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TWENTY CENTS

Fonda, Actress and Activist, To Give Afternoon Address

Jane Fonda, well-known anti-war activist and Oscar-winning actress, will speak at Harvard Law School today at 3 p.m.

Fonda, whose two trips to North Vietnam and persistent efforts to solidify opposition to the Vietnam war among American soldiers gained her national prominence among opponents of the war during the late 'sixties and early 'seventies, will speak in the Ames Courtroom. Her appearance is being sponsored by the Harvard Law Forum.

Fonda won critical acclaim for her performances in *Strange Interlude* on Broadway and in the motion picture *Klute* before turning her attention to the peace movement. She is currently channeling her political efforts through the Indochina Peace Campaign, an organization seeking to end the continuing war in Southeast Asia.



Activist Actress Jane Fonda

Settlement Averts Potential Delay In Ames Round

By Michael Bowen

A controversy which for a short time threatened to delay or force cancellation of the final round of the Ames Competition was settled early this week when the teams involved and David Rosenberg, a Teaching Fellow who is supervising the final round, reached an "amicable understanding."

The dispute arose when the team representing the respondents indicated that they would argue an issue which the petitioners' team had not dealt with in its brief and which Rosenberg, who prepared the record for the final round felt was not available to respondents.

(Continued on Page 6)

Choate Club Ponders Future Role

By Phil Heagney

The Choate Club, a little known and perhaps even somewhat mysterious student group, has emerged for a breath of fresh air as it begins its 87th year as a Law School organization.

The Club, which was founded in 1887 as a chapter of Phi Delta Phi, a legal fraternity, is run by HLS students, though it is not an official Law School organization. Charles Hamilton, 3L, the present consul of the Club, explained that "the Choate doesn't receive any money from the Law School and it is not listed in Law School publications." The Club is named after Rufus Choate, a nineteenth century American jurist, whose picture dominates the rear wall of Langdell North.

Hamilton noted that the Club is technically a secret organization in that its members are urged not to talk about its activities. "A member is allowed to admit his own membership," Hamilton said, "but the tradition is that other members' names and the discussions at the Club's dinners should not be talked about." Hamilton added that he suspected that "people outside the Club may take these rules more seriously than the members themselves do."

The Club is run by its student members. About twenty-four professors from the Law School also belong to the organization some of whom were members as law students and some of whom were elected by the present student

membership, according to Hamilton. Law students become eligible for membership in the second semester of their first year, and invitations are sent out in the early fall and again in the early spring to students whom the Club's membership have nominated. About forty second-and their-year law students presently belong to the Choate Club. The Club meets for dinner about six or seven times a year at the house of the Signet Society, a Harvard University literary club.

Hamilton said that the Club would depart from its usual traditions somewhat this year by holding a discussion of the Club's policies at the first meeting of the

(Continued on Page 14)

