covers Math, Law, and the Talmud



Rick Stoller

Mathematics Professor Shlomo Z. Sternberg (standing) and Law Professor Alan M. Dershowitz lead new interdisciplinary course.

By Paul Weiner

A new course being given at Harvard this term combines law, mathematics, and the Talmud. The course, *Social Sciences 167: Probabilistic Inference in Legal Systems*, is being taught by Alan M. Dershowitz, Professor of Law and

Shlomo Z. Sternberg, Professor of Mathematics.

According to the course's official description in the *HLS Adviser*, it "asks how the foundations of probabilistic inference should be formulated in the context of legal ap-

(Continued on Page 9)

Stewart Aids Watergate Panel

By Ricardo Hinojosa

The Senate Watergate Committee's interest in securing the White House tapes is at least as strong as that of Special Prosecutor Archibald Cox, according to Professor Richard B. Stewart.

Stewart, who has been working as Special Counsel for the Ervin Committee since the early part of August, discussed his work on the Senate Committee's lawsuit in an interview with the RECORD last week.

Stewart, along with Committee Chief Counsel Samuel Dash '50, was one of 12 attorneys who helped to research and write briefs in the Committee's suit against President Nixon. The first complaint was filed in August. Oral arguments in the suit were presented yesterday before Federal District Court Judge John J. Sirica. There is as yet no indication of when Sirica will rule.

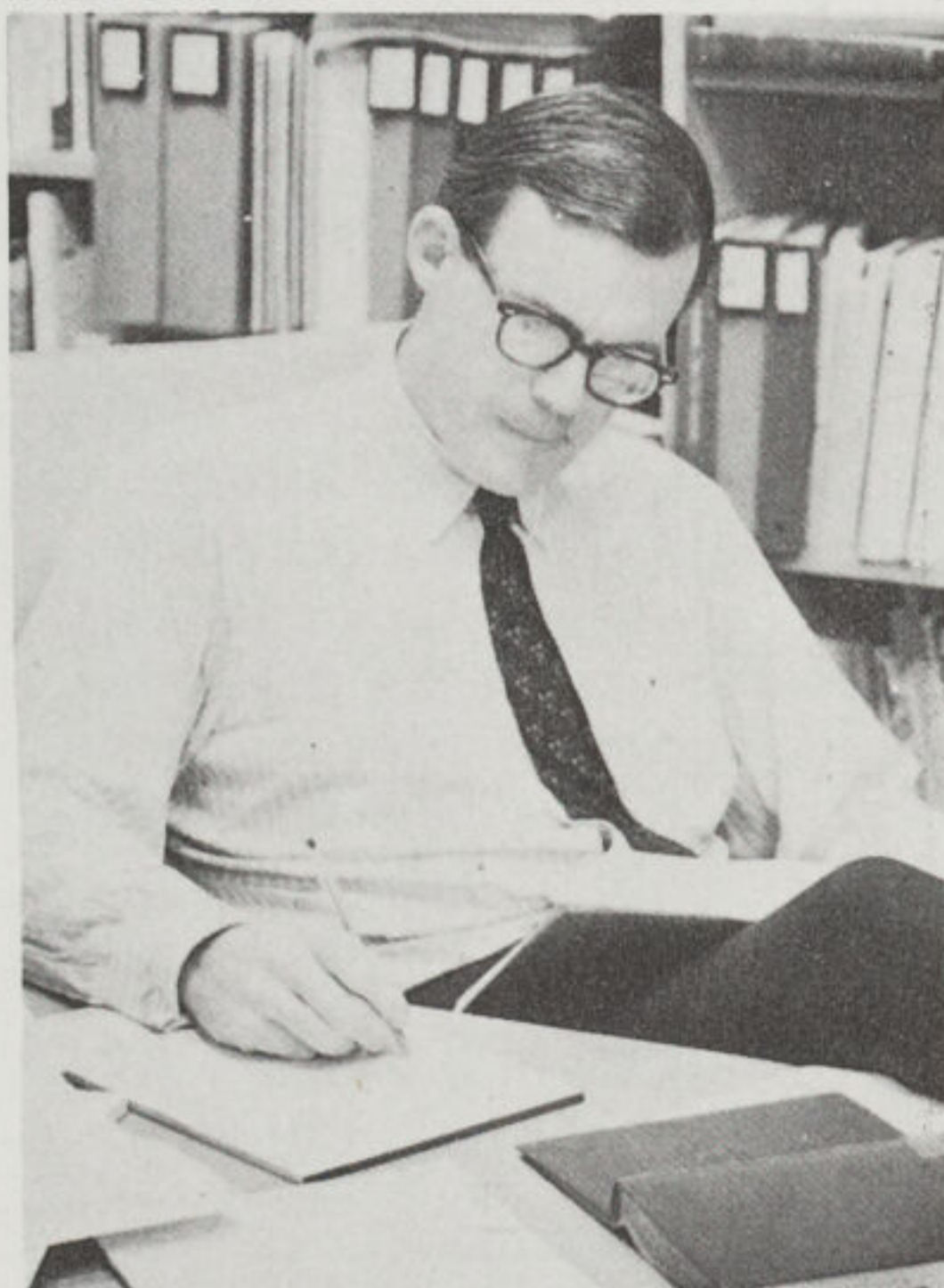
Stewart said there had been no collaboration between the Prosecutor's staff and the Senate Committee's staff in their separate suits to secure the White House tapes. "We've each gone our own way. However, we are both after essentially the same materials." Stewart added that, besides the tapes, the Senate Committee is attempting to secure some Presidential documentary materials that Cox is not seeking.

The Senate Committee asked Sirica to consolidate the two suits in August, but the request was denied. Stewart felt the ruling was handed down because the Cox suit was more advanced than the Committee's suit. The Committee plans to continue its suit regardless of the outcome of the Special Prosecutor's suit, Stewart said.

Stewart thinks the Committee will find it more difficult to finish their work if it does not secure the tapes. Committee Chairman Sam Ervin '22 has stated it would be necessary to get the tapes and other evidence in order to resolve some of the conflicting testimony before the Committee. Stewart added that, without the tapes, "the committee would face a difficult task"

in reconciling some of those conflicts.

The Committee in its brief asserts that it has a right as strong as that of the Special Prosecutor to the tapes. Stewart says Law School Professor Cox wants the tapes for "indictments and convictions, whereas the Committee feels it is



Pete McClanathan

Professor Richard B. Stewart

more important to have a full public airing of the facts so that Congress can pass corrective legislation."

Stewart feels drastic legislation might not be needed if only the President's subordinates acted illegally, since such actions have occurred in the past. However, he felt that if the sought-after evidence shows that the President himself acted illegally, there would be a need for more comprehensive legislation dealing with the office of the Presidency and campaign financing.

From a legal perspective, Stewart finds the Committee's suit more interesting than the Prosecutor's suit. He points to the fact that the President through his counsel, University of Texas law Professor Charles Alan Wright, is challenging the jurisdiction of the Committee. The President's counsel also asserts that the question is non-justiciable, since it is a political dispute between the executive and legislative branches.

Wright has also argued that the

Congress is acting outside of legislative boundaries because it is acting as both criminal prosecutor and trial judge. Wright, in his arguments on the merits of the case, has maintained that Congress has consistently deferred to the President under similar circumstances in the past.

Stewart takes a different view, asserting that previous Presidents have sometimes given in to Congressional demands. Stewart also believes that the alleged involvement of so many high public officials in the wrongdoing represents another difference between the present situation and previous ones.

