

HARVARD LAW RECORD

America's Oldest Law School Newspaper

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TWENTY CENTS

Detler Vagts' Courses Top Registration

By Bill Kenety

In an interview with the RECORD on Wednesday Registrar Mary D. Upton released preliminary results of last month's pre-registration. Professor Detlev F. Vagts was the most sought after professor with both his *Accounting and Corporations* courses heavily oversubscribed. Both fall semester *Evidence* courses (Professors Arthur R. Miller and Laurence H. Tribe) attracted unusually heavy pre-registration while Upton noted that the number of students signing up for Professor David L. Shapiro's *Administrative Law* was the biggest she had ever seen. Other courses which appear oversubscribed at this time include:

(Continued on Page 2)

Wright to Address Assembly Twenty Years After Brown

By Michael Bowen

Judge J. Skelly Wright of the District of Columbia Court of Appeals was scheduled to give the keynote address in a two-day symposium here on school desegregation last night.

Coming 20 years after the Supreme Court struck down the separate but equal doctrine and held that integrated educational facilities were constitutionally mandated in *Brown v. Board of Education of Topeka*, the symposium will focus on the topic, *Desegregation in Education: 1974 and Beyond*. The discussion is sponsored by Harvard Law School, in cooperation with the school's Black Law Students Association and the Charles Houston Foundation.

Judge Wright's presentation

was to be a "Forum-type" event, consisting of Wright's speech followed by his answers to questions from the audience, according to Gail J. Wright, 2L who is coordinating guest scheduling. The two sessions held today, however, will feature "roundtable" discussions both by members of the audience and by invited commentators. "Perspectives" provided by Ronald R. Edmonds of the Center for Urban Studies in the morning, and Kenneth Tollet, from Howard University's Institute for Higher Education, in the afternoon, are expected to set the theme of the discussions.

Edmonds will speak on the topic, "Desegregation of the Public Schools: Where Do We Go From Here?" at 10 a.m., Tollet will

(Continued on page 2)

Harvard's Center for Law and Education Keeps OEO Funding; Future Uncertain

By Frank Sisson

For the time being, the Center for Law and Education (CLE) has sufficient funds to continue its operation as a national "back-up" center for the Legal Services Program of the Office of Economic Opportunity. But the future of the Center is anything but assured, given opposition to the program and OEO itself from the Nixon Administration and elements in both houses of Congress.

Life on the fifth floor of Harvard's Larsen Hall, the Center's location,

is less than ideally secure for the six CLE attorneys working there. Word is soon expected that funding for the Center will be extended three months beyond the June termination of current support. The Center had applied for annual support to begin last January, but only six months' support was then guaranteed.

The Center for Law and Education is only one of fifteen national "back-up" centers created under the OEO Legal Services Program (LSP). Such

centers assist the local branches of the LSP. Response to the requests of local LSP attorneys may mean aid in litigation, amicus briefs, research on critical citations, or review of proposed pleadings. The Center for Law and Education specializes in "educational law" issues. An LSP branch with need of help on a welfare issue would use the Boston center geared to that area of law. Institutional segregation questions, among

(Continued on Page 3)

Vagts, Miller, Tribe, Shapiro Top Preregistration Tallies

(Continued from Page 1)

Professor Paul A. Freund - *Constitutional Law*, Professor William D. Andrews - *Taxation*, Professor Donald F. Turner - *Antitrust* (Fall), Professor Paul M. Bator - *Federal Courts*, Professor Robert M. Unger - *Jurisprudence*, Visiting Professor David E. Feller - *Labor Law*, Professor Frank I. Michelman - *Local Government*, and Professor Vern Countryman - *Commercial Transactions*.

Upton indicated that these oversubscribed courses had a preregistration of over 200 and that each individual professor would ultimately decide the number of students in his class. Cuts will be made over the summer and at this time the registrar's office has an operating rule that a student will not get cut out of more than one course.

Interviews with several of the oversubscribed professors revealed a faculty determination to cut down on the class size as most professors agreed that a class of over 200 was just not manageable. However, the same professors objected not so much to the number of students per se, but to the fact that a large

number of students would force moving the class into an undesirable classroom.

There was unanimous faculty condemnation of Langdell North and South Middle and a general disapproval of Austin. The Middles and the Austin classrooms are the only rooms that can accommodate over 200 people. As one professor explained: "I don't have a foghorn voice and simply can't reach the bleachers in Langdell South Middle." Accordingly he'll cut his class to ensure that that it is held in a more manageable environment. And as another professor reportedly stated "I'm a team player but I want to make sure I play in the right ball park".

Upton also listed several courses which, while not oversubscribed, may well be closed by next fall's registration. They include(Professors David R. Herwitz and Victor Brudney's *Corporations II*, Professor Stanley S. Surrey's *Taxation*, Turner's spring *Anti-Trust*, Professors Diane T. Lund and Alan A. Stone's *Family Law*, and Professor A. James Casner's *Estate Planning I*.

Clerkship Spots Revealed By Four More Students

Three third-year students and one student who graduated after finishing the fall term have recently informed the Law School that they have accepted judicial clerkships beginning in the summer or fall of this year.

The four are in addition to the 63 3Ls and five recent graduates whose clerkships were listed in the February 15 issue of the RECORD. Thomas F. Cullen, Jr., 3L will clerk for Judge Harrison L. Winter of the United States Court of Appeals for

the Fourth Circuit. Harold F. Fitzpatrick, 3L will work for Justice Mark A. Sullivan of the Supreme Court of New Jersey. Paul Hoffman, 3L will clerk for Judge John F. Doyle of the District of Columbia Superior Court. Andrew P. Hier '74 is clerking for Chief Justice Walter H. McLaughlin of the Superior Court of Massachusetts through August; beginning in September he will clerk for Judge Walter Jay Skinner of the United States District Court for the District of Massachusetts.

Desegregation: Skelly Wright Views Future

(Continued from Page 1)

address the subject, "Black Institutions of Higher Learning: Inadvertent Victims or Necessary Sacrifice?" at 2:30 p.m. Both discussions will take place in the Pound Building.

J. LeVonne Chambers of Chambers, Stein, Ferguson & Lanning, Jack Greenberg of the NAACP Legal Defense and Education Fund, Nathaniel Jones of the NAACP Special Contribution Fund, and Harvard Professor Thomas Pettigrew have agreed to comment on Edmonds' address. Christopher Edley of the United Negro College Fund, Martin Kilson, from Harvard, Benjamin Payton, the officer in charge of the Ford Foundation's Higher Education and Minority Affairs project, and Herbert Reid, from Howard University, will provide commentary on Tollet's talk.

Harvard Law School Teaching Fellow Ralph Smith is serving as general co-ordinator of the event.

Dean Bernardi has announced that Examination rooms will be divided into smoking and non-smoking sections during the spring examination period. He also announced that exam proctors will be alerted to possibility of some students bringing unauthorized materials into exams.

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CLE Center Continues Funded, For Now

(Continued from Page 1)

others, would properly be directed to the Harvard center.

Acting director of the Center is Robert Pressman, who joined the organization in July 1970, about half a year after its inception. Most of the other Center attorneys have had at least two years experience with the insecure life led in an LSP backup center. "We've learned to live with it," remarked Pressman, who added that the current turnover rate within the Center is less than in its early months. The Center's present attorneys are graduates of the law schools of Harvard, Pennsylvania, Columbia, and Hastings. Pressman stated that the Center is now seeking to fill openings for two additional attorneys.

"Attorneys from the Center have on several occasions written amicus briefs for Supreme Court cases," commented Pressman. A brief was submitted on the *DeFunis* "reverse-bias" question by a Center lawyer. An amicus brief was also prepared by a CLE lawyer for *Lau v. Nichols*. That case involved the lack of an English language program for the benefit of San Francisco school children of Chinese background. The Supreme Court decision supported the amicus argument that the failure to provide such a program violated Title VI of the Civil Rights Act of 1964.