Cohen Opens Library Doors To Gilbert's Outline Series

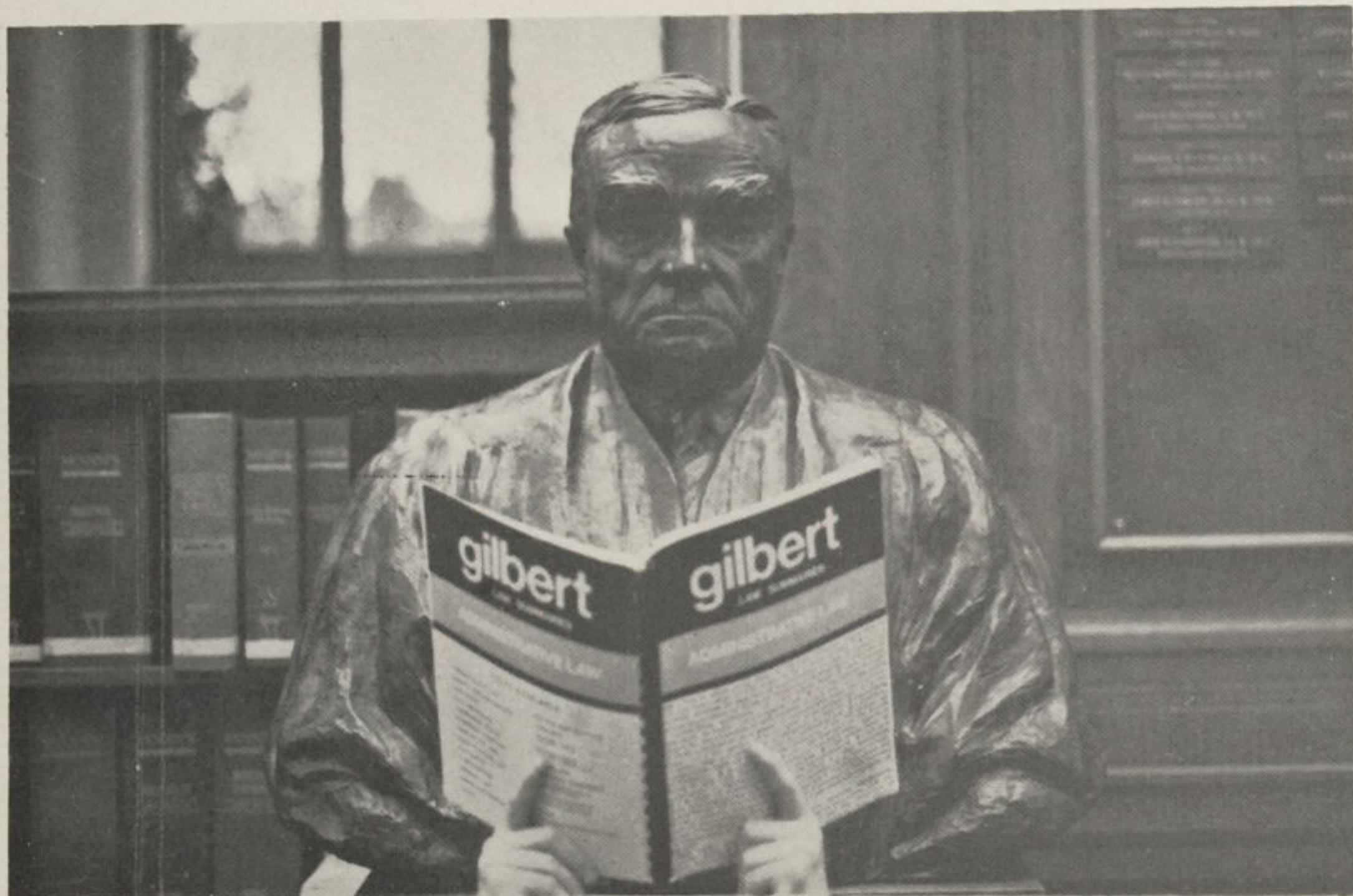
By Patrick Kennedy

Law School Librarian Morris L. Cohen issued a statement earlier this week announcing that the library will acquire "a limited supply of *Gilbert Law Summaries*."

Cohen stated that only a minimum supply will be purchased "due to budgetary restraints." The new acquisitions which will be placed on closed reserve and subject

Committee last Spring. The results of that poll showed that 79% of students were in favor of acquisition of *Gilbert's* by the library.

After results of the poll were published, the matter was discussed by the Library Committee. Although there was some mild support for acquisition, Dean Albert M. Sacks and Professor Louis Loss opposed ac-



Dinger and Maurer

Learned Hand takes advantage of Gilbert's Outline in the Law School library.

to two-hour loan restrictions will be available for student use at the Circulation Desk of Langdell Reading Room in about three weeks.

Cohen added that the library would be glad to receive gifts of the outlines from students who are finished with them. These additional copies should be left at the library Public Service Office.

Cohen's decision to place *Gilbert's* in the library ended seven months of institutional indecision on the merits of stocking the popular outlines.

The controversy was precipitated by a poll taken by the Library

acquisition on "educational policy" grounds. As a result of the failure to reach a consensus, the Library Committee decided to submit the question to the Legal Education Committee.

The Legal Education Committee did not consider the question until mid-October this Fall. At that time the Committee reached "a consensus it was inappropriate for us to act on it, since it is primarily a question of library acquisitions." Rather than send the issue back to the Library Committee, however, the Legal Education Committee decided to allow Cohen to make the decision on his own.

Installment Plan Appears Legal On the Surface

Commenting on recent allegations that Harvard's Deferred Payment Plan is in violation of the Massachusetts Truth-in Lending Act, Robert S. Leadbetter of the Consumer Credit Division of the State's Banks and Loans Department stated that "on the surface it appears that no credit is extended. Thus it appears there is no violation."

Leadbetter's remarks were made after a meeting was held last week between representatives of his office and Harvard's attorneys from Ropes and Gray and the Office of the General Counsel.

James A. Sharaf, an attorney in the office of the University General Counsel who attended the meeting felt it was premature to comment on the matter and declined to speculate upon the course of action Harvard might take should a violation be found. Roger Moore of Ropes and Gray declined comment stating that inquiry should be directed to the General Counsel's office.

Leadbetter stressed that no final decision had been reached. He added that they were waiting for a letter from Harvard which would more fully describe the program in controversy.

Defending his assessment that there was no violation on its face, Leadbetter explained why there does not appear to be an extension of credit in the present situation. He pointed out that if a student fails to pay tuition and drops out of the University in the middle of the semester, he is not liable for the entire tuition but only a portion of it. According to Leadbetter, when a student pays his full tuition at the start of the semester it is actually a pre-payment.

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Registrar Upton Cites Concern Over Lack of 3L Paper Replies

The Office of the Registrar expressed concern this week that a significant number of 3Ls have not turned in the written work requirement forms that were due October 19.

Registrar Mary D. Upton stated that 73 3Ls have not formally registered their writing requirement plans with her office. Of these, 44 are enrolled in seminars and are expected to fulfill their requirement with their seminar papers. Five others have attributed their lateness to not having made a choice between two professors or topics and are expected to finalize their plans soon.

The remaining 24 students have made no indication to the Registrar of plans or reasons for delinquency. Upton described the number as "really unusual" in comparison with figures from past years, but she conceded that "there are usually a few deadbeats" who are late with the forms every year.

It is these 24 with whom the Registrar's Office is most concerned. "We have no idea how they're fulfilling the requirement," stated Upton. All 73, however, are being reminded by letter to turn in the confirmation forms distributed on registration day.

Vice Dean Stephen M. Bernardi estimated that "no more than 50" 3Ls have already completed their written work requirement through second year work. This leaves "490 to 500" 3Ls who must write papers this year. The papers are due either in March (fall semester seminars) or in April (spring semester seminars, independent studies, and concentration papers), though supervising professors may extend these deadlines.

Upton hypothesized a relation between this year's unprecedented delinquency and the new written work registration system which allows the student to sign up for a sponsoring professor directly through the registrar much as he would a course. In past years, the student had to track down the professor on his own. The new system limits the maximum number of students per professor to 15.