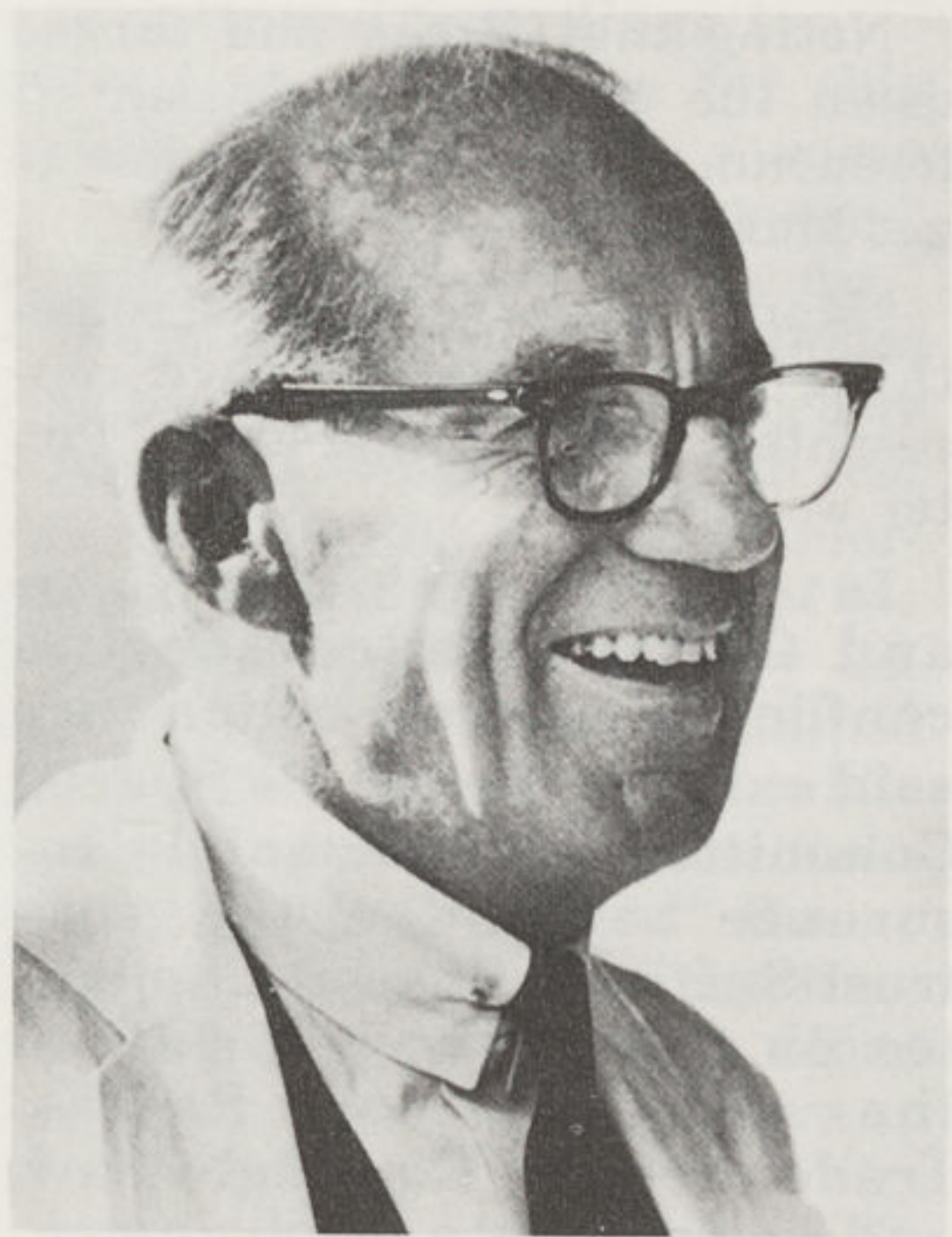
Discussing Executive Privilege, Stewart stated that "the President is asserting that he alone has the absolute discretion to decide what documents and communications with the President are to be released." He adds this would leave the Congress and the Courts with no authority to review the President's conclusions.

When asked how many Republicans, if any, were working for the Committee's legal staff, Stewart said he was a Republican. He did not comment on whether he had supported President Nixon's reelection in 1972, but remarked that he has generally voted for Republican candidates.

Stewart was hired as Special Counsel for the Committee by Assistant Chief Counsel James Hamilton. Most of Stewart's work has been completed, but he plans to continue consulting work for the committee.

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Forum Schedules Spock, Sargent



Dr. Benjamin Spock

Dr. Benjamin Spock; Governor Francis W. Sargent; Great Britain's Director of Public Prosecutions; and three noted American prosecutors, will speak at the Harvard Law School Forum in four separate programs during the next two weeks.

Sargent will speak on the National Criminal Information Center data bank, which has been proposed to store state data on criminal arrest records. The Governor will appear for the Forum Thursday, October 11 at 4 p.m. in the Ames Courtroom in the first program.

James Thompson, U.S. Attorney for the Northern District of Illinois; Herbert Stern, U.S. Attorney for the District of New

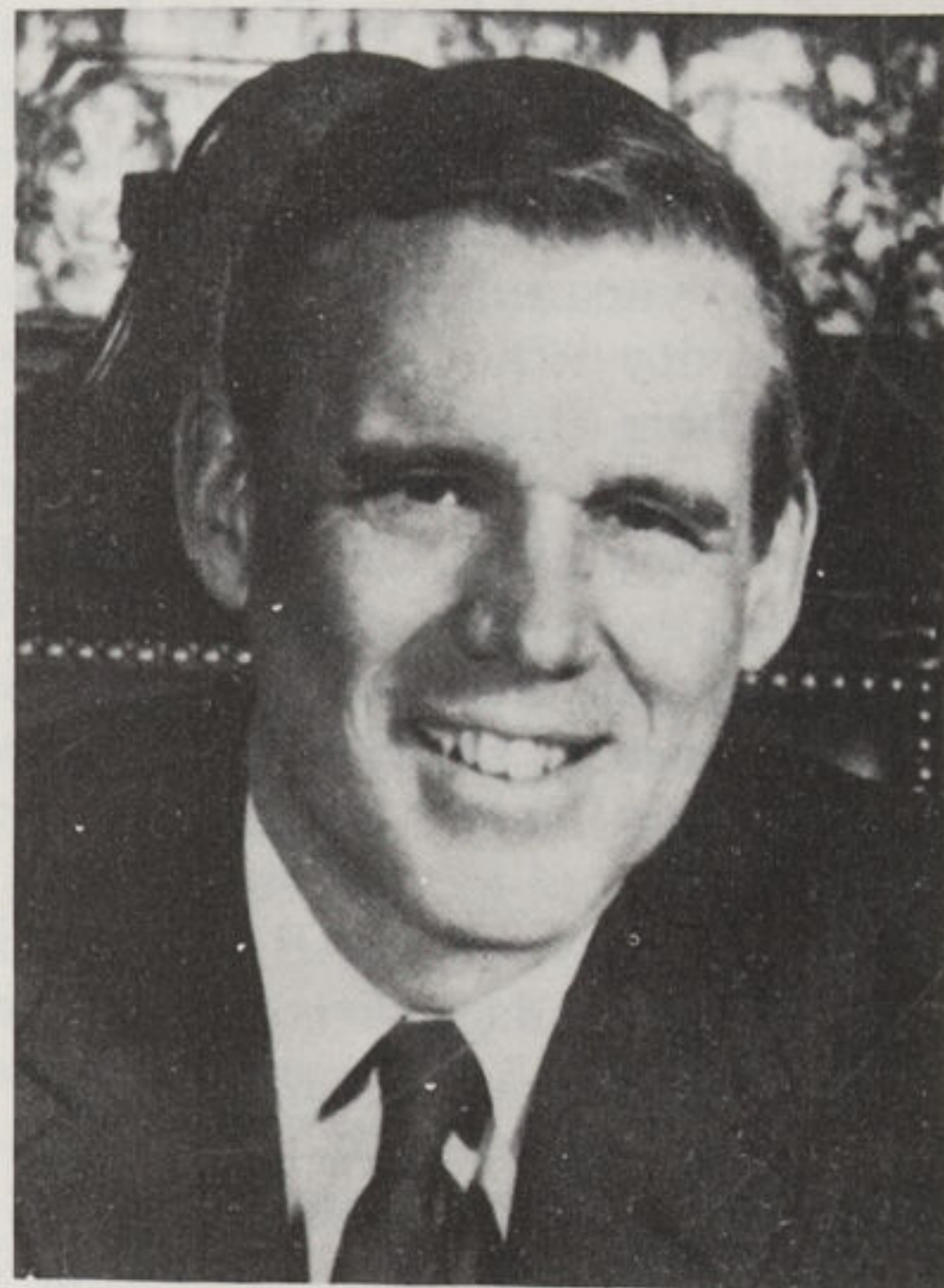
Jersey; and Richard Sprague, First Assistant District Attorney of Philadelphia, will address the Forum on Friday, October 12 at 8 p.m. in the Ames Courtroom. James Thompson was the man most responsible for indicting Otto Kerner, former Governor of Illinois and federal judge, and Edward Barrett, former clerk of Cook County. Kerner was convicted of bribery, conspiracy, income tax evasion, mail fraud, and perjury, and Barrett was convicted of bribery, mail fraud, and tax evasion.