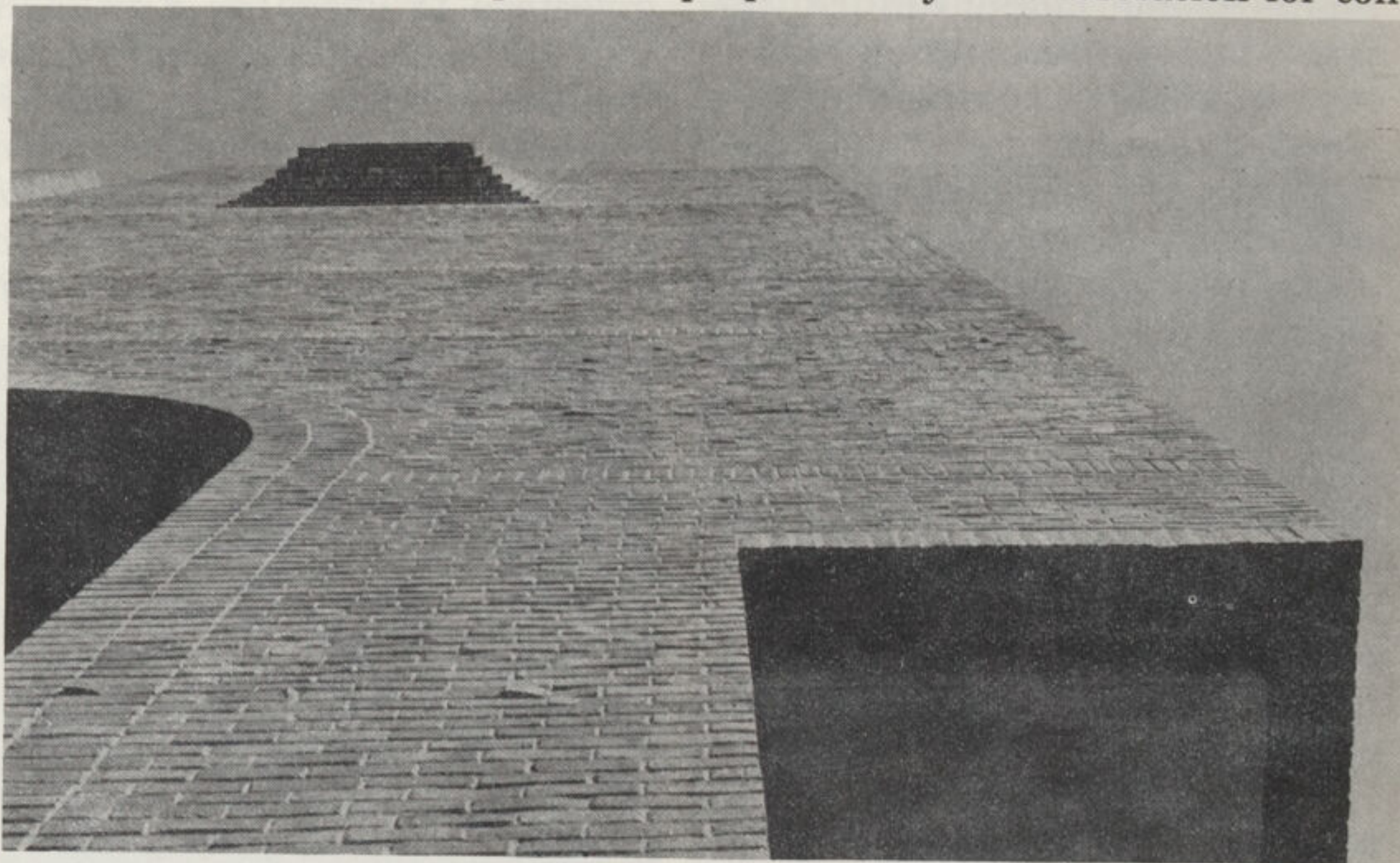
Funding insecurity has been the history of CLE. "It's hard to be pessimistic right now because it was so much worse in the past," ventured Pressman. At one point, funding was on a month-by-month basis. "We would be in the middle of trying a case in Boston near the end of the month and would not be given word on whether money would be available for the program the next month."

Pressman attributed this early difficulty to the antagonism of former OEO "acting director" Howard Phillips. Pressman termed Phillips "a real foe" who used "short funding" and "general harassment" to attempt to kill the Legal Services Program under OEO. "A year ago," Pressman stated, "that's what we were going through." According to the CLE di-

rector, the current OEO administrator is "much better."

The Center for Law and Education maintains virtual freedom in its activities from the University, though the Center is sponsored jointly by the Law and Graduate Education Schools for OEO funding. In return for floor space, book-keeping, auditing, and sponsorship

danger of being legislated out of existence. Pressman commented that there is a possibility that a House-Senate compromise might result in death or reduced funding to CLE. "The proposed House bill would eliminate outside back-up centers while the Senate bill would not; yet even if no bill is passed there is a possibility of a resolution for con-



Bob W. Mack

Things aren't looking up for the Center for Law and Education, housed in Harvard's Roy Larsen Hall.

the University retains 45 per cent of funds coming to CLE. Last year, the university percentage translated into a figure of roughly \$100,000, according to Pressman. This year's six month OEO grant was \$195,000, including certain portions going to the university. Money from OEO is given to the University, rather than directly to the Center.

Legislative struggles over OEO and the Legal Services Program within OEO have plagued the Center from the beginning. Originally devoting much effort to independent researching, the Center was discouraged by OEO from continuing such endeavors to any great degree. The Center, according to Pressman, was told that it must more closely relate to the purposes for which it had been created — to back up the activities of the neighborhood LSP offices. Research on issues not arising from neighborhood offices was purportedly unwarranted.

Currently, the Center is in

tinued funding." Pressman cited the continued reduction of OEO program and general antagonism by the Nixon Administration as dangerous signs that back-up centers face no easy future.

Pressman and his associates are concerned that the trend to limit legislative-oriented actions by centers will continue. Individual case orientation, remarked Pressman, is not the most effective means to induce needed change. Yet the national centers have been legislatively restricted from engaging in "legislative advocacy" to any great extent.

The Center for Law and Education is fairly assured of existence only for the next five months. Coping with legislative and administrative threats and restrictions, Pressman and other Center attorneys have been "living like this for so long" that they continue with psychological immunity. They can only hope that long term funding can be achieved and that legislative battles will not lead to further restrictions of activity.

ACSR Guides The Corporation On Proxy Votes

By Kermit Kubitz

Although "The Corporation can ignore anything we do," according to Jeffrey A. Seder, 1L, member of the Advisory Committee for Share-Holder Responsibility, the fact is that the Corporation has followed ACSR recommendations about three-quarters of the time. Part of the reason for this success in influencing corporation voting on proxy questions presented by companies in the University's portfolio is the fact that the ACSR has studied each question thoroughly. With the assistance of reports from the Investors Responsibility Research Center, a Washington based organization that studies public interest proxy proposals, the Committee develops an approach to each question.

"Once you decide, every time the argument comes that you are in favor of disclosure of information," there is no need to reopen the question when a similar proposal comes up, according to Seder.

"The workload has increased somewhat," says Professor Stanley S. Surrey, Chairman of the ACSR. "You get the same resolution for five companies."

In the event that the Corporation does not abide by the Committee's recommendation there is a "discussion later on why you were disagreeing." Surrey explained that these

(Continued on Page 6)

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Hinojosa, A Texas Graduate Climbs into RECORD Saddle

A Republican who supports Richard M. Nixon can still win an election, even in Cambridge. Ricardo H. Hinojosa, 2L was unanimously elected one week ago Tuesday by the RECORD board of directors to serve as Editor-in-Chief, President, and Chairman of the Board for the fall term, 1974-75 (Volume 59). Hinojosa, the current Associate Editor and a lifelong Republican, was a Nixon delegate at the 1972 national Republican con-

will become Photography Editor, replacing Mark S. McNeil, 3L, of Gallup, New Mexico, who will leave the RECORD darkroom for the Golden Gate.

Senior Editor Daniel M. Taubman, 3L will leave Cambridge for the more relaxed pace of Manhattan's federal courthouse. Robert G. Flanders, 3L will abandon his Arts Editor mound for the left field of associateship in Fun City.



Mark McNeil

Phil Spector, Ricardo Hinojosa and Dan Taubman discuss editorial policy at RECORD dinner.

vention. A native of Rio Grande City, Texas, he is apparently the first Mexican-American to reach the exalted position of RECORD editorship.