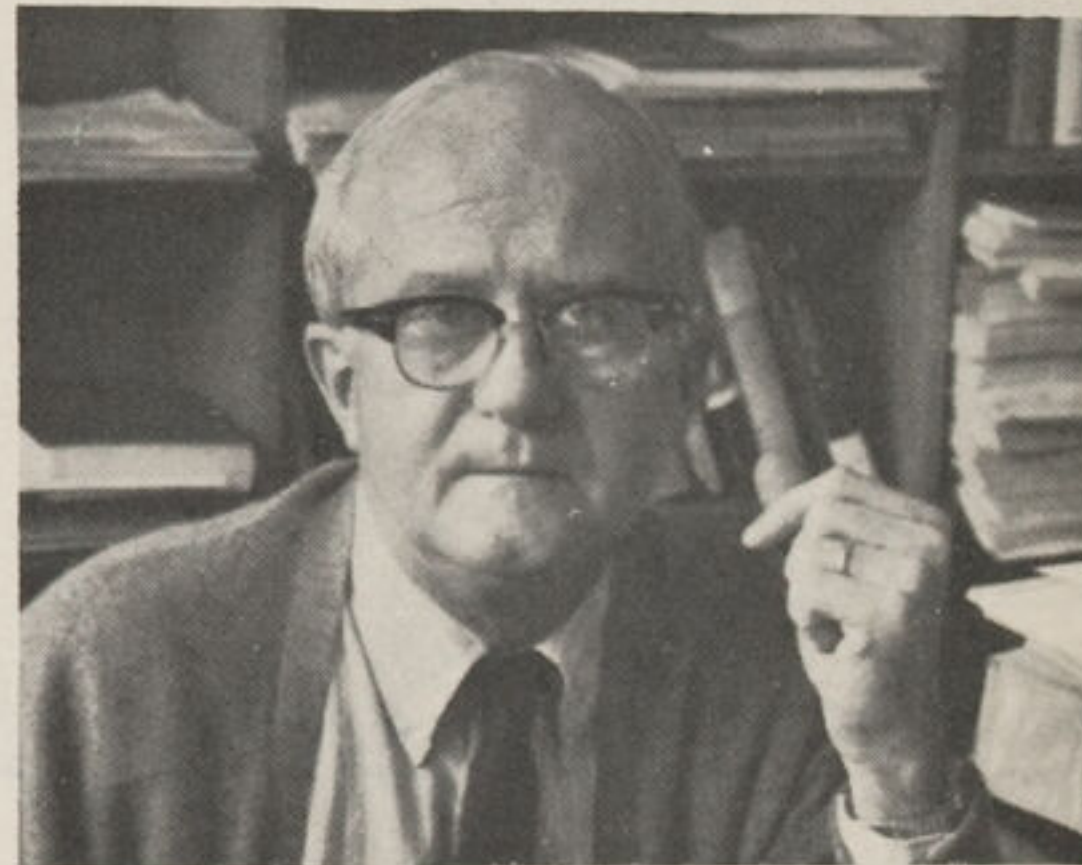
The change in the system, however, seems to have led to "more thrashing around this year rather than less" according to Upton. She has no way of knowing whether the laconic 24 are indeed experiencing problems of "shopping around" or are merely procrastinating on the whole project.

Turner Chosen By Derek Bok As ACSR Head

By Clay Stebbins

President Derek C. Bok '54 has chosen Professor Donald F. Turner to head this year's Advisory Committee on Shareholder Responsibility. Turner's appointment, which is expected to be announced when selection of the entire membership of the 15-member committee has been completed, continues a tradition of Law School leadership on the advisory body. Turner will succeed Professor Stanley S. Surrey in the post.

The Advisory Committee, now entering its third year of operations, studies proposals that will



CWM

Professor Donald F. Turner

come up for shareholder vote in the spring meetings of corporations in which Harvard owns stock. Its recommendations concerning the voting of the University's stock are forwarded to the Harvard Corporation.

Turner explained to the *RECORD* that most of the Committee's activity will take place in the spring, but that some organizational meetings will be held in the fall and winter. He said the workload of the group will depend on the views of Committee members and on "how many issues are thought to be other than routine."

Turner had been slated to serve on the Law School Administrative Board this spring, but it is now expected that he will be relieved of this duty in order to devote his time to the Advisory Committee.

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Sandler Scores Sexual Discrimination

By Beth Emery

Sex discrimination is the "last socially acceptable discrimination," according to Bernice Sandler, recent Women's Law Association speaker.

And for that reason, she predicts Congress will eventually "gut" Title IX regulations prohibiting sex discrimination in education.

Sandler spoke to a lunchtime group at the Law School October 24 in the Mallory Smith Room about various aspects of the proposed Department of Health, Education and Welfare guidelines.

She said the anti-discrimination regulations are headed for trouble because they are "much more frightening in many ways" than anti-racial discrimination laws.

To escape racial desegregation, "those middle class whites could move to the suburbs," she said. "But everybody's wife is protected by sex discrimination rules. That is very scary to men."

"The backlash is beginning,

and we're going to have a struggle," she added.

Sandler indicated that the final approval of the Title IX regulations will provide a battleground for foes of women's rights.

Upset over previously unforeseen consequences of the guidelines, educational institutions are now "organized to fight it and far more powerful than the women's groups who support it," she said.

A good example of the effect institutions have when mobilized was the recent elimination of rules for equal aggregate expenditures in athletics, she explained.

HEW watered down the regulations considerably after loud protests from the National Collegiate Athletic Association against the equal expenditure clause.

During the two-hour discussion, Sandler gave pointers on how to use the guidelines to affect changes in employment practices, admissions policies and athletic programs.

She also discussed how Title IX

might relate to the interviewing process coordinated by the Law School Placement Office.

Sandler noted that under the guidelines all quota systems, including 50/50, would be illegal. The rule means even higher percentages of women might be admitted and hired if they comprise the most qualified group of applicants, she added.

The practical importance of Title IX, according to Sandler, is exhibited by Washington political appointments.

"When someone asks a cabinet member, 'Where did you get your deputy?' and he invariably answers, 'He was my roommate at Harvard,' it becomes important to start fighting the all-male system where it starts — in education," she said.

Sandler was in Cambridge for Harvard's affirmative action conference. Long an activist for women's rights, she presently heads a subcommittee on the status of women for the Association of American Colleges.

Dean Sacks Entertains First Year Groups

By Bruce Antkowiak

First year law students will soon have an opportunity to meet in small informal groups with Dean Albert M. Sacks, according to Sheldon L. Solow, 3L, of the Board of Student Advisors.

For the second year in a row, four Legal Methods groups (one from each section) will be invited to have cocktails with the Dean on successive Thursday afternoons beginning yesterday. Four other LM groups will visit the Dean's office in March and April.

Solow noted that the purpose of the meetings is twofold. "First, they are good for Dean Sacks as he is given the opportunity to find out the mood in the first year class. Since he doesn't have a chance to teach any 1L courses, this is a good time for him to contact students he wouldn't otherwise get to know until their second or third years."