Stern has been responsible for the trial and conviction of numerous high public officials in New Jersey, including four former mayors of major cities. Sprague, who has obtained many murder indictments and convictions, is now in charge of the investigation of the Yablonski murders.

Benjamin Spock, the noted pediatrician and peace movement spokesman, will speak before the Forum on Tuesday, October 16 in the Ames Courtroom at 8 p.m. For helping to promulgate "A Call to Resist Illegitimate Authority", Spock was found guilty in federal district court of conspiring to counsel, aid, and abet young men to violate the selective service law. In 1969, the United States Court of Appeals for the First Circuit reversed his conviction. Spock has worked for The New Party since 1968; in 1971, The New Party joined with other local political groups to form The Coalition in order to conduct a national presidential campaign in 1972.

Spock now speaks at universities on behalf of the Civil Liberties Legal Defense Fund, Inc., an organization which provides funds for legal defense in selective service, military, and other cases. During the past four years Spock has spoken on 200 campuses, most recently on "The Need for Radical Action."

Sir Norman Skelhorn, Director of Public Prosecutions in Britain since 1964, will address the Forum on Thursday, October 18 at 8 p.m.



Governor Francis Sargent

HLS Black Students To Publish Journal

Students at Harvard Law School under the leadership of Robert M. Cotten, 3L received authorization Friday from the editorial board of the *Black Law Journal* to prepare the spring, 1974 issue of that publication. The *Journal*, a quarterly law review, is usually published at UCLA.

Although some 15 students have already expressed interest in working on the edition, the actual production of the issue at Harvard will depend on the acquisition of substantial financial support for the effort. Some \$1500 is required, Cotten said Tuesday, adding that the prospective staff will look for that support both to sources which ordinarily fund the *Journal* and to Harvard Law School itself.

The proposed issue will focus on the topic "*Brown v. Board of Education, 20 Years Later.*" The *Journal* staff will use the office of the Black Law Students Association, 23 Everett Street, to put the issue together, assuming that funding can be arranged. Students interested in assisting the project should leave their names there, Cotten said.



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ABA Conflict of Interest Seen

(Continued from Page 1)

ter September 19 in which he stated that "it has been my experience that the overwhelming majority of lawyers engaged in Association activity do not in any way represent their clients in that activity."

The newly-installed ABA president also expressed his belief that "all interests and all experiences and all concerns should be well represented at all levels of Association effort." He also stressed that specialist lawyers in ABA subject area sections do not control the ABA House of Delegates, and maintained that "their interest in the subject matter of their sections is self-evident and fully disclosed."

Green, contacted in Washington earlier this week, expressed dissatisfaction with Smith's response. "I respect Chesterfield Smith but not his reply to our letter. He simply assumes away the problem of conflicts of interest; yet the fact remains that special committees have significant powers in the ABA and that special committees are stacked with lawyers who represent the very interests they are making judgments on."

"Unless the ABA admits the problem it won't be able to solve it and it will earn the disrespect it is due," Green continued.

Louis Potter, the Executive Assistant to the President of the ABA, further explained the Association's position during a telephone interview from Chicago Tuesday. He indicated that many of the

Association's 22 sections "try very conscientiously to balance their members," citing as examples the interests of labor and management in the labor law section.

Potter explained that Smith did not regard the letter from Nader and Green as the appropriate occasion for formal action. The general Association view, he said, was that corporate conflict of interest was "something we have to be constantly on guard about."

In addition, Potter stressed the view of Smith and the ABA that whatever action is taken by the ABA sections is of secondary importance, since the ABA's general policy is formulated by the 300-plus-member ABA House of Delegates.

Green also revealed that he had turned down an offer from Smith for a one-year appointment to the ABA's Standing Committee on Resolutions. Green declined the committee post because of time commitments and his view that he could reform the ABA more effectively by external pressure.

"My personal time is probably best spent as an ABA member independently prodding the ABA from without, rather than toiling institutionally from within; both approaches are indispensable to a reform-minded, modern bar association, and I am involved in the former — educating consumers to better understand their role in the industrial and professional market place."

Noting that Green had turned down the committee position offered him, Potter said, "We'd love to get Mark Green."

"Mark Green represents something that I need to have represented. How can I get him?" Potter wondered.

In their letter to Smith, Nader and Green detailed specific conflicts of interest which they said exist on the ABA's Special Committee on Automobile Insurance Legislation, the Antitrust Section's Special Committee on Consumer Legislation, the Section on Patent, Trademark and Copyright Law, and various ABA environmental sections.

The consumer advocates' proposed solution to what they regard as conflict of interest is the balancing of special committees with "disinterested lawyers — government lawyers, public interest lawyers, and law professors."

Potter took issue with Nader's and Green's use of the term "disinterested lawyers." "In a sense we reject the concept that the lawyers he is talking about are disinterested lawyers. They have interests and those interests should be represented," he declared.

Green said he would further discuss his views on corporate conflicts of interest in the ABA when he speaks at the Law School next Tuesday.

Neither Smith nor Nader could be reached for comment.

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New Placement Office To Open

(Continued from Page 1)

mation as one reason for this failure. "Unless there's some carrot that these agencies see," he said, "they won't follow up."

The new office will be an attempt to remedy a major problem faced by students seeking public interest jobs: the difficulty of getting information. Michael McCord, 3L of the Environmental Law Society described the information contained in the Placement Office's public sector job opportunities notebooks as "disorganized and old." Robert Cordy, 3L, President of the Harvard Voluntary Defenders, added that most criminal listings have no jobs available.

Placement Director Eleanor R. Appel said she plans to update the notebooks when the initial phase of private firm interviewing has passed, but pointed out that "a lot of public interest firms are not interested" in recruiting Harvard Law students, since they are "popular" among job-seekers, and can therefore let students search for them.

An ad hoc group of ten interested students, headed by J. Stuart Lemle, 3L is also trying to fill the public interest information gap by sponsoring symposia this fall, the first of which will be addressed next Tuesday by two top Nader aides, Mark Green '70 and Alan Morrison '66. Lemle said his group seeks through such programs "to offset the massive resources that are committed yearly in furthering an orientation toward legal practice in the private sector."

Lemle also informed the *RECORD* that "definite plans are

in progress to have HLS represented by students, administrators, and/or faculty" at the convention of the National Legal Aid and Defender Association (NLADA), to be held in San Diego October 24-27. Prior to the convention, the Placement Office will solicit resumes of interested students, and the HLS representatives will personally contact prospective employers at the convention. Subsequent to the convention, Lemle foresees that information gathered will be compiled as the core of the proposed directory of public interest law.

Another means by which students and public sector employers may get together in the near future

240 Fill Out Pro Bono Cards

is the green cards that interested 2Ls and 3Ls filled out at registration, says Assistant Dean Williams. Approximately 120 students of each of the 2L and 3L classes used these cards. The cards may be given to prospective employers, or, more likely, the names and addresses of employers in a student's field of interest will be sent to him.

The other and more difficult problem confronting students who choose not to work for private law firms, however, is that

public agency representatives can seldom visit Harvard, and hardly ever during the fall interviewing season. Williams attributes this problem to a "great indecisiveness about their budgets, what's going to happen, what's going to be the structure," an indecisiveness which, he says, usually does not dissipate until the spring. A proposal is presently being entertained in the Placement Committee to move 2L interviewing from the fall to the spring, according to Prof. Victor Brudney, Placement Committee chairman. However, since few public sector employers care to interview 2Ls, Williams says, the proposal would do little to increase the number of timely public interest recruiting visits, although it might alleviate some of the psychological stress of 2L interviewing.

As long as students who want to do work in the public interest must pass up private interviews and wait until their final spring to know whether they'll have a job when they graduate, public interest placement will remain the weaker part of Placement Office operations. As Voluntary Defender Cordy puts it, "Saying, I don't want a cushy job, I want a tougher, slimy one, is hard in the first place. But having to turn down a cushy job in the fall is doubly hard when you can't be sure of getting a slimy one at all."