Hinojosa replaces current President Kermit R. Kubitz, 3L who will retire to Portland, Oregon after working on 80 issues of the RECORD.

Patrick F. Kennedy, 1L, an avid guitar player from Wayne, Pennsylvania, will become Editorial Manager, replacing Paul J. Weiner, 3L, who will return to his native Philadelphia. Frank E. Sisson, 1L, of Short Hills, New Jersey, will fill the crucial post of News Editor, which has been vacant for over a year. Charles W. Maurer, Jr., 2L of Ames Hall and Ames, Iowa

The following staff members will continue as directors: Michael A. Bowen, 1L, of Kansas City, Missouri; William H. Kenety V, 2L, of Cockeysville, Maryland; Paula W. Bonnell, 1L, of Houston, Texas; Arnold S. Rosenberg, 1L, of Rochester, New York; and Karen D. Bier, 2L, of Freeport, New York. Also, Philip L. Spector, 1½L, of Cerritos, California will return from the Kennedy School to a *Review* editorship and RECORD directorship.

In addition the following staff members have been elected to the RECORD board: Charles Clayton Stebbins III, 2L, of Darien, Georgia; G. Bruce Kuehne, 1L, of Metairie, Louisiana; and Jeffrey R. Karp, 1L, of Toledo, Ohio.

HARVARD LAW RECORD

2L Argues Legal Aid Case in US Court

By Bruce Kuehne

"Basically, I felt that straight course work lacked a certain essential element. Working at the clinic has been very valuable — not only because it will pay off when I'm in practice, but because it's helped keep my interest in law alive."

Howard E. Sinor, Jr. 2L is the first member of the Harvard Legal Aid Bureau to argue a case before a United States District Court. The hearing was Monday, but as of this writing, no judgement has been rendered. Sinor is optimistic, however. He feels that he "did pretty well — better than I expected."

Sinor took up the case at the beginning of this academic year, when a private attorney who had been handling it retired and referred his client to the Bureau. The case had originated in a claim for Social Security benefits, filed in 1965. By the time Sinor took it up, the case had twice been before the Social Securities Appeals Council in Washington, D.C. and once before the United States District Court for the District of Massachusetts.



Mark McNeil

Howard E. Sinor, Jr. 2L

Under federal statutes, a mother may collect benefits upon the death of her husband, even if the couple was divorced at the time of his death, provided that she falls within one of several statutory classifications. If, for instance, the husband was under a court order to provide support payments, she is eligible. Or she may be eligible for benefits if her former husband has

provided substantial support pursuant to a written agreement to do so.

In 1961, Sinor's client had appeared with her husband before the Cambridge Domestic Relations Bureau in an attempt to get a support order. But one of the officials there persuaded the couple to enter into a voluntary written agreement in lieu of a court order. The husband made only a few payments and then left the state, where he could not be served with process and thus could not be ordered to comply with the support agreement.

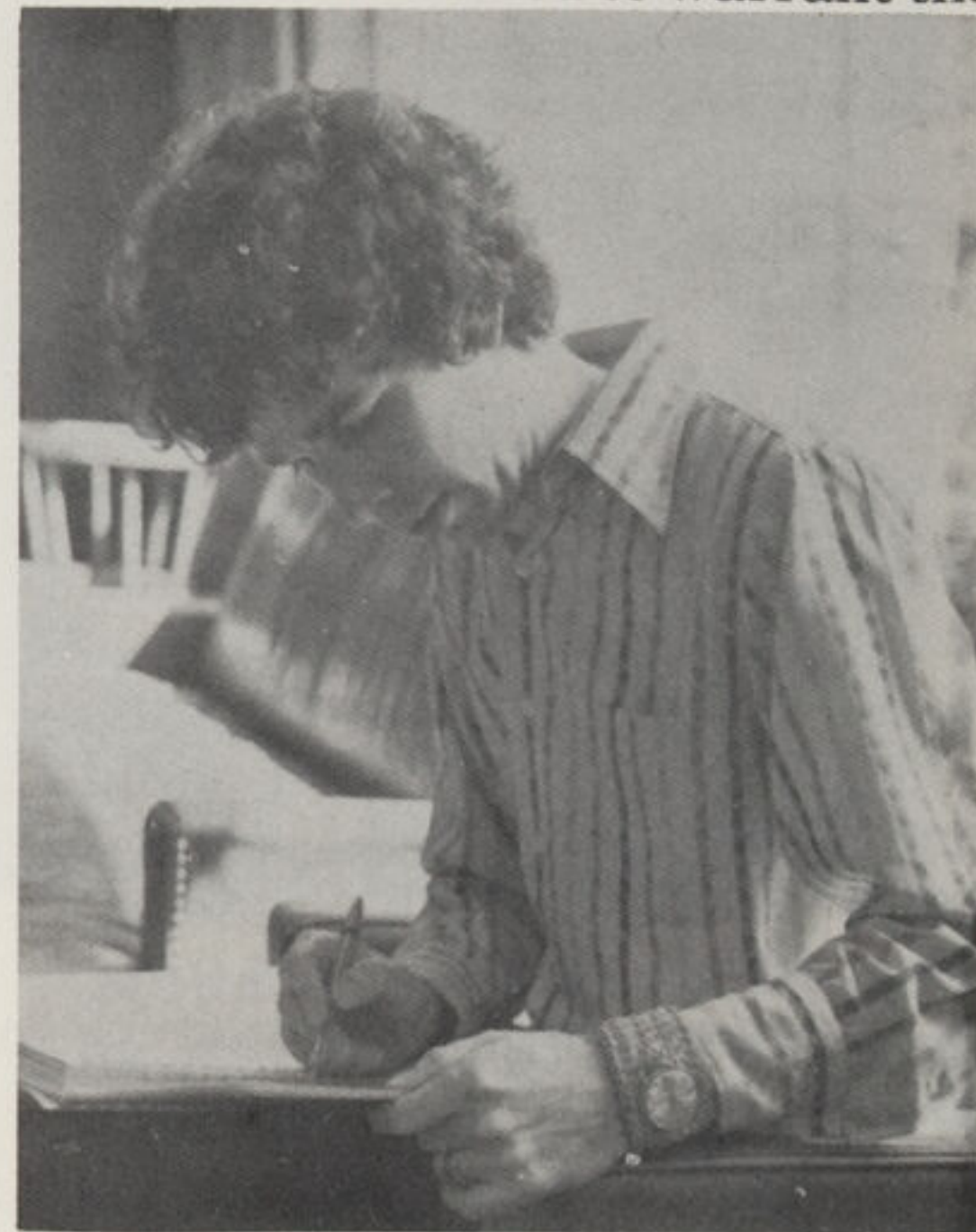
The couple's divorce was finalized in 1962 and in 1965 the husband died. The lady then claimed benefits under the Social Security regulations. Two years later, in 1967, she was informed that her application had been lost and she would have to refile. Her new claim was denied on the grounds that she had neither a court order for support payments nor had her former husband paid substantial support under the voluntary agreement.

The claimant appealed this denial to the Social Securities Appeals Council in Washington, D.C., which decided that the voluntary support agreement was a "court order" for purposes of the Administration regulations. Unfortunately, the Appeals Council found the claimant ineligible on other grounds. She requested a rehearing on this decision.

The Appeals Council now found that she was not otherwise ineligible, but that the voluntary support agreement was not a "court order." This decision was affirmed at a later date by the Council and the lady then appealed the decision to the District Court, which remanded back to the Appeals Council for further consideration. The Appeals Council again affirmed.

Perhaps worn down by years of haggling with the Social Security Administration, the claimant's attorney retired from practice; the claimant went to the Harvard Legal Aid Bureau and Sinor inherited the challenge of steering another appeal through the District Court.

Prior to Monday's hearing, the government and Sinor had each filed motions for summary judgement in the District Court. The hearing was a consideration of those motions. "I basically relied on two alternative arguments," said Sinor. The first was that the Social Security Appeals Council had acted arbitrarily and erroneously in reversing its original ruling that the voluntary agreement was a "court order" when there had been no new evidence introduced to warrant the



Mark McNeil

Sinor argued Monday reversal. Alternatively, I planned to argue that the original ruling was correct, under a liberal construction of the statute and considering the purpose of the benefit program.