The second advantage of the meetings is that the 1L's are able to learn more about Dean Sacks. "The students are able to receive a more personalized view of the Dean's office" Solow observed, "and for many, especially those from small colleges, it is a chance to get to feel more at home in the Law School surroundings."

Student reaction to last year's sessions was quite favorable. Although they could be compared neither with a somber academic reception nor a TGIF, they were, in Solow's words, "a nice touch."

The participating Legal Methods groups have been "randomly selected," according to Solow.

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Boudin Sees Intriguing Connection

By Ricardo Hinojosa

"If there had not been an Ellsberg, would there have been a Plumber's Group? If there had not been a Plumber's Group would there have been a Watergate?" That was Leonard Boudin's rhetorical question as he addressed about 100 law students at the Law School last week.

Boudin, who served as Daniel Ellsberg's defense counsel in the Pentagon Papers Trial, was at the Law School to speak on "Prosecutors and Presidents: Reflections on Criminal Justice." The talk, which was sponsored by the Center for Criminal Justice, was Boudin's second appearance at the Law School in recent months.

The middle-aged attorney, who is presently serving as counsel to former Teamster's boss James Hoffa in his attempt to have the restrictions on his presidential pardon removed, claimed he was intrigued by the relationship between the publication of the Pentagon Papers, the prosecution of Ellsberg, and the Watergate affair.

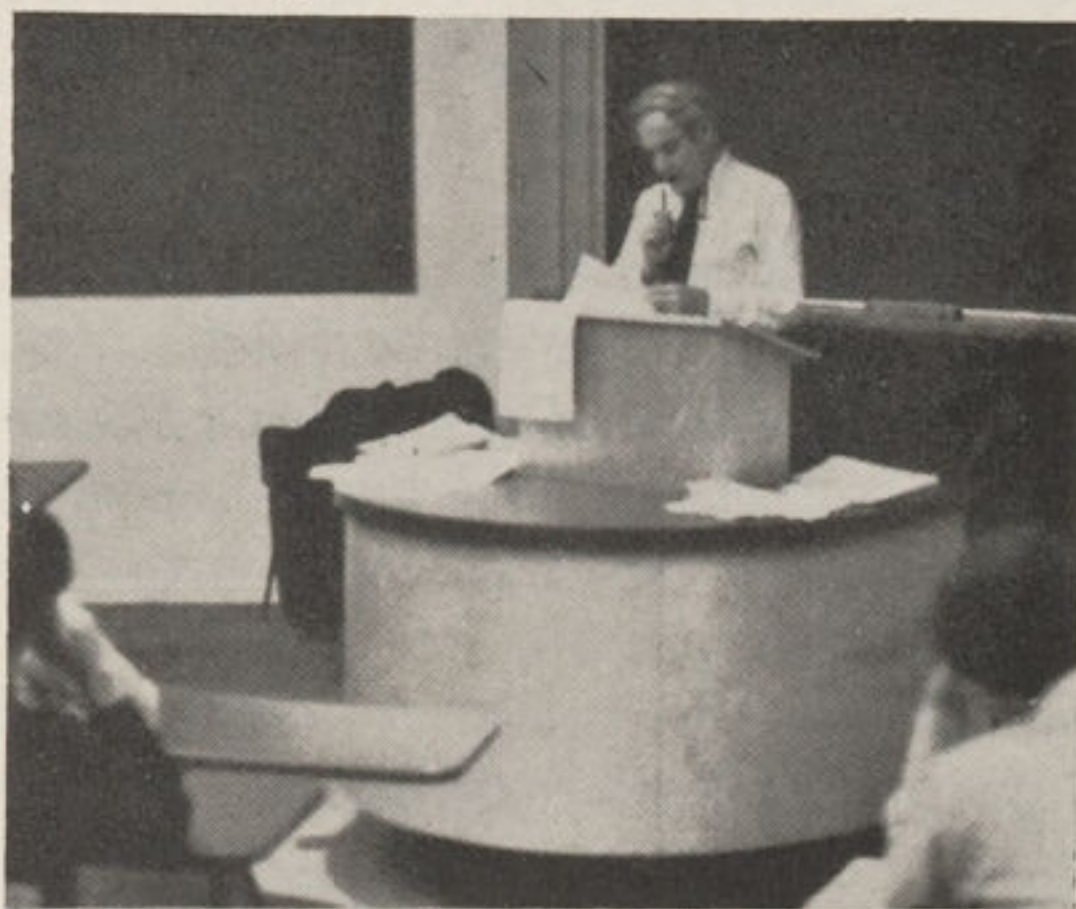
Boudin charged that in the past two to three years "there was an attitude of hysteria in the White House." The White House, he believes, "determined Ellsberg had to be destroyed publicly."

To buttress his charges, during his talk Boudin read from newspaper clippings which he had brought with him. As examples of what he felt were attempts to discredit Ellsberg, Boudin cited the activities of certain congressional committees conducted over a three year period, the break-in at Ellsberg's psychiatrist's office by the Plumber's Group, and public speeches against Ellsberg by several politicians such as former Vice-President Spiro T. Agnew and Senator Robert Dole.

"The use of a congressional committee as a device to injure a defendant under indictment is highly improper" Boudin remarked. He stated there were several attempts to get Ellsberg investigated by congressional committees after Ellsberg had been indicted.

Discussing the break-in by the Plumber's group into Ellsberg's psychiatrist's office, Boudin confessed that he was unaware of the break-in until everybody else found out about it. Boudin, who delighted his audience with humorous remarks throughout his talk, claimed that convicted burglar E. Howard Hunt attempted to discredit not only Ellsberg, but also himself (Boudin). Hunt, in a memorandum published last month in the *NEW YORK TIMES* had charged that Boudin was "an agent of the Czechoslovakian or Russian governments."

As another example of what he felt was a concerted effort to publicly discredit Ellsberg, Boudin, who has served as counsel for the Allende Marxist Regime in Chile, stated that in 1972, Hunt, G. Gordon Liddy, "and several Cubans under the impression that they were aiding the counter-revolution in Cuba" had hurled insults at Ellsberg, while he addressed a



CWM

Leonard Boudin discusses Pentagon Papers, Plumbers, and Watergate.