James B. Gordon LL.B., Harvard Law School, 1935 LAWYERS SEARCH CONSULTANT

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Dershowitz Uncovers Recordings

(Continued from Page 1)

Dershowitz entered the case on behalf of Siegel with great reluctance. He said he had known Siegel since Siegel was a boy, and Siegel's father made a direct personal appeal to him to defend his son. "Nevertheless, I had strong negative feelings towards the JDL," Dershowitz said.

Dershowitz finally agreed to look for another attorney to represent Siegel, and when he could find no one to take the case, he assumed the responsibility himself. "I had represented members of the radical left, and didn't believe I could apply a different standard for those on the right," he said.

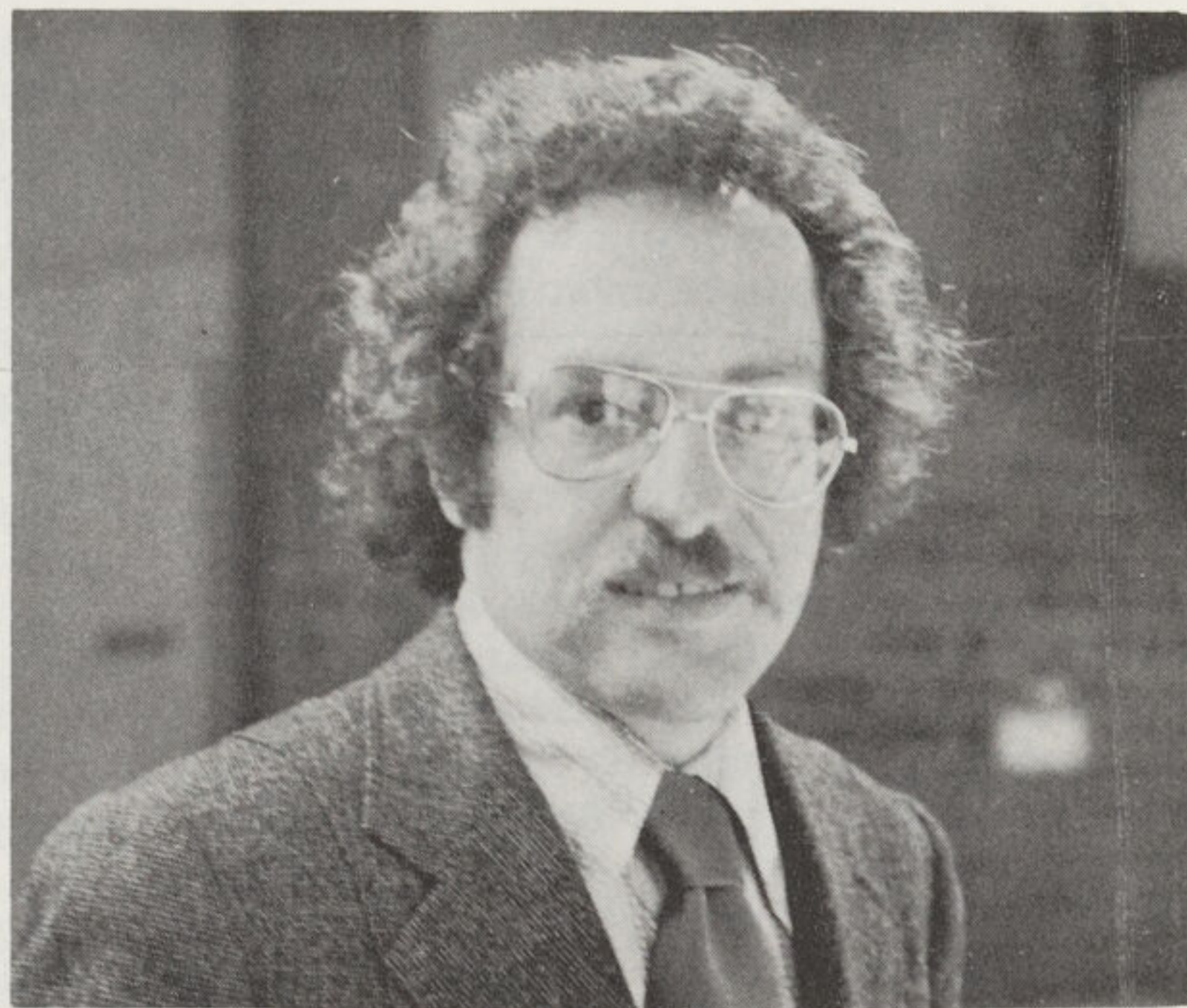
When Dershowitz began work on the case, Siegel was one of four members of the JDL charged with first-degree murder for the death of a secretary as a result of the smoke-bombing of Sol Hurok's office. Hurok was arranging a tour of the Russian Bolshoi Ballet at the time of the protest.

Dershowitz said that preliminary proceedings in this case were underway when he began to suspect from documentary evidence produced by the prosecution that one of the defendants was in reality a government informant. Dershowitz cautiously restricted his dealings with the other defendants, and finally confronted Siegel with his suspicions. Siegel confessed that he was the government informant, and that he had been promised he would never be convicted for the charges against him.

Police involvement with Siegel actually dated from an April, 1971 explosion at the offices of the Amtorg Trading Corporation, the Russian Trade Mission in New York, allegedly triggered by the JDL. Siegel was linked to the crime and based on evidence obtained from a warrantless search of his car, was charged with illegal possession of explosives. According to Dershowitz' brief filed in the later contempt case, secret negotiations between Siegel and a variety of city and federal officials began soon after his indictment without the knowledge of Siegel's legal counsel, at that time Harvey Michaelman.

By August, Siegel was persuaded to cooperate by New York City Detective Santo (Sam) Parola, and in return, Assistant U.S. Attorney for the Eastern District of New York Thomas Pattison promised Siegel that he would not be prosecuted for the Amtorg bombing. According to Dershowitz, Pattison persuaded Siegel to "waive" immunity and rely on Pattison's assurance that though it appeared otherwise, he was in fact immune. Siegel was indicted with six others for the Amtorg bombing on September 8, 1971.

From approximately December to March Siegel's phone was tapped, and the threat of prosecution in the Amtorg case was used to insure his cooperation in revealing additional information about activities of the JDL. Following the Hurok incident, additional pressure was applied to Siegel until May 7, 1972, when he finally admitted his involvement in the Hurok bombing and



Rick Stoller

Professor Alan M. Dershowitz

named other participants. Siegel was assured that he would not be called upon to testify.

When confronted with the suspicion by Dershowitz that he was an informant, Siegel not only described the foregoing events, but told Dershowitz he could prove he had been coerced by the police. Siegel had secretly taped many conversations in which the police had threatened him. These tapes, now in Dershowitz' possession, paint a vivid portrait of modern police and prosecution tactics.

The taped meetings were between Siegel and Detective Parola or Assistant U.S. Attorney Pattison. The meetings were often held in Siegel's car, and secrecy was imperative — at one point Pattison forced Siegel to crouch under the dashboard to avoid being recognized. In the course of the many meetings stretched over a considerable period of time, Parola developed a delicate personal relationship with Siegel which he exploited to obtain the information he desired. Even after Siegel had become suspicious following his indictment in the Amtorg case, he felt compelled to return by alternating threats and extensions of friendship. The police technique can be seen from the following transcript taken from the tapes:

Parola: That is all you gotta worry about. The rest of the f-ckin' thing you got no problems in the world. You're not going to jail on either one of them. And if you ever say that I say that I said it, I'm gonna deny it. And then if you ever say that I said it, I'm gonna deny it, and I'm gonna meet ya some f-ckin' night, and I'm gonna run you over with a truck. ...but I'll tell ya, ya ever f-ck me up like that when I tell ya something, and you ever rat on me boy, I'll f-ckin' brain ya that I told ya. You're not supposed to know that s---. You're not supposed to know that you're going to win that other case hands down...

Siegel: Yeah, but on the first case if they wanted to drop it, they woulda dropped it already, they're just

Exposing NYC Police Techniques

waiting around till after the second case is over, they just wanna, just wanna keep...

Parola: They can't Shelly, it's horsesh-t, Shel...

Siegel: I know it's horsesh-t, but...

Parola: All right. If we wanted to prosecute the first case, don't you think we got a good chance knockin' you over if we really push.

Only in late October of 1972 did Dershowitz learn that Siegel was an informer. From June 16, when Siegel testified to the grand jury which handed down the Hurok indictments, one of which named himself, Siegel had played the part of a double agent at the behest of the police and federal authorities.