Sinor was somewhat startled at the apparent discrepancy between legislative intent and the mechanics of making a claim: "It seemed to me that the statute was passed to benefit people just like this lady. She had children and her husband had paid into the social security fund all through his working life. Yet she was denied the benefits when he died for rather complex and technical reasons. It seems that all of the equities were on our side, but most of the law was with the government."

Sinor did the bulk of the research on the case, as well as most of the legwork. He did draw on the experiences of the Bureau members who had done court work before, as well as the professional advice of Steve

(Continued on Page 8)

ABA Aids Law Education for Youth

By Kermit Kubitz

The purpose of the American Bar Association's Youth Education for Citizenship Project may have been encapsulated in a quotation by Laurence Kohlberg used by Joel Henning, the Project's National Director, in a speech to the Conference on Behavior, Student Rights and Responsibilities and the Fair Administration of Discipline, at the University of Michigan School of Education in early April.

"To develop moral action," Henning stated, quoting Kohlberg, "we would want the students to express their sense of justice as well as talk about it and make the school more just."

The Project started, according to Henning, because Leon Jaworski, now the Special Prosecutor and then President of the American Bar Association, in 1970, "saw a need for solid curricular approaches to law studies" in the nation's elementary and secondary schools. Now there is a staff of seven, an endowment by the American Bar Foundation, a grant from the Ford Foundation, and also from the Law Enforcement Assistance Administration.

There are approximately 250 law related projects operating in schools across the country, and two-thirds of these have some means for systematic input by lawyers.

One of the Youth Education for Citizenship Project's most important functions, according to Henning, is "Teaching teachers. Teachers didn't learn in their schools anything about law."

Lawyers can help educators overcome two problems which inhibit instruction in law, one of which is intellectual and the other is psychological. Through pre-service teacher training, lawyers can provide the information about the legal system which is necessary to lead informed discussions of the legal system in the classroom.

The teaching of legal principles, Henning feels, is related to the manner in which the school is operated. "You can't teach Due Process effectively in an authoritarian

school."

On the other hand, says the Project Director, "Responsibility is often encouraged by giving students some responsibility for behavior..."

If students cannot, "share in the search for answers to the problems of discipline," then the result is evidence, in Henning's words, of, "Failure of schools as a community..."

Among the techniques suggested by Henning for use in the schools are adaptations of the case study method used by the law schools, the Socratic method, and less traditional techniques such as role playing.

If the discussion is about an issue as controversial as abortion, Henning says that he will try to have students try to understand opposing views through playing those roles.

"I might have someone who is strongly pro-abortion play the role of the fetus, and have someone who is anti-abortion play the role of the unwed mother."

The intent of these discussions is to give students practice in identifying the relevant issues, relevant parties, the conflicts involved, and the constitutional questions. This should result in some understanding by the students of the difficulties in and paths toward achieving a satisfactory final solution.

Calling the traditional civics curriculum "vapid", Henning says that instead of avoiding exciting legal issues, the aim of the Project is to "make them part of the curriculum." Materials for this purpose are included in the Bibliography of Law-Related Curriculum Materials, available from the Youth Education For Citizenship Project at ABA Headquarters.

A working note suggests that lawyers interested in starting such projects in their area contact the district superintendent of schools or the curriculum department of larger school districts. The staff of the ABA YEFC program will help in evaluating existing programs and materials, and investigating community needs and resources.

As former ABA President

Jaworski said in the President's Page of the September, 1971 issue of the ABA Journal, "...it is (a major undertaking) in which our profession has a basic responsibility and a great opportunity to demonstrate again its traditional role of community and national leadership. Lawyers always have been catalysts and counselors in the resolution of problems calling for a consolidation of community effort. Here, in my view, is a classic challenge worthy of the whole profession's maximum effort. I am confident lawyers will respond."

ACSR Guides On Proxy Votes

(Continued from Page 4)

were meetings of the ACSR with the corporation subcommittee in charge of proxy resolutions.

Among the recommendations made by the ACSR so far this year are:

* **Called on the Corporation to vote for a resolution asking on Gulf Oil Corporation "to provide a full written report to shareholders ... on basic information concerning the corporation and the energy crisis."**

* Supported resolutions directed to Southern California Edison, Gulf, and General Electric to disclose information about their equal employment opportunity programs for women and minorities.

* Divided its support for a number of resolutions seeking disclosure of corporate involvement in political activity. On a resolution which proscribes corporate contributions to state or local referenda or questions, "A narrow majority of the Committee feels that the corporation should be able to express itself on issues that directly affect its future ..."

* **Favored resolutions calling on Standard Oil of California and Phillips Petroleum to withdraw from Namibia. This position was based on official United States policy discouraging American investment in the African state.**

O'Connor, Kaufman Capture STS Quiz Crown

The Harvard Law School Sports Trivia Society held its first annual quiz championship last week to end a successful first year of activities. More than 40 members of the Law School community participated with David W. O'Connor, 3L achieving the highest score of 32½ points out of a possible 55.

The top ten winners were: 1. O'Connor; 2. Roderick A. Goyne, 3L; 3. John J. Davis, III, 3L; 4. Seth A. Davis, 2L; 5. David J. Moskowitz, 3L; 6. Teaching Fellow Frank P. Samford, III; 7. Sherwin F. Root, 2L; 8. (tie) Professor Andrew L. Kaufman and Jonathan K. Walters, 2L; 10. (tie) Steven B. Kite, 3L and Alan S. Axelrod, 1L.

James S. Jardine, 3L, Commissioner of the STS commented that he was "quite pleased by the large turnout at all STS functions during the year." Sheldon L. Solow, 2L, Associate Commissioner added that "the STS intends to continue providing its unique services to the Law School community next year."

The STS spokesmen noted that rumors of expansion to other law school franchises were "exaggerated".

The quiz this week is composed of 10 questions picked from the Trivia Society Quiz Championship contest.

1. Who was the only four-time All-American in NCAA Football history?

2. Three NBA stars, of whom 2 are currently active, played at St. Francis in Pennsylvania. Name them.

name of "The Four Muskateers". Name as many as you can.

6. In the 1960 Olympics, the heralded American high jumper John Thomas got the proverbial "steel knee" and lost. Who won the event?



Mark McNeil

O'Connor, Davis and Axelrod pose with STS commissioners Jardine and Solow.

3. Who was the last American woman to win an Olympic Gold Medal in diving?

4. Name the first major league team to wear batting helmets.

5. In the late 1920's four French tennis players dominated Davis Cup play with the colorful nick-

7. Since Bobby Jones's retirement only two men have won back to back US open titles. Name them.

8. What pitcher holds the record for the most World Series losses in a career?

9. Name the last Heisman trophy winner to play on a team with a losing record in the year of his selection.

10. Since 1957, the year of its inception, only three American League pitchers have won the Golden Glove Award. Name them.



Mark McNeil

STS'ers Jardine and Solow congratulate faculty winner Andrew L. Kaufman.

The Sports Trivia Society hopes you have enjoyed the quizzes this year. If anyone desires a copy of the complete final quiz and the answers, please send your address and \$1 to cover duplication and handling costs to: Quiz Committee, c/o Board of Student Advisers, Langdell Hall, Cambridge, Mass. Any excess funds will be used to defray the costs of future speakers.

2L Argues Benefit Case In Federal District Court

(Continued from Page 5)

Olesky, one of five advisory attorneys employed by the Bureau.

"Each clinic worker is completely responsible for all the details of a case," said Sinor. "You have to make it your business to find out which papers to file, where and when. You can't sit back and expect to be told what to do, but there are people here to answer your questions. One great resource is Betty Allebach, who's been Administrative Director for ten years now. She really knows her stuff."

Sinor found that preparing the case demanded a lot of time, but that he managed to keep it from interfering with class preparation "until just before the deadline, when I had to let classes go for about a week."

"But I think it was worth it. I learned a great deal from the research, which spiced up the academic work for this semester quite a bit. The court hearing was even better. In just about an hour I learned from practice what I had read about in oral advocacy but never really appreciated. It's that you have to address yourself to a person, not some abstract concept of logic. You've got to gauge the judge's responses and tailor

your arguments accordingly. During the course of the argument, for instance, I could see that the judge wasn't eager to accept my assertion that the voluntary support agreement could be considered a 'court order.' So I had to switch tactics and argue that the lady was entitled to the benefits for another reason — that the small payments actually made to her by her husband under the written agreements were 'substantial support' considering the small size of his salary. I had not really planned to argue this as my main point."