Washington, D.C. rally against the Cambodian invasion.

After describing the government's failure to turn over to the defense some exculpatory evidence in the Ellsberg case, Boudin mentioned the defense's two alternatives at the time. The defense could have either sought a dismissal on the technical ground of failure to turn over exculpatory evidence or have gone to the jury for a complete vindication. "We came to the conclusion we would go on dismissal because with 12 counts on Ellsberg" the jury

might decide to convict him on at least one count.

"The government" according to Boudin "had made a decision that the case had to be won not only in court but also in the court of public opinion." Boudin alleged this was because "there was a peculiar paranoia on the part of the President of the United States."

"The Ellsberg case helped in the undoing of Nixon" Boudin said. Former President Nixon, Boudin suggested, could have easily blamed his associates for Watergate, but "he was unwilling to admit that the White House had engaged in burglarizing a psychiatrist's office."

On other subjects, Boudin expressed his disapproval of the dropping of impeachment proceedings against Nixon after the former President's resignation. He also stated there "are obvious problems" with the pardon granted Nixon by President Gerald R. Ford. "Assuming we can all agree that a President can not pardon himself, can a President designate someone to be President, who would later pardon him?" asked Boudin. Using the humor that characterized his entire talk, Boudin quickly added "I'm not suggesting a football player would do something wrong."

During the question and answer period which followed his remarks Boudin expressed his views about certain prominent people.

Former Nixon Chief of Staff General Alexander M. Haig drew heavy criticism. Boudin charged Haig "represented a terrible thing in American government." Boudin, however, confessed a strong bias against military men.

About his latest client Hoffa, Boudin said he believed that Nixon had pardoned Hoffa on his jury tampering conviction in order to get Teamster's support in the 1972 presidential election. As to the pardon limitations placed on Hoffa prohibiting him from seeking elective position in the Teamster's organization, Boudin lamented "it really was a fraud, maybe Hoffa deserved it."

Resolved Ames Controversy Averts Delay of Argument

(Continued from Page 1)

According to reports which the *RECORD* received, Rosenberg attempted to dissuade respondents' team from pressing the issue and, when he was unsuccessful in this, informed the team-members that the issue was out of the case and directed them not to argue it.

Rosenberg's action reportedly prompted at least one member of the team to urge that the respondents' representatives resign from the competition in protest. The team decided against this course in a meeting Sunday night.

Following this development, Rosenberg, according to his own account of the matter, made a "final" decision Monday morning, confirming his "tentative" decision of last week that the issue was out of the case. "I made the decision today," Rosenberg said when contacted on Monday. "I made a tentative decision last week, and I made the final decision this morning. The issue is out."

Controversy over Rosenberg's decision apparently continued, however, until Tuesday. According to reports which the *RECORD* was not able to confirm, the possibility of permitting respondents to argue the issue while reducing the time available to them for preparation of their brief was discussed but ultimately abandoned.

Finally, sometime on Tuesday, respondents' team agreed to abandon the issue, without insisting on any concession. "There is no controversy," Martin D. Edel 3L, a member of respondents' team, said when contacted Tuesday evening. "The whole thing has been settled amicably. There was no *quid pro quo*. There was a disagreement about what was there, and now it's settled."

Edel indicated obliquely, however, that while respondents' team had agreed to abandon the issue, they had not accepted Rosenberg's view that it was not properly in the case as he had prepared it. When asked whether his team's final conclusion was that the issue had not

been present in the first place, Edel responded, "Our conclusion was that the issue *won't* be there," emphasizing the verb.

Most persons involved in the dispute were unwilling to discuss the matter with the *RECORD*. "I'm really too busy to talk about that," Rosenberg said when he was approached on Monday. "I really don't have time to talk about it. You can discuss it with the teams all you want."

Rosenberg expressed similar views when he was called Tuesday evening in an effort to clarify subsequent developments in the controversy. "Why don't you talk to the teams about it?" he said at that time. "It's settled, it's over, and that's all I want to say. I shouldn't have talked to you in the first place and I'm not going to talk to you now."

When asked for his views on the issue, Law School Dean Albert M. Sacks responded, "I don't know anything about it." When asked whether Rosenberg had discussed the matter with him, Sacks acknowledged that, "He told me there was a problem, and he asked my advice. I told him there were a number of people on the faculty that I thought he should talk to before he reached a decision." Sacks said that Rosenberg's decision on the matter had not been appealed to him.

One member of the respondents' team expressed views similar to Rosenberg's and asked not to be quoted on any aspect of the matter.

On Monday, Rosenberg had indicated that a number of factors had entered into his decision to exclude the issue. "I felt the issue was just too much," he said. "I felt the record was already heavy as it was — as it is. I felt this issue would require far more hours than the court would be willing to give us. I hadn't anticipated the issue, and I felt that the issue was brought to my attention too late to be treated properly. It would have been unfair to both sides, really, because it couldn't have been dealt with effectively."

SPORTS QUIZ

Muhammed Ali's victory over George Foreman has focused the sporting world's attention on the "manly art of self-defense." This quiz is for boxing buffs.

1. Ali is the second heavyweight champ to regain his title after losing it (one way or another). Name the other two-time champ.

2. During the 1930's one famous champ held the featherweight, lightweight, and welterweight titles, and also challenged for the middleweight crown. Name him.

3. Joe Louis started his long reign as heavyweight champion by defeating James J. Braddock in 1937. What champ did Braddock defeat to win his heavyweight title?

4. When Ali was stripped of his title, for a short period two men were recognized at the same time as champion by different boxing organizations. Name them.

5. One famous boxer had a career which stretched over 27 years. He holds the record for most recorded knockouts. Name this great light-heavyweight.

6. As noted Ali and one other heavyweight lost and then regained their titles. During the 1960's one boxer lost and regained titles he held in two different weight divisions. Name this boxer.

7. In 1960 Muhammed Ali, as Cassius Clay, won the Olympic light-heavyweight boxing gold medal and subsequently turned pro. Name the fighter who won the heavyweight crown that year.