Three days before the Hurok trial was to begin, the government disclosed that Siegel was an informant, and announced that they intended to grant him immunity and call him as a government witness. Dershowitz then sought an order preventing the government from calling Siegel as a witness and preventing them from asking him any further questions based on illegally seized evidence. He based his request primarily on the assertions that evidence used to compel Siegel to cooperate was obtained from an illegal search of his car and from illegal wiretaps, and that the government had assured Siegel he would not have to testify.

The U.S. District Court denied Siegel's motion, but not before Dershowitz had forced Parola to admit to his involvement by reading aloud transcripts of the tapes made by Siegel.

The District Court opinion was reversed on appeal by the U.S. Court of Appeals, Second Circuit, on grounds that the allegedly illegal wiretap recordings had been destroyed by the government in violation of a ten-year preservation requirement.

Dershowitz said that the trial judge in the Hurok case was angry when he had to dismiss the case as an result of the appellate court decision. "He claimed that murderers were going free because of this decision," Dershowitz said. The case was dismissed June 27.

Dershowitz said that he did not believe the result of the case or the existence of the tapes would significantly alter police tactics. He said that the government would probably use any tactics they felt necessary when dealing with a situation they believed to be as serious as the JDL's reactions to the U.S.-Soviet rapprochement.

Dershowitz said that he may recreate this case for his criminal law classes by bringing the principals to the Harvard campus.

Harvey A. Silvergate, a Boston attorney, and a number of Harvard Law students assisted Dershowitz in the defense, which took more than a year, at negligible compensation.

Assistant U.S. Attorney for the Southern District of New York Henry Putzel, contacted in New York Wednesday, said that he was not reluctant to discuss the issues raised by this case, and that he would be on the Harvard campus to discuss the case at a future date.

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While he felt he could not respond to the issues with a brief comment, he emphasized that the use of Sheldon Siegel as a government informant had resulted in an extraordinary saving of human life, and prevented the disruption of delicate international negotiations.

Putzel said that through Siegel, an active plot to bomb the entire Russian delegation to the United Nations had been disrupted. He said that though the use of informants is common, rarely can one furnish information as useful as that provided by Siegel.

New York detective Santo Parola could not be reached for comment. Dershowitz said that he is currently working in the arson and bomb division of the New York City police.

Harvard Course Covers Math, Law, and Talmud

(Continued from Page 3)

plications, and explores the possible impact of various theories of probability on views of the law."

"Sternberg and I," said Dershowitz, "met on an airplane last year, discussed some common interests we had, and decided to teach an experimental course." Dershowitz's interest in this field grew out of his interest in preventive detention. He is now writing a book to be called *Predictive Justice: Toward a Jurisprudence of Crime Prevention*.

Dershowitz is now finishing the historical section of the book "which shows how pervasive preventive confinement has been since the beginning of time." He cited the Biblical cities of refuge, to which those who had killed but were not guilty of murder fled, and the peace bond of English common law. "There are more people confined today on preventive grounds," he noted, "than those who have actually been convicted of crimes."

"I've always been interested in Talmudic law," said Sternberg. "That's an interest that has paralleled my interest in mathematics." Sternberg has often taught courses on probability in the math department; he is now doing research on probabilistic inference. Sternberg has also taught an informal course on the Talmud for the past 15 years.

"I'm very much an interested amateur on the Talmud side," said Dershowitz, who studied the Talmud during his youth in New York.

The course meets on Wednesday from 1:15 to 3:15 in Room 110 in the Faculty Office Building; 40 students attended the first meeting. Although the course meets at the Law School, and is open to law students by cross-registration, it is being given by the Faculty of Arts and Sciences. "We couldn't decide where to put it," said Dershowitz. "It seemed sufficiently general to put it in the College."

"I have, every single year, taught a new course while I was here and propose to continue doing that," Dershowitz noted.

Promises, Promises

"There are a good many public service jobs for which the traditional interviewing process is unsuited," Dean Albert M. Sacks announced last March. At that time Assistant Dean Robert A. Williams predicted that a mini-placement office for public interest jobs would be in operation by mid-May. Earlier this week, Williams speculated that the long-awaited office would be in operation "within the month." Meanwhile, plans for a public sector analog to Martindale-Hubbell have been stalled and hopes for a WATS line to contact distant employers have apparently been dashed.

We seem continually to hear promises of greater efforts by the Law School to assist those students interested in seeking employment with public interest law firms, legal services organizations, law communes, and government agencies. Yet at the present time the promises remain mere words, falling lifelessly on disenchanted students' ears.

Despite clear evidence that a significant portion of the student body is interested in public sector opportunities, the Law School has moved with tortoise-like speed to alter its present accommodations to traditional practitioners of law.

The magnitude of the problem is evident. This fall 502 law firms and corporations will interview at the Law School, while only nine legal services and public defender groups, 27 government agencies, and four public interest firms will interview here. In contrast to the fact that fewer than 10 per cent of the prospective employers come from the public sector, some 20 per cent of the second- and third-year classes expressed interest in public interest opportunities during registration last month. Moreover, the public service-oriented clinical education courses remain popular, and it is expected that nearly a third of the present 3L class will have taken the basic clinical legal education course by the time they graduate.

Thus, while numerous students have expressed a desire to seek employment outside the traditional private sector, the Law School has done nothing to help them. Instead, it rationalizes the problem away by suggesting that public interest jobs are highly competitive, and therefore students can seek them out if they are really interested. Well, Social Darwinism for those with a humanitarian bent, and helping hand from Big Legal Brother for everybody else. Not a bad philosophy.

We believe that the Placement Office has been derelict in its responsibilities to both the Law School and the legal profession because of its vacillation on this matter. We urge that Dean Williams be freed from his other responsibilities in order to spend at least half his time on the Placement Office, or alternatively, that a Placement Office staff person be assigned the task of organizing and updating the Law School's commitment to the public interest.

HARVARD LAW RECORD

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Fenno

Fenno glanced around and stepped toward the stranger who looked at him curiously.

"I'll take the tape," Fenno said matter-of-factly. The small recorder was handed to him and he moved quietly to a nearby table. Another quick look, then he clicked the "on" switch.

"Good Morning," the tape began, "A recent investigation by a team of highly skilled and dedicated journalists from the *Harvard Law Record* has uncovered a fiendish plot by a group determined to set the Law School back decades and stifle all rational approaches to legal education. The organization, known as the Secret Corps for the Reduction of Educational Wisdom (S.C.R.E.W.), is dominated by certain notorious members and has perfected the art of selective listening and has been able to accurately direct its deaf ear to students, some faculty, and a special committee.

"It is clear that these radicals have succeeded in reaping havoc in academia and placed an ominous gray cloud over the Law School by twisting an arm, pulling a leg and generally abusing the whole student body. With nary a 'howdy do' this subversive element has cast the pass/fail concept to the four winds and taken a giant leap backward by reviving a grading system from the Dark Ages.

"Rumor is that the organization plans to open its own university completely committed to medieval doctrine. The university, SCREW U., would dust away the cobwebs and reinstate such classic approaches as: taking attendance, a note from a parent for each absence, tardy slips, the hall pass and, yes, no smoking in the boys restroom.

"Your mission, should you decide to take it, is to stop this movement at all costs, rescue the logic of first year pass/fail, and return the Law School to at least a modicum of sanity.

"As usual, should you or any of the IM force be caught or captured, the Dean will disavow any knowledge of your activities. Good luck. This tape will self-destruct in 5 seconds."

Suddenly, the room echoed with a loud hissing sound as streams of white smoke billowed from the tape recorder. Slowly each spool melted into a plastic mass and dripped casually to the floor. Quickly, Fenno grabbed the recorder and rushed it back to the Circulation Desk just as the entire library filled with clouds of acrid vapor. He pushed the smoking blob across the counter, coughing, gasping.

"Are you sure you gave me a tape of the library tour?"

Law Notes

Winners of all but one of the **Dorm Council** elections were announced by Brian A. O'Connell, 3L, as a result of elections held last week. Dorm Council representatives are: Hastings: Kathleen Waits, Douglas L. Miller, Andrew P. Geoghegan, John S. Brendel, and Jeffrey R. Karp; Wyeth: Angel Gomez, Dennis S. Sadur, Mary F. Gibbons, Victoria J. Perkins, and Julia Dobbs.