Sinor had taken no clinical courses before joining the Legal Aid Bureau, thinking that they would take too large a bite out of the academic courses in which he was interested. He therefore decided to pick up clinical experience through working at the Bureau.

His plans for the future are uncertain. He'll work in New Orleans, his hometown, this summer and hopes to return there after he graduates. He plans to work for the Legal Aid Bureau again next year and recommends it to anyone interested in adding breadth to his legal education. "It does demand a certain amount of time. If you're not willing to commit yourself to that, there's no sense applying. But it's time well spent."

Harvard Blacks Finishing Work On Publication

Students at Harvard Law School under the leadership of Robert M. Cotten, 3L are finishing work on the spring issue of the *Black Law Journal*. The *Journal*, a quarterly law review is usually published at UCLA.

This is the first issue to be published outside UCLA. The issue focuses on the topic "*Brown v. Board of Education*, 20 years later."

The *Journal* has several articles written by Harvard Law students. Among these are "A Conceptual Model for the Constitutional Distribution of a Scarce Good: State Provided Higher Education" by Mario L. Baeza, 3L and "Equal Protection Adjudication and Standardized Ability Testing" by Dwight L. Greene, 3L.

The Director of the Harvard Center for Urban Studies, Ronald R. Edmonds, also wrote an article for the *Journal* on "Advocating Inequity: A Critique of the Civil Rights Attorney in Class Action Desegregation Suits". Other articles include "Atlanta: Living with *Brown* Twenty Years Later", "The Current Struggle over the Desegregation of the Black Colleges" and "Charles Hamilton Houston: Biography".

Over 20 Law School students worked on publishing the *Journal*. The Law School awarded the group \$1500 to cover expenses.

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Gorman Asks Reform of Legal Education

By Jeffrey Karp

The law school format has been criticized as one that will scare you to death the first year, work you to death the second year, and bore you to death the third year. The last ten years have seen law schools awakening to the need to reevaluate their procedures and the possibility of major reforms has become a reality.

and *Torts*) to a semester and added semester courses in *Constitutional Law*, *Labor Law*, and *Income Security*.

The upshot of this change, according to Gorman, is a "more sophisticated law student at the end of the first year." This, however, is not a complete triumph for reform as Penn has not made major revisions in its second and third year programs to avail itself of its

the introduction of interdisciplinary training to the legal education in an effort to move some of the emphasis from appellate decision analysis to investigation and study of the day-to-day mechanics of society. The study of law would be combined with training in subjects such as statistics, economics, sociology, and psychology.

Law schools are presently offering joint degree programs, but Gorman feels the results should be better. "There is no systematic attempt to combine the two disciplines. The great challenge is to get lawyers and economists, psychologists, sociologists, and statisticians to communicate effectively."

The Association of American Law Schools sponsored a study conducted by Professor Carrington of the University of Michigan Law School. His report suggested a two year program. The first year would be substantively the same as is available presently, but the structure would be different. Students would take three courses per semester. One course would be in the traditional theory style, another would emphasize lawyer-like skills such as planning and drafting, and the third would be a team taught interdisciplinary course. The second year would feature the three structure approaches again and also seven or eight courses geared to information transmission in specific subject matters such as bankruptcy in order to give the students a basic background in a number of areas. These courses would rely on lectures, readings, and teaching machines to convey the information.

Gorman unsuccessfully tried to convince the University of Pennsylvania Law School faculty to regroup into substantive corps with the purpose of producing lawyers more sophisticated in their particular fields of interest. Realizing that most law schools do not have the financial or faculty resources to offer a large number of programs if they attempt his proposal in the future, Gorman envisions most schools offering specialization programs in three or four fields with third year law students allowed free transfer among all law schools.



Mark McNeil

Professor Gorman considers current state of Legal Education.

Visiting Professor Robert Gorman is a leading proponent of reform. His fervent commitment to change is exemplified by his statement, "The third year of law school has got to be made progressive and challenging or law schools should consolidate into two years." He half-jokingly added that there has got to be more to the third year than taking courses with second year students and doing worse.

These comments were made April 25 by Gorman, appearing before the largest Root Room Lecture Series audience of the spring semester. His topic was entitled "Reform of Legal Education".

At the University of Pennsylvania Law School where Gorman is a tenured professor he served as a one-man task force for three years exploring the possible avenues of reform. His efforts at Penn resulted in a reshaped first year program. Pennsylvania cut back its five basic full year courses (*Civil Procedure*, *Contracts*, *Criminal Law*, *Property*,

better prepared first year class.

The criticisms of the legal education include the dependence on the study of appellate cases and the Socratic method, as well as the large classes and unfavorable student-teacher ratios. The lack of systematic attempts to train students in skills such as negotiation, drafting, and counselling is obvious.

The homogeneous nature of law school faculties is also a controversial matter. The practitioner and experts from other disciplines are ignored, with the road to a faculty position paved by work on a law review, followed by a clerkship, and a short stay with a major law firm.

Gorman suggested many areas in which law schools should consider intensified work and exploration. Clinical course work which would "get the student out of the classroom and into the streets" and the teaching of real world skills in simulated controlled atmospheres are basic to the reform movement. Closely related to these examples is

Damned Lies

We could write an editorial reminiscing about our years in law school (unintelligible) but that would be wrong. Our years at HLS have been (expletive) but we have survived, if only because of our ability to (unintelligible).

Remembering the many conversations with (expletive) prominent faculty members, it seems to us that (characterization) Sacks has his hands full in the next few years keeping these (expletive) under control. Let us make it perfectly clear that we don't think it is (unintelligible) fault that we came away wondering who would ever want to be on the (unintelligible expletive) *Review*.

But we can remember a few moments that seem to us to capture the ethos here at the Law School:

Prof. B.: Well, Mr. (unintelligible), I have discussed this with Dean (unintelligible) and we have decided that what you should do is write another (expletive) paper. We don't feel you put very much (unintelligible) into this piece.

E: Well I'll be (expletive). I'll be (expletive) if I'll do another paper. I'd rather take *Comm Trans* twice...

.....

Prof. B: So you're on the (expletive) **RECORD**. Well, what I said is off the (expletive) **RECORD**. Why if people found out that I told (unintelligible) about my work in the field of (unintelligible) they'll think I'm an (characterization deleted) and I won't be able to work any more. And I'll tell you this, if you print that (unintelligible) the faculty will dry up like prunes.

E: Well, I'll communicate that to the Board. We'll bear in mind what you've said. What was that you called us?

B2: I said you were a bunch of (unintelligible expletive).

.....

Fenno: So here I am, having to go in and ask that (expletive) for another extension on my third-year paper, *Offensive Language as an Expression of Immaturity*. If I don't get it done, I'll be stuck here for another (expletive) two terms.

E: Take it easy. Don't panic, just refer to that famous *Law Review* article by (unintelligible), you know, the one with the five page footnote to the (expletive) State Supreme Court. After all, you might get lucky and graduate this year. Wouldn't that be a (expletive).

.....

Prof. B3: Well, Mr. (unintelligible), were you asleep?

E: Not quite.

HARVARD LAW RECORD

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Fenno

"Well," Fenno said as the 1L made his way wearily toward his room, "I haven't seen you out for awhile."

"Uh, no," the 1L said, glancing uneasily up and down the hall. "I've been, uh, well, you know..."

"Busy?" Fenno suggested.

"Yeah, that's it, busy," the first year student readily agreed.

"Too busy to get to the sports page in the lounge before one of our friends from the second floor converts it?"

"Yeah, I guess I have missed that the last couple of days."

"Too busy to stand around kibitzing while you're buddies are losing their lunch money playing backgammon?"

"Well I suppose so," the 1L admitted, somewhat defensively. "After all, you know how it is. It is getting close to the end of the year."

"That's true," Fenno acknowledged. "Still, don't you think you're overdoing it a little bit? I mean, there is such a thing as going to an extreme."

A group of first-year students approached from the opposite end of the hall. The 1L pressed himself against the wall trying rather desperately to become invisible.