8. Some of the greatest moments in boxing history were provided by middleweight title bouts between Rocky Graziano and Tony Zale. After regaining the title from Graziano, Zale lost the title to another great boxer. Name this middleweight champ.

9. Only one heavyweight title bout has been decided on a foul. Name the participants.

10. Most of the attention in boxing is usually focused on the heavyweight division. However, during the late 40's and early 50's, two featherweights gained attention in a series of four free swinging title bouts. Name these classic adversaries.

(Answers on Page 14)

Group Appointed to Study Amendment

By Robert E. Mack

Dean Albert M. Sacks has appointed a Special Committee on Student Files to analyze Senator James Buckley's recently adopted "freedom of information" amendment and to address "other questions of school policy concerning the school's maintenance of student and alumni files." The Committee will be chaired by Professor Arthur R. Miller. Other members are Assistant Dean Stephen M. Bernardi, Assistant Dean James N. Bierman, and Professor David R. Herwitz.

The Committee has been meeting "every couple of days," according to Miller, to arrive at a policy on the Buckley Amendment, which generally allows students access to files closed to them in the past. Miller said that "the highest priority" of the Committee is the Buckley

matter and that the frequent meetings will continue for the next two weeks, since it would like to have a policy position on the Amendment by November 19. So far the members have reached no consensus on the Amendment, according to Bernardi.

After policy on the Amendment has been set, the Committee members, except for Bierman, will consider the record-keeping and access policies of the Law School. Although Miller said that "ironically what I have to learn the most about is what actually goes on at this institution" with regard to records, he stated that he was cheered by what he has learned so far. Miller stated that the Committee's work will be concluded before the end of the academic year. Members want "student input," according to

Miller. The study may embrace employee, faculty, and alumni records, as well as student records.

"For me this is like watching a bad movie for the tenth time," admitted Miller, who has served on numerous commissions and groups that have studied the issue of privacy and records. He did not solicit the chairmanship, but was told by Sacks that he "was the natural person" to lead the Committee.

Although Miller stated that he personally applauds the concept of the Buckley Amendment, he feels that it does not recognize the conflicts of privacy involved in such things as letters of recommendation. He stated that these conflicts are basically insoluble, because of the "basic inconsistency between" the objectives of an author of a letter of recommendation and the letter's subject.

Bay State Lawyer Interprets Name Law

By Susan Gillette

Jeanne Baker, who is handling a case concerning a woman's right to use her own surname rather than her husband's, spoke at the Law School last week. The case will be heard by the Supreme Judicial Court of Massachusetts, which hasn't considered the issue of a woman's legal name in 50 years.

It's a "sure win situation," Baker said last Thursday, speaking at a Root Room lecture.

But she went on to explain that a favorable decision in the case going to the Supreme Judicial Court won't break down all the barriers to women's freedom to choose their names.

Baker has been involved with the women's name issue since she started working with the ACLU about a year ago, not long after she began law practice in Boston.

For the ACLU, Baker has helped several Massachusetts women get permission to register to vote under their own names. Baker defines a woman's own name as the name she chooses to use — her birth name, her husband's name, or any

other name.

In the cases involving voter registration, Baker argues that since statutes allow a person to register under the "name by which he is known," a woman who isn't known by her husband's name shouldn't have to use that name in order to register to vote.

"Square one" in the name issue will not be reached by the Supreme Court, Baker said. The court won't

be asked to decide what name is a woman's "lawful name."

This omission is probably "just as well". Baker's opinion is that the court might interpret "lawful name" by applying the common law rule that a woman's name changes upon her marriage.

If Massachusetts common law requires the name change, Baker would have to challenge the common law to establish a married woman's right to choose her name. But the United States Supreme Court has ruled that married women don't have a constitutional right to choose their names.

Baker's own opinion about Massachusetts common law is a liberated view. In this state a man may change his name at any time, if he does not do it for fraudulent purposes. A court order is not required to make the change.

Baker reasons that if a man can do it, a woman can do it.

She predicted that when more women begin to use their own names and the idea gains acceptance, her interpretation of the

(Continued on Page 9)



Larry Dinger

Jeanne Baker addresses Root Room gathering on women's surnames.

Visiting Professor Converses

By Bruce Kuehne

"What I like about sailing is that the equipment is minimal and simple. In a sailboat you can comprehend and deal with everything that comes up. If something breaks, you can fix it. But in a plane or a powerboat, you can't control your destiny. You can understand your equipment perfectly, but if it breaks, you may be lost. I especially enjoy single-handed off-shore sailing. You're out of sight and sound

know what else to do." He took three days off during his first semester to pass the C.P.A. exam, but the absence from classes couldn't have hurt him too much. He toiled on the Law Review and graduated magna cum laude in 1961.

After a year in the Army, Cooper obtained a Sheldon Fellowship, which financed his travels through India and Africa during 1962-3. He then began a job with a prestigious D.C. law firm, where he worked

both qualitatively and ethically. They just don't put out the quality of work they claim to, nor do they damage society as little as they would have us believe."

In 1966, Cooper accepted an assistant professorship at Columbia and has been there ever since. He's now a full professor. He was drawn to the teaching profession, he says, "by the opportunity I saw to eliminate the conflicts in my life and to have the time to do the things I really like." He doesn't claim that shunning the status and security of big league law is extraordinary, though he admits that few people do it. The question, he claims, is not why he left, but why anyone stays. "I've wondered, but given up trying to understand, why everyone doesn't feel the way I do."

Among the things that Cooper "really liked" and wanted more time for were sailing and the practice of public interest law.

He's been sailing "seriously" now for about four years. To implement his belief that sailing is best accomplished with simple tools and that a prepared human is ready to meet nature's surprises, he obtained a certificate in celestial navigation from the Hayden Planetarium in 1972. A year later, he set out in his 29 foot sloop, the "Moveable Feast" on a nine-month cruise from New York to the Caribbean. Shortly after he returned, however, the sloop broke loose from her moorings during a storm and broke up on some rocks. Now, says Cooper, all he has is "a lot of experience and an insurance check."