Story: Raymond D. Bergonia, Robert P. Dolian, Gordon L. Joyner, and Alfred J. Giuffrida; Shaw: Edward L. Felman, Jerry Grissom, John H. Gerhard Jr.; Holmes: Conrad H. Kollenberg, Jr. and Robert L. Hinkle.

Dane: Henry McCoy, David O. Johanson, and Daniel S. Koch; Ames: Stephen S. Ostrach and Arthur E. Wilmarth, Jr. The third Ames representative will be chosen in a special election this week.

* * *

Eleven **Criminal Justice Fellows** have been named by the Law School for 1973-74. They are: Robert L. Allen, a Captain with the San Jose Police Department; Arlene M. Becker, Associate Superintendent of the California Rehabilitation Center of the Department of Corrections; Rufus Evans, Captain of the Kansas City Police Department; John Hotis, an Inspector with the FBI.

Also named were: Renell Lindsey, Correc-

tional Consultant of the California Department of Corrections; Francis W. Lynch, Captain with the New York Police Department; Sydney Pleece, Detective Superintendent with the Metropolitan Police Force in London.

And: Joseph J. Staft, Jr., Captain with the Cincinnati Police Division; Dana G. Straight, Supervisor of Education at the Robert F. Kennedy Youth Center, Morgantown, West Virginia; and Jesse W. Strickland, Warden at the Central Correctional Institution of the South Carolina Department of Corrections.

* * *

A seminar on "**Investment Banking: An Alternative to the Practice of Law**" will be conducted at 7 p.m. Tuesday evening by Richard L. Menschel, a partner at Goldman, Sachs & Co. Menschel will discuss career opportunities open to lawyers in investment banking and some topical issues currently facing the industry. The seminar, which will be held in Room 110 of the Faculty Office Building, is open to students seeking both summer and permanent jobs in investment banking.

* * *

Ralph Nader's lawyers, Mark Green '70 and Alan Morrison '66, will speak on "Whither/Wither Public Interest Law" next Tuesday, October 9, at 7:30 p.m. in Austin East. They will also discuss job oppor-

tunities with the various Ralph Nader organizations.

In addition, Morrison will interview 3Ls interested in permanent positions in litigation with Nader organizations Wednesday, October 10 in the offices of the *Harvard Civil Rights-Civil Liberties Law Review* in the Langdell West basement. These interviews will be in addition to those already scheduled for the "Ralph Nader Groups" with the Placement Office.

* * *

The **Marshall Club** will honor its most famous alumnus with a **Rutherford B. Hayes** Memorial Birthday & Cocktail Party Saturday, 13 October at 8 p.m. in the Wheeler Room of Holmes Hall.

* * *

Insurance against theft of personal property is now available through the Law School for both dorm residents and off-campus students.

Applications and information are available to off-campus students from Ms. Balmain at the Langdell Reception Desk. On-campus students may obtain applications from Ms. Costa in the Dormitory Office.

* * *

The **Cambridge School Volunteer Project** needs volunteers as classroom aides, tutors, library assistants, and many other areas. Anyone who would like to help should come to 1700 Cambridge Street weekdays 9-1 or call 492-7046.

The Harvard Law School Forum is proud to announce its schedule of coming events

- | | | | |
|------------|--|-------------|--|
| October 11 | Governor Sargent (4:00 P.M.) | November 2 | Robert Drinan, U.S. Congressman (8:00 P.M.) |
| October 12 | James Thompson, U.S. Attorney, Illinois; Herbert Stern, U.S. Attorney, New Jersey; Richard Sprague, First Asst. D.A., Philadelphia (8:00 P.M.) | November 8 | John Tunney, U.S. Senator (8:00 P.M.) |
| October 16 | Dr. Benjamin Spock (8:00 P.M.) | November 16 | Ralph Davidson, Publisher of <i>Time</i> (8:00 P.M.) |
| October 18 | Sir Norman Skelhorn, British Minister of Prosecutions (8:00 P.M. in Pound 101) | November 28 | Aaron Copland, Composer (8:00 P.M.) |
| October 26 | Roy Innis, National Director of CORE; William Shockley, Professor of Engineering at Stanford (8:00 P.M.) | November 30 | Leonard Woodcock, President of UAW (8:00 P.M.) |
| November 1 | Chesterfield Smith, President of ABA (4:00 P.M.) | December 7 | Louis Harris, Pollster (8:00 P.M.) |
| | | December 10 | Buckminster Fuller (8:00 P.M.) |

All programs are in Ames Courtroom unless otherwise announced

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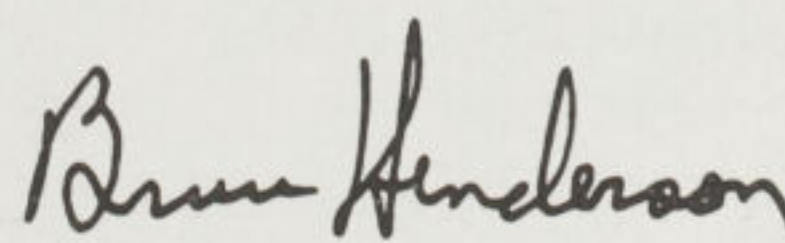
J. D.'s as Management Consultants

Outstanding law graduates should consider careers as management consultants.

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- They can have more career options.
- They can have more influence sooner on the quality of life in this country.
- Their initial compensation is far higher. (Their ultimate compensation is adequate too.)

A law firm and a management consulting firm are very similar in everything except technical work content. Lawyers are concerned with what should not be done. Consultants are concerned with what should be done. Both professions require extraordinary analytical ability, self-discipline and interpersonal skills. Both require a large background of knowledge and creative ability. However, the emphasis shifts from background technical knowledge to conceptual ability for the consultant.

Consulting like ours is not for everyone. Our median age is under thirty and so is our overall average. Yet we must effectively change the minds and the policies of the senior management of the world's most successful organizations. We must rely on logic and persuasion, not knowledge or experience. Law training is superb preparation for that. The J.D.'s on our staff are highly valued. We wish we had more.



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TV Review

New Perry Mason: Trial Run

By Bob Flanders

Even the most placid boob tubers must be finding it hard to tolerate the shabbiness of the idea of a "new" Perry Mason. What presumption! As if the real McCoy wasn't already available; as if the series had long since faded from the public consciousness over years of neglect; as if the characters weren't parading before us each evening retracing their familiar paces, some uppity producer has come along who thinks he can undermine the very sensibilities of a whole populace of devoted Mason fans, indeed, a whole generation of budding legal minds.

"The New Perry Mason Show" is no mere gratuity. There is crass disregard for taste, for character identification painstakingly built up over years and years of predictable lines delivered with reliable panache. The ersatz Mason is played by one Monty Markham, a little known luminary who couldn't zip up Raymond Burr's valise. Markham's face seems continually set in a plastic grimace, in contrast to the varied visage Burr could always suggest even when he assumed an outwardly expressionless look.

The fun that could be had by gathering with a bosom friend or two and airily speculating on Perry's machinations inevitably leading to the killer's exposure—all this is lost on Mr. Markham. Somehow, as the series went from year to year, Burr's physique seemed to swell with the ingested wisdom of his cases, so that in the later shows he became an immobile font of legal craft. It was then that the character of Perry Mason took on an other worldliness, an ethos of storied stability and dimension, even as his portly frame distended across the screen. Here was a lawyer.

Only the real Perry could hang so cool with a steno named "Della Street," ostensibly a matronly model of propriety, yet somehow conveying the notion that behind closed doors she could release

smoldering passions. No, the new attenuated Mason wants for legal girth as well. This time around, a younger, foxy Della shadows his exiguous frame; unlike old Della, she is blonde, and blind to the cogency of sexual repression.

Whereas Markham is given to strutting about the office barechested, after an all night legal bout with some factual enigma, the real Perry has no need of such bluster. Burr had a way of making love with a raised eyebrow and a wry lip. Nor was there ever a trace of surprise when the *deus ex machina* saved his client from certain doom.

He knew all along, as we as viewers grew to learn, that Perry Mason was at one with the world, and inscrutably

aligned with the fates. The old Burger was raging at the universe when he shook his fist at Perry, but the new prosecutor is only a shadow of his former self, more of a bungling Lestrade than an Iagoesque conspirator against justice.