"I hope you'll pardon my saying so," Fenno said, looking puzzled as the group passed, "but you're acting a little, well, unusual."

"I'm afraid that if they see me on my way back from the library, they'll accuse me of being a closet studier."

"I'm going to pretend I didn't hear that."

"No," the 1L protested, "it's very important. For years at Harvard students tried to psyche each other out by pretending to study *more* than they actually were, by wearing blinders to bed so they could sleep with the lights on and things like that. Now it's the other way: they try to psyche each other by pretending to study less than they actually do."

"They?"

"Well, we."

Fenno shrugged. "At least you have one consolation," he offered.

"What's that?"

"In your case, up until now anyway, you didn't have to pretend."

This is the last RECORD for this year. The RECORD wishes to thank all its readers for their support and/or criticism.

Letters to the Editor of The Record

1L Opposes BSA Applications

To The Editor:

Recent efforts to attract applicants to the Board of Student Advisers (B.S.A.), have led me to the conclusion that an opposing view needs expression. I find the B.S.A. an invidious organization within the law school.

A conversation recently reported to me by a friend illustrates my concern. He reported that the B.S.A. adviser he had had as a 1L approached him and urged him to apply to be a member. After a prompt and emphatic refusal, the B.S.A. man asked "Don't you want to play God to 1Ls next year?" And after a moment of embarrassing silence he added, "I mean B.S.A. gives you the chance to play God if you want to." Such an exchange indicates not only that certain members of the B.S.A. have abused their positions, but that the position of B.S.A. within the structure of the law school makes membership untenable to many thoughtful students.

Abuse of their positions by current members has been the most visible negative aspect of B.S.A. Particularly widespread are stories detailing the authoritarian roles played by some B.S.A. members in the recent Ames Competition. Criticism has also been strongest from those students who most need sensitive encouragement from student advisers — those students alienated from the sometimes inhuman process of legal education at Harvard. While these incidents may not be widespread, they have been sufficient to earn the B.S.A. the nickname of "student Nazis" among some 1Ls. Coupled with the egocentricity displayed on a daily basis by certain B.S.A. members, it is not difficult to see why many students would not consider joining the B.S.A. under any circumstances.

My primary concern, however, lies not with abuses traceable to individual members, but with the nature of the organization itself. Its power stems from the faculty and administration, yet it holds itself out as a friend to first-year students. Perhaps such an arrangement might work in a less adversarial setting, but as long as a few professors and administrators cling to the Marine theory of making "men" through inflicting pain, I and many other students will see them as enemies in a battle to maintain our own senses of human identity.

I believe it is in this struggle that students most need the encouragement and reinforcement of their fellow students, but it is a role that the B.S.A. cannot fulfill as long as its functions are imposed upon it from above; as long as it is an organization of mini-

professors and administrators. The B.S.A. is even financially dependent on the Harvard administration since the positions are salaried.

The position of B.S.A. within the power-elite of the law school unfortunately poses the most difficult problems for its best-intentioned members. How can they honestly hold themselves out as allies of fellow students when their continued existence depends on their ability to carry out the wishes of the faculty and administration? What happens to any person's capacity for objective self-criticism when he joins such an organization hoping to "change it from within"? Many arriving law students instinctively distrust advisers, but some B.S.A. members were able to inspire admiration and trust. In their cases the sense of betrayal which accompanied realization of their dual role must have been even more painful.

Although I admire several 1Ls who are applying for membership in B.S.A. next year, I am under no illusion that the ranks will be filled by their kind. Fortunately I believe that students who do have a genuine concern for the education and development of first-year students may express it in non-institutional ways. The vast majority of upperclass assistance I have received during the year has not come from B.S.A. members.

I would not be sorry to see the present B.S.A. collapse. Perhaps in its place would rise an organization completely independent of the dictates of the institution and uncompromisingly dedicated to the academic and personal development of first-year students. And if the administration wants lackeys to manage its programs and exhort students to work harder, let it hire them and label them as such.

Jim Stewart, 1L

P.S.

Several students who share these concerns are currently planning an organization designed to present 1Ls with an alternative view of life in the Law School. Anyone with further interest or suggestions should contact me, and any offers of assistance will be appreciated.

Gutman Gives His Answer

To the Editor:

During the past few weeks the Board of Student Advisers has come under increasing criticism from a number of 1Ls who seem to hold this organization and its members responsible for a number of the frustrations of the first year. As one of that group of individuals who devotes a fair amount of time and energy to Board projects, I feel an obligation to respond, while making it clear that these are my personal views.

The Board consists of 44 men and women whose personalities, life styles and views on legal education vary greatly. In any organization of this size there are bound to be a few individuals who do not always react with as much sensitivity as they could to the pressures faced by their fellow students, no matter how carefully you select members. However, the criticisms leveled at Board members in Mr. Heagney's article and Mr. Stewart's letter are a bit unfair, particularly when presented in such a manner as to condemn the entire organization. Certainly most Board members have refrained from characterizing the entire first year class on the basis of a few unfortunate experiences.

Both Mr. Heagney and Mr. Stewart seem to have identified some of the fundamental issues which have confronted the Board this year. However, I find it hard to accept Mr. Stewart's idea that the Board is in reality simply a "tool of faculty oppression." It was the Board which back in September fought to have the pass/fail option restored for first year students. This was hardly a topic which the faculty was eager to reconsider.

In addition, Board members are sensitive to the need to humanize the law school. Programs such as the Root Room series, the free films, the law school party, and the informal activities organized through legal methods sections were all designed to improve the quality of law school life. If the Board has been less than successful in these efforts, then I hope that Mr. Stewart and his friends will help the Board improve next year's programs.

Hank Gutman 2L

Law Notes

There will be a **Folk and Bluegrass Spring Concert** with Irving A. Cohen, 2L, Ephraim A. Cohen, 2L, Pamela J. O'Shaughnessy, 2L, Donald J. Friedman, 2L, and William L. Rothschild, 3L, on May 11. The Concert will be held in the Pound Multi-Purpose Room at 8:30 p.m. and admission is free.

* * *

Professor Jerome A. Cohen will speak on "Judicial Personalities: A Law Clerk's View of Supreme Court Justices, 1955-57" on May 3 at 4:10 p.m. in Pound 419. The talk is open to all interested students and faculty.

* * *

Ames Semi-Final Competition winners have been announced. Round A winner is the Learned Hand Club with Joseph Anglund and Joseph P. McGuire as oralists and Robert P. Baker, Terrence F. McKnight, Conor D. Reilly, and Richard K. Willard on the brief. Round B winner is the Marshall Club with Jeffrey B. Rudman and James J. Dillon as oralists and Martin D. Edel, John Kenneth Felter, Allen I. Fagin, and William J. Skinner on the brief. All the winners are 2Ls.

CR/CL Editors Offer Explanation

To the Editor:

As a former Comments Editor of the Civil Rights-Civil Liberties Law Review, I was saddened to learn of the walkout of the Chicano members reported in the April 12th RECORD. I can fully understand the feelings of those minority group members who feel that the CR-CL Review should be their special voice. The white male editors of past volumes have been concerned that too few minorities and women were on the staff and have sought to encourage their participation. Therefore when Jose Silva and Chris Lucero began actively recruiting Chicanos, the editors of the 1972-73 volume welcomed that development.

We did not anticipate, however, that such recruitment would lead to a "voting bloc" for Editor-in-Chief. In my view, such politics are not appropriate for an organization which produces a scholarly journal. While "ideology" may be important in determining which person may most effectively lead the Review, blatant partisanship may tend to distort the decision-making process. The object of the election should be to select the most competent Editor-in-Chief, not to choose that person who will promote the views of any one group. Of course members of an identifiable group will tend to support a fellow member, but I don't feel that a walkout is the proper way to respond to a defeat.

Decisions on which articles are to appear are probably best made in a group context and members of minority groups should have input into those decisions. Someone, however, must have final authority, and I believe that should be the Editor-in-Chief. In view of the new Editor's seemingly open view towards input, I believe that the Chicanos can be included in that process.

I can understand the position of the Chicanos that their articles reflect their unique point of view. I can remember editing a Chicano colleague's Comment and our discussions of his concern for the Chicano viewpoint and mine that his article not become too narrow in scope. We were able to resolve those

questions and I believe that this can be accomplished without the use of "editing by committee" which is really impossible.