As to his other abiding interest — public interest law, Cooper explains his involvement quite simply: "I think there are a lot of things wrong and that people with talents should employ them."

As the statement implies, he has a very pragmatic concept about the law. The most important thing in his eyes is to learn to use the law, to become involved in an activist way with reform. To that end, he's become involved with several clinical



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Sailing enthusiast George Cooper serving as visiting Professor at the Law School.

of land for days. You have confidence in yourself and your equipment. You think — you hope, because you can never know — that you can deal with anything you face."

"Some people think it's crazy to go out into the ocean alone with a small sailboat, but once you make the leap of faith, and believe that you can do it, then the planning and the knowing and the hoping are really a trip."

Sailing is just one of the many endeavors seriously pursued by visiting Professor George Cooper. Born in Baltimore in 1937 to two accountants, Cooper graduated 21 years later with a B.S. in Business from the University of Pennsylvania. From there, he went on to Harvard Law School "because I didn't

primarily as a tax specialist until 1966.

It was at this law firm that Cooper began to discover what he wanted out of life. It was not to work at a prestigious law firm. He had gone to a big law firm "by following my nose." "I was trying to do a lot of Pro Bono work in the area, but I found out that I couldn't do as much as I wanted. Indeed, I felt that I was doing a lot of work that was Pro Malo. It's not that I feel that big law firms are necessarily evil, but they are possibly the most over-rated institutions in our society. The extent to which lawyers hide behind rationalizations for some of what they do disturbs me. I just can't accept this excuse that I have to be morally neutral and help my client do anything he wants to do. Big law firms are over-rated

About Sailing, Law

courses at Columbia. One, for instance, is a course in which students represent clients in Title VII actions (employment discrimination). That course is still in existence and Cooper has continuing responsibilities with it, which explains why he will have to return to Columbia after this semester. Other projects Cooper has been involved with are a program which trained paraprofessionals for work in neighborhood law offices and legal aid clinics and another which brought test cases in the fields of welfare employment and rights of the aged. Cooper plans to teach a clinical course at Columbia in tax law in which students will represent taxpayers with small claims before administrative bodies and the Tax Court. He's getting permission for this from the I.R.S. now. Though this course is not reform-oriented, it does "serve some social value."

Cooper supplements his teaching activities by personally litigating important cases. The most recent of these has been *Espinoza v. Farah Mfg. Co.*, heard last year by the Supreme Court.

Despite his efforts, Cooper doesn't feel as though he's made a great contribution to public interest law. But neither has the "other side," he adds. "It's not that I accomplish a great deal, but I'd rather work on the side I agree with."

While admitting that giving up private practice has meant eschewing a larger salary, Cooper doesn't feel that it's a "significant amount." "I don't think that I, or most people who work in public interest law or teaching, have made significant sacrifices. Anyone who's teaching could make two or three times as much money in private practice. But I just don't see that the difference between \$25,000 and \$75,000 a year is significant. After a certain point, you're not filling needs, you're creating them."

Cooper feels that his instincts for law reform were stirred when he was a student. "My feeling that law is perfectible, not merely something for me to make a buck from,

was shaped here at Harvard. And I find it strange that students whose goal is to make a lot of money often use teachers as role models to define what lawyers are. Teachers are those who have rejected the traditional model. All of them are in some sense working for law reform. To the extent that they're trying to perfect the law, that they're impartial, not petty, not corruptible, law reform is for them a fundamental objective."

The teachers of today aren't afraid to bring their instincts to the classroom, either. "When I was a student, they showed us the code and how it worked. But today the emphasis, not only in my course, but in all tax courses, is more on the social implications and the need for reform. I think that the new tax lawyer should be able to think about the imperfections in the code and be able to see that they're not an inherent part of it. I hope that they will see that. But the most important thing is that new lawyers are aware of the tensions and social conflicts that are implicit in the practice of law. People who've already shaped their views can't be moved, of course, but I don't think that's everybody."

"Not only the school but the opportunities are different today. When I graduated, there were no opportunities in Public Interest law. The concept of Public Interest Law just did not exist as a separate aspect of law practice."

George Cooper reflects in his lifestyle what he feels about sailing. Edith Hamilton in *The Roman Way* describes the classic writer as one to whom "... the nature of things is the truth and he desires only to see clearly what it is ... The classic writer depends upon reason no less than upon imagination." That, it seems to me, describes George Cooper — or perhaps "idealistic realist" would do.

Massachusetts Woman Speaks On Name Law

(Continued from Page 7)

common law will supplant the old rules.

In the meantime, she wants to avoid litigation which would question requirements like The Bureau of Motor Vehicles rule that women register cars by their "lawful names. Right now we're up against a stone wall in that area," Baker said.

Responding to questions, she gave other interpretations of name law:

—A woman may use her own name professionally and her husband's name socially. The Supreme Court has said a person may use as many names as he desires "as long as it's not for a fraudulent purpose."

—Hyphenated names are acceptable where the name of choice is acceptable.

—Following a divorce, a woman may continue to use her husband's name over his objections if she is rearing children who bear his name.

—Name law is common law and is different in every state. All the rules are derived from the law of England, where today a woman can use "whatever name she pleases."

RECORD Subscription bills have been mailed out. The *RECORD* would like to urge all its faithful readers to please pay their bill promptly.

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RECORD

Paper Waste

The report this week by Law School Registrar Mary D. Upton that over 70 3Ls have not turned in the forms for the written work requirement demonstrates the disfavor into which this requirement has fallen.

The Law School administration and faculty in the past have made some rumblings about studying the future of the third year paper requirement. In its present form, the requirement seems to have lost much of its usefulness. The paper is seen as an unnecessary nuisance by most students. Rarely do students approach the third year paper as an educational experience. Rather, it has devolved into a last minute scramble to complete a project which is necessary for graduation.

We can only guess that the purpose of the third year paper requirement must have been an attempt to get Law School students to work on a scholarly piece. Unfortunately, the reality of the situation makes this rationalization appear unduly idealistic.