But enough of this carping. The real Mason lives, if not on the television screen, then in the hearts of each and every one of us who has ever looked a legal problem squarely in the eye and hummed it gently, gently out of mind, as if it never really existed, or if it did, it was then but part of the whole alchemy of law in which we are the lone alembic, the one vessel of change and constancy through which all justice must pass.

Profs Consider Keeton Proposal For Three-Term Academic Year

(Continued from Page 3)
out reducing the number of students admitted each year.

●The one-third of the students who, in Keeton's estimation, are anxious to complete their education and begin practice more quickly than is presently possible would have an opportunity to do so.

Other supporters of the proposal defended their position on various grounds. Professor Stephen G. Breyer found the plan attractive because the extensive faculty vacations entailed by it would represent opportunities for serious research by faculty members. Fisher pointed out that the present system floods the job market in June, and that the adoption of the three-term proposal would reduce this problem. And Associate Dean Paul M. Bator echoed Keeton's suggestion that the three-term proposal would add to the options available to students.

A number of faculty members were more doubtful of the proposal's merits. They objected, among other things, that:

●Students who chose to complete the program in two years

would be subjected to a destructive degree of intensity and immersion in legal studies.

●Students from low- and moderate-income families would be subjected to financial pressure to complete the course in two years, regardless of their actual preferences, because of the inducement represented by large initial salaries.

●The Law School would be forced to collect three years' tuition over a two-year period from those who elected to pursue the more concentrated course.

●The faculty would tend to disperse, because those not teaching during a given term would often spend that period removed from Law School life.

●The proposal would increase the Law School's similarity to a factory in which students work in shifts toward highly individualized goals, without developing coherent relations with the community.

Response to Keeton's report was distinctly restrained. The meeting ended on the suggestion that further study of the proposal be undertaken, and the prospects for its implementation in the immediate future appeared remote.

Recycled 'Paper' Is Hollywood Pulp

By Patrick Kennedy

If *The Paper Chase* became a well-known movie, Harvard Law School would: (Choose one)

- 1) Close down for lack of applicants
- 2) Be outlawed by the Department of H.E.W.
- 3) Award degrees of sado-masochism to its students
- 4) Be commended by President Nixon for moral leadership

The Paper Chase, if you have not yet heard or guessed, is a film about Harvard Law School. Currently it is premiering in Boston where, for a sum insignificant compared to tuition, one can relive the week's trials and tribulations in wide-screen color. What else would you do with your weekend evenings?

The film opens with students filing into Langdell South-Middle for their first class with the legendary *Contracts* authority Professor Kingsfield. (Apparently names have been changed to protect the innocent). Among this gathering of legal neophytes is our hero Mr. Hart who has not seen the assignments posted on the bulletin boards and strolls into class unprepared and unsuspecting.

Kingsfield rolls into his oratory. The mental mush stuffing their heads will be transformed by his Socratic method into rigid analytic legal material. Sloth will yield to strength. They will learn that there is never a correct answer, only another question, and another question. His eyes start to roam the hall falling upon Mr. Hart. "Mr. Hart, state the facts in *Hawkins vs. McGee*."

In the ensuing confrontation our student not only loses his nerve, pride, and confidence, but also his breakfast after he dashes out the door to the restrooms.

"Not a very good start," his dorm advisor warns. "Listen", he says, "everything they told you about grades is true, you've got to work like hell. Don't think just because you got into Harvard you've got it made."

In such manner, we are instantly confronted with the film's overriding premise. That Harvard Law is the strictest, most demanding intellectual environment since the Middle Age monasteries. To make it in this hallowed academic proving ground one must forgo all the possible pleasures of Cambridge life. Life is spent with a cup of coffee, a high intensity lamp, and a high-lighter. When our protagonist varies the formula and starts an affair with a local girl he is told it is the worst thing which can happen to a 1L. (Wait until third year, then you can get laid all you want).

Inevitably the carnivorous competition has its effect. After less than a month of classes the work's strain has already separated the section into three definable groups. The "third echelon" is composed of the back-benchers. Those weak and falling creatures who have already given up trying to read the cases and maintain the pace. The "second echelon" are those who don't raise their hands, but are still willing to try. Hart confesses "that's where I am, living from day to day in mortal fear that I'll be called." Finally, there's the highest echelon, those Olympian figures that volunteer.

Those who seem unable to make it grow desperate. One such student is in Hart's study-group. As the film would have you believe, he's a student who simply doesn't possess the necessary power of analysis. Apparently he got in on the strength of a photographic memory. If you ask him the facts of the case you could do no better by reading the book. Dates, quantities, middle initials; they're all there. Indeed it borders on comedy. But any question requiring the faintest use of reasoning befuddles him into helplessness. He eventually tries to commit suicide while the viewer tries to figure out how he passed the LSAT.

The few comic sequences in the film derive their humor from poking fun at those villainous types that are so arrogant, despicable and conniving as to push the issue

of credibility to its limits once again. There's Mr. Bell, a rotund, sweaty, garrulous figure who produces an 800 page outline in property which he claims is better than the case book. Contrary to a previous agreement, he decides not to give copies to some members of his study group. Shortly after this incident he accidentally drops it out a window while waving to someone. It floats down from the dormitory window as so much confetti blowing in a breeze.

To a student of the Law School, the overriding dilemma watching this movie is credibility. The atmosphere created by the film is one of terror. A terror that is pervasive; that exists not only at exam time but throughout the year. Of the six students who join the study group, only three last the year, only three survive the baptism of fire known as the first year.

Perhaps, as a 1L, I should not be so quick to find the film's depiction misleading. Maybe I should follow my initial inclination upon seeing the movie to get in the line outside the Crimson Travel Bureau Monday morning. But I suspect I'm right in staying put; at least preliminary indications say so.

One could write off the creation of the intense competitive atmosphere as a use of dramatic license. But even granting this, the film devolves into a series of fairly predictable and hackneyed episodes, the worst of which is one that concludes the film. After fighting against Kingsfield all year, after a long frustrating and intense effort, Hart demonstrates his liberation from the grading system by folding the envelope containing his grades into a paper airplane, then ceremoniously tossing it into the ocean. Presumably he'll never find out what he got, a sort of aeronautical pass/fail.

All this is not to say that *The Paper Chase* is not worth seeing. I'd recommend it if only because it's home movies on the grandest, most glorious scale. Providing, of course, that you don't mind spending Saturday night in the classroom.

Attacking Anachronism: P/F's Failing

By K. R. Kubitz

In the four years that this writer has attended the Law School, there have been a lot of changes in the students. In 1971 the class had a lot of returning veterans and very few women. This year there are very few veterans and many more women, although still not enough.

Four years ago a significant portion of the first year class chose to take their grades in the pass/fail form, even if an emasculated pass/fail system. The reasons for that choice remain within each person who made the decision.

Some, who chose P/F, like many of those who left for Canada to avoid the draft, were motivated by self-interest. Others, like those who, stirred by conscience, left for Canada because of objection to the war, were motivated by a desire to see a basic change in the *Weltanschauung* of the legal profession, a movement away from competition, from auctioning of neatly packaged and rated legal talent to a more humane view of the law as the servant to mankind.

Whatever the motives of those students who sought to escape the grade rush, wherever they are now, that choice has been removed from the list of choices facing first-year law students in the future. The inescapable conclusion is that the Law School not only does not feel that choosing pass/fail is a wise move by 1Ls, but indeed, that they are not competent to be confronted with that choice.

So be it. But it seems to this writer that pass/fail is the Watergate of Harvard Law School, if not the Waterloo, in the sense that if we cannot make progress one step at a time, we shall agitate for wholesale revision, not only of legal education, but of the structure of the bar which is the beneficiary and patron of the law school establishment.

The bar, used in the broadest sense possible to connote the intellectual summation of the attitudes of American judges and lawyers about both the law and their relation to it, is relentlessly

ethnocentric. While the Committee on First Year and Related Matters recommends that students be exposed to "the variety of professional lives available to them" the bar has sought to foreclose alternatives to its method of imposing structure on the human relationships which are the essence of the law: No-fault, small claims courts, arbitration, even the criticism committees of the People's Republic of China are all morally and economically legitimate substitutes for the practice so carefully regulated by the organized bar.