The important point is that the CR-CL Review must maintain a balance between the issues that are covered in order to make its appeal broadly based. Power politics to elect a member of one group or another are inappropriate in that kind of setting. Decisions should be made as a result of thoughtful group dialogue. As a group of people committed to the principle of living together in a pluralistic society, the members of the Review should practice that principle internally also.

I urge the Chicanos to rejoin the Review and I urge the new editors to engage in discussions to improve the input of all minorities and women into the policies of the Review.

Mark L. Rosenberg '73
Washington, D.C.

To the Editor:

I am writing in response to two letters that appeared in the RECORD on April 26 concerning the Chicanos' resignation from the Civil Rights-Civil Liberties Law Review. I am very distressed that I was not approached by the RECORD for comment on my response to Tony Marquez's letter before it was published, undated, in the law school paper. That letter was sent to me almost five weeks ago.

I shared the hope expressed in the letter from the Chicano Law Students Association "that this incident would remain a private matter and some solution satisfactory to all parties" could be reached. Unfortunately, it is no longer a private matter, and there are a number of inaccuracies in the two letters that should be corrected.

1. The Chicano Law Students Association, and the single Native American who resigned from the CRCL-LR do not speak for all minority students on the Review. A significant number of minority students remain on the staff, and together we are trying to ensure that misunderstandings and communication breakdowns like those which

occurred this year do not recur.

2. In a letter to Tony Marquez dated April 10, I assured him the CRCL-LR had no intention of publishing his case comment without his permission. Regarding the threats allegedly made by Bob Brown, I wrote, "Any threats Bob Brown may have made regarding disciplinary action against you for taking materials from files at the CRCL-LR offices were made in the heat of the moment. He has taken no such action and contemplates none."

3. It is unfair and inaccurate to allege that Ed Eitches criticized Tony's article because he was "playing [Tony] for a fool." Although Ed may have disagreed with some of the policy arguments in Tony's piece, his chief concern was in tightening the article's legal analysis. Ed worked closely with Tony on the article from January until the election meeting. While trying to be encouraging to a writer who had already invested considerable time and effort on an article, Ed had serious reservations about Tony's piece throughout this period. These were confirmed in conferences with two law school professors, and Ed tried to communicate these reservations to Tony. He did not intend to convey to Tony any false impression about the type of evaluation he would give Tony's work at the election meeting.

There are a number of other inaccuracies in the two letters, but I doubt it would serve any useful purpose to continue rehashing divergent accounts of events which are now over two months old. It is very unfortunate that things worked out as they did, and that the Chicanos decided to resign from the Review. It is my hope that the Civil Rights-Civil Liberties Law Review will continue serving the civil rights and public interest bar, and that Chicanos at the law school, who have contributed much to that effort in the past, will consider rejoining our staff.

Michael J. Goldberg
Editor-in-Chief

HARVARD LAW RECORD

Paternalism Surfaces in Library Shelving

By Phil Spector

A paternalistic, "I know what's best for you" attitude toward students on the part of some faculty members has surfaced in recent weeks with regard to the availability of course outlines in the library. First, some professors asked the library to withdraw from circulation so-called "law review" outlines which they deemed to be outdated, incomplete, or misleading. Then, in response to a student proposal that the nationally-circulated Gilbert's outlines be put on reserve in the library, some faculty library committee members argued that such a move would be inadvisable as a matter of "educational policy." The latter issue has not yet been resolved.

In both instances the paternalistic professors, in their concern about student welfare, seem to have lost sight of the purpose of a library. No library, and certainly not the Harvard Law Library, ever claims that its books are up-to-date, complete, and accurate. In fact, one can find many out-of-date and supplanted editions in the stacks or in storage, books kept available for library users because they might be helpful to someone sometime. And of course there is much that is incorrect or misleading in many of the judicial opinions filling the reporters in the reading room, as well as in the current treatises.

No one ever suggests, however, that the library should remove from circulation all of these less-than-perfect sources in order to protect students. It is assumed that the student will be able to sift through the irrelevant or inaccurate material to find a few useful pieces of information. There seems no legitimate reason to apply a different standard to student-written outlines. If a professor wants a disclaimer of responsibility and a warning to students (e.g., "Warning: The faculty has determined that the contents of this outline may be hazardous to your education"), that seems acceptable, but the removal of

the outlines from the library makes no sense at all.

Similar arguments apply with regard to purchasing the professionally-written Gilbert's outlines for the library. While these outlines may occasionally be wrong and are usually too simplistic, many students find them helpful when reviewing course material. In terms of how they are used, it may be difficult to distinguish Gilbert's outlines from the somewhat less simplified hornbooks, which the library does purchase and make available to students.

It is important to point out that, since Gilbert's outlines are sold retail, one major effect of the library not purchasing them is to allow the market to determine which students will have them. Unlike casebooks, Gilbert's are an "extra," and many students, particularly those on financial aid, do not have room in their budgets for extras.

In contrast to Gilbert's, if law review outlines are not in the library, and if no "black market" forms, everyone will be at

the same disadvantage because no one will have them. If Gilbert's are not in the library, however, some students will have access to them and others will not, with financial resources being the determining factor.

In many situations, such wealth distinctions are unavoidable, but the library has an opportunity here to substantially remedy one inequity, as it has already commendably done with regard to hornbooks. With so many students already using Gilbert's, an interest in fairness should outweigh any "educational policy" concerns stemming from their wider use.

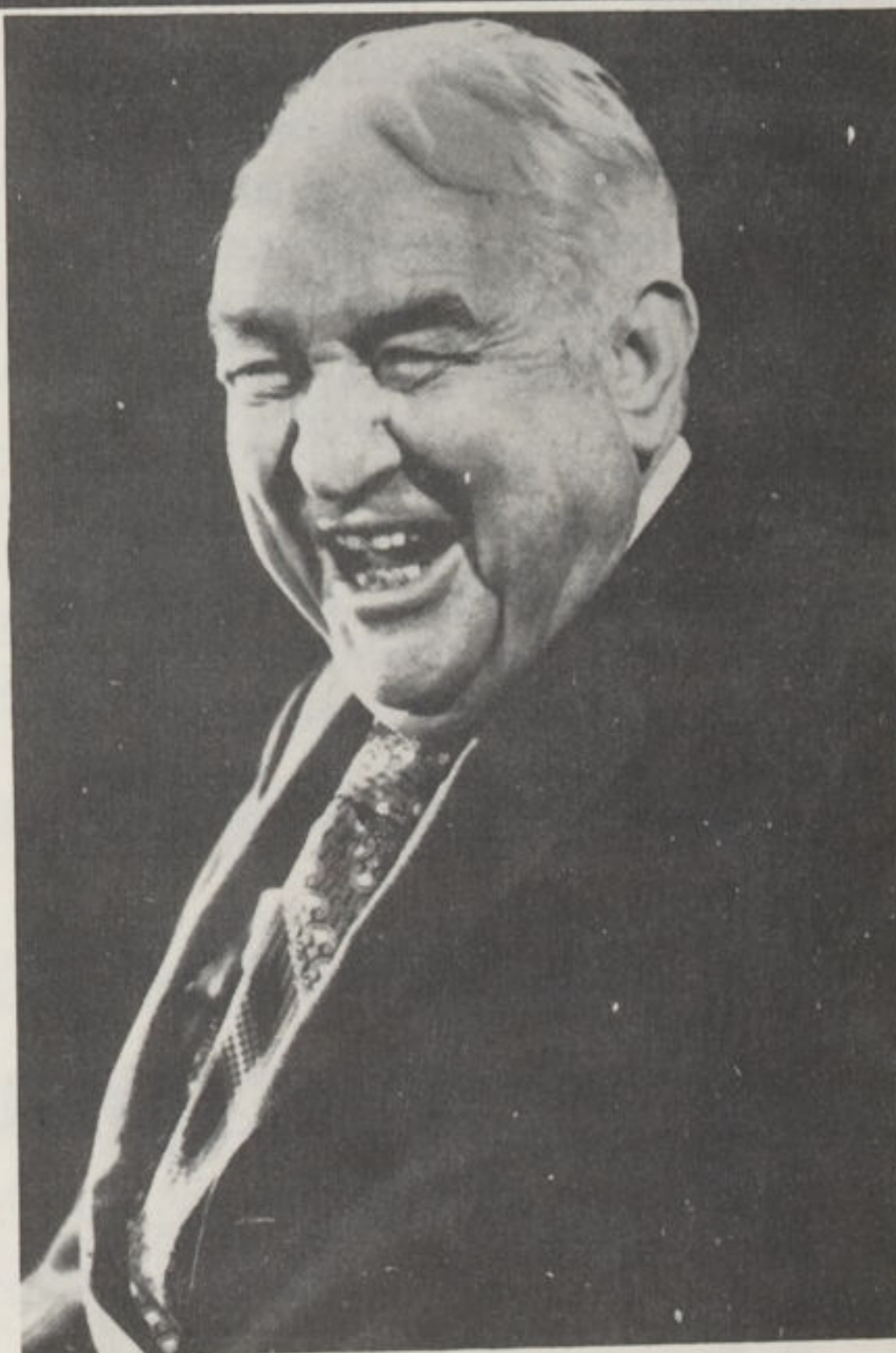
In any event, equity aside, the library should endeavor to make available all reference materials requested by its patrons. "Educational policy" must ultimately stand or fall, not on paternalistically keeping books away from student eyes, but rather on teaching students to be discriminating users of the entire range of available sources.

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HLS – People and Activities

By Daniel M. Taubman

Three years at Harvard Law School have taught me a lot. However, much of what I have learned has occurred not in the context of my courses, but rather, in exposure to the students, faculty, and extra-curricular activities here. Looking back, I find it hard to agree with my college friends who warned me before I started that I would find law school dull and uninteresting.

I, for one, found law school quite enjoyable, but that may be due in part to my taking a different approach from that of some of my college friends. Like similarly-inclined law students, I have be-

world. That they have so forcefully affected our lives at the Law School is significant, since it demonstrates the impossibility of returning to days gone by when the law was viewed as a set of neutral principles, favoring neither rich nor poor, black nor white.

When Leonard Boudin described during my first semester at the Law School his defense of the Harrisburg 7, it became apparent (if it hadn't been already) that law was not as value-free as many of our professors would have us believe. Soon thereafter, the real world irresistibly intruded on the classroom experience, when more than

chance to capture the Democratic Presidential nomination. This seemed more important to us than mastering the subtleties of *Contracts* or *Civil Procedure*.

These manifestations of political support continued during the fall of my second year. Although my campaigning was limited to a single weekend, largely because many considered the outcome as certain, more than 100 students engaged in door-to-door canvassing. Meanwhile, a RECORD poll showed that an overwhelming 83 per cent of those responding favored McGovern for President.

As the war in Vietnam wound down, political activity remained at a low level during my second year. Then, suddenly last spring, the real world once again intruded upon Harvard Law School, when Professor Archibald Cox was named Watergate special prosecutor.

The involvement of Cox and other faculty members continued through last fall, when the so-called "Saturday night massacre," which resulted in Cox's firing, precipitated a nationwide outcry. At the Law School, I was one of a number of students who sought to channel energies toward impeaching the President. This fervor was short-lived, however, and we would-be activist law students were able to slip back unnoticed into the Law School routine.

Since last fall, the Law School has remained politically quiescent. Yet the continuing discontent of almost all students with the present political situation was manifested last December by a RECORD poll which showed that 89 per cent of those responding favored the impeachment of the President.

While political activity at HLS has ebbed and flowed in response to national events, efforts at curricular reform have continued unabated during the last three years. During each of the past three years, first-year students have lobbied for increased clinical courses or pass/fail grading. Partly in re-

The real world irresistibly intruded on the classroom experience

come thoroughly involved in the law school experience, feeling the pulse of the administration, observing the virtues and foibles of my fellow students, and immersing myself in writing for a legal journal.

During the past three academic years, a kaleidoscope of events has passed before us. Through this motley array of shapes and images, it is possible to discern some patterns. National politics, curricular reform, and the women's movement have been recurring themes, interfering with the calm of the normal law school experience. All three concerns are merely reflections of changes occurring in the real

250 students boycotted or walked out of classes to protest the escalated airwar in Indochina. For some students, this proved to be a jolting experience. I can remember one student who covered her ears to avoid hearing an explanation by another student about why he felt it was necessary to walk out of class to express his outrage at American foreign policy.

The 1972 presidential election early affected our law school experience. As early as February of that year, I was among a group of zealous students who spent weekends in New Hampshire campaigning for George McGovern. We felt that a victory for McGovern in the New Hampshire primary was imperative if he was to have any

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Taught More than Courses

sponse to student pressure, the faculty established a full-scale clinical course under the direction of Gary Bellow. Due to the course's popularity, enrollment has expanded and other clinical courses have been added to the schedule.

The success in the clinical area contrasts sharply with efforts to achieve grading reform. Annual efforts to persuade the faculty to adopt some form of pass/fail grading during the first year have been beaten back. Faculty rigidity was typified by a faculty member two years ago when he said that he wouldn't be persuaded to favor pass/fail even if 70 or 80 per cent of us then 1Ls were for it. In fact, student efforts seem to have been counterproductive, because faculty

Owens, a member of the faculty for the previous 15 years as a research assistant. That appointment was quickly followed by the appointment of a second woman faculty member.

During the past three academic years, the percentage of women in the first-year class has climbed from 12 to 16 to 17%, a rate sufficiently slow to keep Harvard lagging behind most other law schools in its percentage of women students.

Student attitudes toward women are changing, too. Two years ago, I recall, a woman with a male law student was likely to be asked where she went to school. Today, the presumption has changed, and

during the past three years, much about Harvard Law School remains the same. As before, about 70 per cent of the Class of 1974 intends to work for corporate law firms. This figure has remained constant, despite a more vocal expression of interest in public interest law opportunities by some students. Similarly, most students have adopted or grown to adopt the Harvard Law School value system: the pinnacle of success is membership on the *Harvard Law Review* and a subsequent clerkship with a Supreme Court justice. You, too, can be like 90 per cent of the Law School faculty.

Unfortunately, too many students seem to fall easily into the Law School groove, assured that hard work and superior grades will net them a job offer from a prestigious law firm. For them the *Paper Chase* was not an enjoyable movie; it was merely a slight exaggeration of what they know to be Harvard Law School. Burning midnight oil, briefing cases, study groups, Ames Competition, third-year papers — these are the paramount memories of the Law School for all too many of my classmates. For others, and me, however, what we have done while here — working on student activities and developing friendships with faculty and students — has been more important.

You, too, can be like 90 percent of the Law School faculty

rejection of the principal Cohen Committee recommendations last year coupled with its elimination of the pass/fail option resulted in the abolition of virtually all pass/fail grades at the Law School. As I sat through one faculty meeting after another last spring, I found it difficult to believe that faculty members on the Cohen Committee who had recommended the adoption of a modified pass/fail system would suddenly turn around and recommend to their colleagues that their own committee recommendations be rejected. Yet that is precisely what happened, much to my surprise. However, the faculty desire that the pass/fail controversy disappear is merely wishful thinking. Undoubtedly, next year's 1Ls will lobby for a reform of the grading system.

The persistence of efforts for curricular reform have been accompanied by attempts to remove sexist barriers at the Law School. As the women's movement has had increasing impact across the nation, so too has it affected the Law School. Two years ago, the faculty finally saw fit to appoint its first woman professor — Elisabeth

it is more frequently assumed that such women are Harvard law students. Male students seem to be more sensitive to the problems women law students encounter. However, an unknown amount of sexism persists, as evidenced by spurious flyers distributed last fall advertising a Women's Law Association "cake and cookie sale."

Although the problems of national politics, curricular reform, and sexism have impelled the Law School towards change

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3. Micki King
4. Pittsburgh Pirates
5. Henri Cochet, Rene Lacosta, Jean Barotra, Jacques Brugnon
6. Robert Shavialakadze
7. Ralph Guldahl, Ben Hogan
8. Whitey Ford
9. Paul Hornung
10. Bobby Shantz, Frank Lary, Jim Kaat

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*Average Annual Net Cost illustration is Premium Paid minus Dividend Received,
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