But the bar sets minimum fees, controls the supply of lawyers through its admission procedures (a practice criticized in Canada by the Crispo report), disciplines its members (on rare occasions) and stoutly resists most efforts to reduce the bewildering maze of inconsistency and rhetoric that is its stock in trade, its very *raison d'être*.

Pass/fail, or its lack, is but one part of the struggle for or against these anachronisms. Indeed, the basic structure of the Law School; its tuition, set artificially high to cover a multitude of self-aggrandizing measures taken by the proprietors; its cultivation of the cult of the personality; its inability to question its own basic assumptions about what a good lawyer is are deeper defects than the inherent inequities of a grading system that most object to only because

of their position on the ladder.

Why not the two-year law school? Why not the admission to practice by passing the bar, period, rather than the redundancy of requiring graduation from an approved law school with six semesters of attendance? If the law school cannot admit more women, then open up bar procedures — after all, seating women in Austin East is but a means. The end is more women practicing and dealing with the problems of women and the law.

Why not expand no-fault to include all statistically characterizable torts? Why not expand small claims and restrict removal to courts where lawyers can interfere? Why not grant an increasing voice to arbitration of both commercial and private disputes away from the judicial arena? Why not expand the options available to the student, instead of restricting them?

"First, let's kill all the lawyers" is a favorite Shakespearean quotation among those members of the bar, who like to suggest that they are the last line of defense of liberty, whenever anyone questions the schedule of fees for guiding a simple estate through probate.

The death of the law is not what we seek, but the vindication of justice. And that may be found as well outside the walls of Harvard as inside, the more so since the death of pass/fail.

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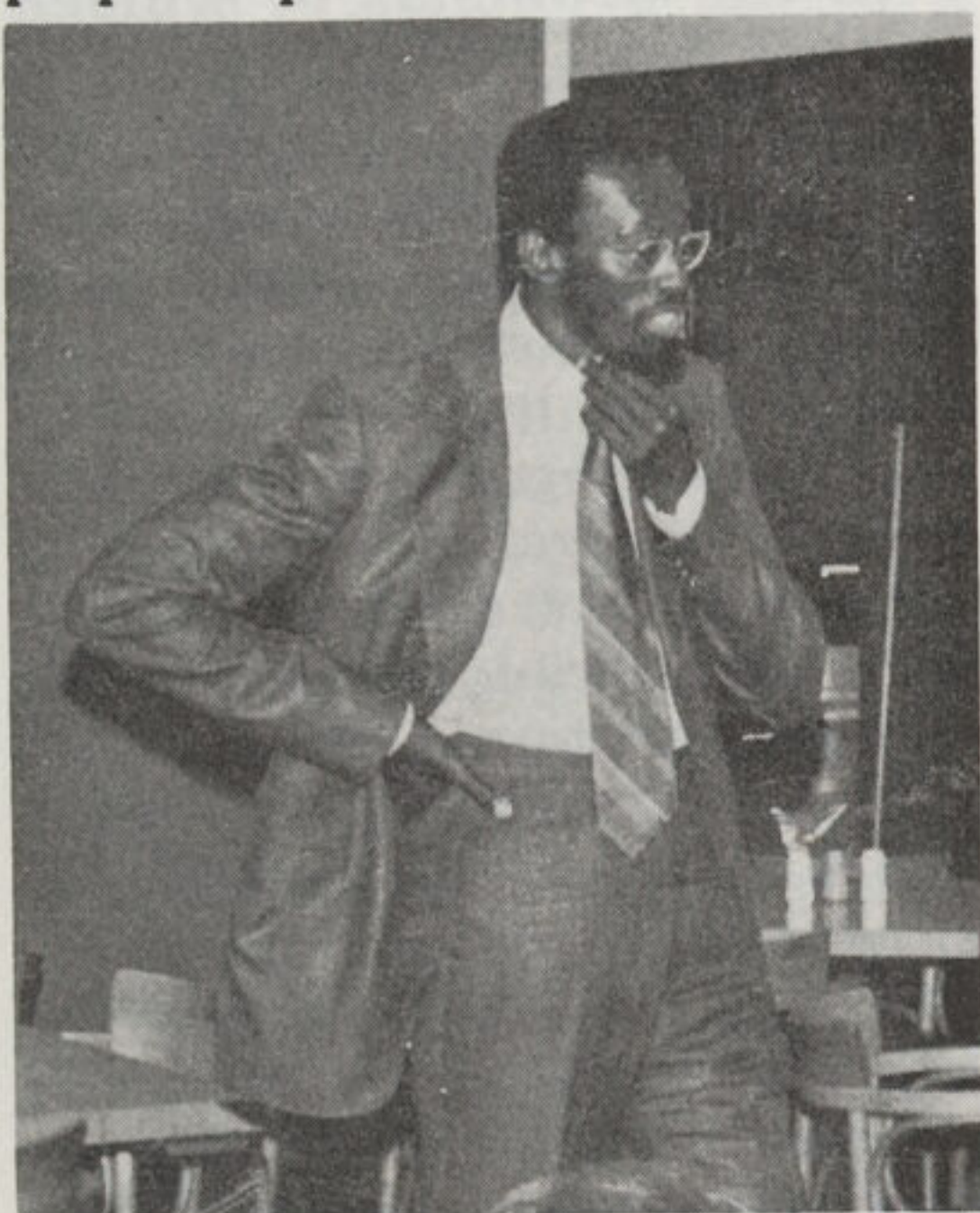
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Sanders Courts Student Interest

By Tom and Pat Sugrue

"The team this year is going to be representative," said the new Harvard basketball coach, Tom "Satch" Sanders, and then added with a smile, "others might say we're going to show up at all the games."

Sanders, speaking Wednesday evening at a gathering sponsored by the Harvard Law School Community Association, covered a wide range of topics, answered questions freely from the audience of about 30 persons, and confirmed his reputation as one of the most articulate people in professional athletics.



"Satch" Sanders

Mark McNeil

The former Celtics star said he chose to accept the position at Harvard because he likes the city of Boston and welcomed the opportunity to work in basketball in this area. On his interest in coaching, Sanders added, "Last year when I was spending a lot of time on the Celtics bench, watching Tommy Heinsohn work, I started to make coaching decisions to myself

and decided I would like to try my hand at a head coaching position."

When asked about the problem of athletes using drugs, Sanders responded that the term "drug use" in this context had to be cleared up. "When you mention drugs, people immediately think of 'shooting up.' If you've got chronic muscle spasms in your back, you can either take something to kill the pain, or quit the game of basketball and lose all that good money." As for himself, Sanders said, "I never found it necessary to use drugs. If I was hurting I just fouled out early and sat down."

Sanders attributed a great deal of the success of his old team, the Boston Celtics, to their former coach, Red Auerbach, whom he referred to with only half a smile as "The Dictator". "While other coaches went after the offensive stars with the big names, Red was the first to realize the importance of defense and built his team around defensive ballplayers."

Sanders, who was rated by Elgin Baylor as the toughest defensive forward he ever had to play against, returned the compliment to the former Laker star: "Elgin Baylor was the best all-around basketball player I ever saw."

When asked to rate current ballplayers, Sanders replied, "Julius Erving is probably the most exciting player in the game today, and has the potential to be the best ever. But right now, I would rate Dave DeBusschere and Spencer Haywood ahead of him. I've seen them do things to help their teams win that Erving doesn't do at this time."

Sanders expressed strong opposition to legalized gambling on basketball games. "Gambling brings in different kinds of fans; fans who are not at the game just to have a good time, but to make money. If the team doesn't beat the point spread, these people can become extremely abusive. It can even lead to physical violence."

Sanders was asked by one of the women in the audience whether he'd accept a female on the team. He replied, "Yes. Russia has a 6'11" 240 pound girl and there's a girl from Idaho who's 7'1". The new coach felt that he could use either of these girls this coming year on the Harvard team.

No Such Number, Address Unknown.

Callers looking for the telephone number of the Women's Law Association will find that the number appears to be one of the best kept secrets at Harvard Law School.

An energetic reporter from the *Record* recently spent a lazy afternoon dialing around the campus in search of the magic digits. Harvard University information could only pass to the Langdell Reception Desk which provided no help. The Registrar's Office couldn't come up with the number nor could Dean Bruce's office. A call to Dean Sacks' office was equally fruitless.

Paydirt was finally struck when Betty Stout, administrative assistant to the Vice Dean, produced the needed number — 495-3139. Naturally there was no answer at the WLA office.

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