We urge the faculty to conduct a serious study of the purpose and usefulness of the third year paper in its present form. Perhaps what Law School students need more than a fling with scholarly papers of "publishable quality", is a good course in legal writing. This would be more relevant to the obligations they'll face after graduation.

Miscellany

Two recent actions at the Law School should be commended.

Law School librarian Morris L. Cohen has decided to stock a limited supply of *Gilbert's Outlines* in the library. The outlines, which will be on closed reserve sometime soon, have been the subject of some controversy at the Law School in recent months. We are glad to see that after some buck-passing on the subject by several Law School committees Cohen has taken this action. He has expressed a desire to have people donate their copies of *Gilbert's* to supplement the supply ordered by the library. We urge students to take him up on this recommendation.

Dean Albert M. Sacks has appointed a committee to study the subject of student files at the Law School. The committee which is headed by Professor Arthur R. Miller will also deal specifically with the impact of Senator James Buckley's legislation on a student's right to see his school files. We are hopeful that this committee will study the impact of the Buckley amendment with a view toward full compliance with the legislation, rather than an attempt to stall its implementation.

HARVARD LAW RECORD

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Fenno

Fenno sat down a bit wearily on the back side of the hollow square into which the tables in the Mallory-Smith Room had been arranged. He glanced at the ambiguous brown slab on his plate, and reflected uncomfortably that he had paid \$1.80 for it on the express representation that it was roast beef. Given the kind of day it had been, that seemed unlikely.

"What am I doing here?" he asked the 2L who was responsible for his presence.

"You're taking my place," the 2L reminded him. "If I miss more than six meetings in any year, or three in any semester, or one in any month with an R in it, they'll bounce me off the Dorm Council and I won't get my room preference for next year. I can't be here because I have a prior commitment to give backgammon instructions over at Lesley."

Fenno groaned and turned to the Dorm Council member on his right, who was even less enthusiastic than Fenno about being in attendance.

"What are we going to discuss tonight?" he asked, figuring that conversation, even with a Dorm Council member, would be more exciting than taking his chances with the putative roast beef — or at least less dangerous.

"We'll probably start with the Administration," the Councillor speculated. "They're always good for a few laughs."

"Laughs?" Fenno repeated incredulously.

"Yeah. Every week the Executive Committee takes half-a-dozen requests from the Council to Dean Bruce, and every week he gives each of them some witty answer like 'Forget it,' or, 'Over my dead body.'"

"Do things go uphill or downhill after that?" Fenno asked, somewhat afraid of what the answer would be.

"Oh, they definitely get better. After we're through with last week's requests to Dean Bruce, we move on to this week's. Tonight I think Ames 4 will officially request that their shower-room be equipped with sunken tubs, ermine bath towels and piped-in music by Bette Midler."

"Uh, yeah," Fenno said. The roast beef was beginning to benefit from its comparison with the agenda. "What next?"

"Then we get to the really important matter: whether to raise the appropriation for refreshments for people who attend Dorm Council meetings from \$30 to \$35. That should be good for about forty-five minutes' debate. Then we move to the highlight of the meeting."

"A vote?"

"No. Adjournment."

"That's the highlight?"

"Absolutely. If you know the moves and you're very quick, you can be out the door before someone signs you up to work at a TG or a mixer."

HARVARD LAW RECORD

Letters to the Editor of the RECORD

Nonsense Propagated By St. Clair Stance

To the Editor:

I was surprised to read, in your publication, that James St. Clair continues to propagate the nonsense of limiting impeachment to occasions of criminal activity. The Federalist Papers, and especially Number 65, contemplates that impeachment is a method of dealing with an abuse of the public trust. It is a political remedy for a political offense. To impart notions of criminal law into the political sphere is to indicate an ignorance of history and a lack of understanding of the political process. In the last analysis, it is these, ignorance of history and a lack of political understanding, rather than criminality, which brought down the Nixon Administration.

The system works even on those occasions, as here, where the participants are compelled, by the tide of happenings, to do their duty. It was not the language of the Constitution which delayed the process of impeachment but the reluctance of individuals in Congress to deal with reality. St. Clair's efforts serve only to confuse and need to be interred as a historical anomaly.

Joel Pelofsky '62
Kansas City, Missouri

Eloquency Marred By Untimely Error

To the Editor:

Phil Spector (Backbencher, Oct. 11) defends *Law Review* work most eloquently. But he tells us that "the most important rewards of review work ... are the opportunities to significantly improve my writing skills..." While *Time Magazine* does it all the time, splitting an infinitive is still incorrect.

H. W. Fowler
Oxford, England

Dangerous Excuse For Discrimination

To the Editor:

The problem of selection to the Legal Aid Bureau is difficult; it appears to have elements of de Funis. However, one argument made in favor of the selection process is not merely invalid, but contains a potential for great evil. That argument should be rejected forthwith.

The suggestion was made that persons selected for the Legal Aid Bureau should be of the same race as the prospective clients. Presumably the idea is that the clients would be more comfortable with them, could communicate with them better, and that as a consequence the attorneys could represent

NOVEMBER 8, 1974

them better. My experience does not support this reasoning. When a person is in trouble he (used here to include the feminine) wishes help and the sex, color, religion or national origin of the lawyer is unimportant. I have represented blacks; black lawyers have represented white clients of mine; in no instance have I even heard a comment as to color. I do not believe my experience is unusual.

No greater excuse for discrimination could exist than to accept the argument that certain clients do not want to be represented by blacks, whites, Catholics, Jews, etc. Such reasoning has been an excuse for discrimination in the past. The Legal Aid Bureau should not revive it.

Roger P. Stokey '48
Boston, Massachusetts

Alumnus Tells Tale Of Audio-Visual Aids

To the Editor:

I was very interested in the September 27th article regarding the use of audio visual aids at the law school. In your article you state that the first video tape unit was acquired two years ago. However, I am certain that is an error. In fact, the first video tape units were acquired in the Fall of 1968 when I and several other law students were recruited for training in the use of video tape equipment. During that school year we taped numerous Moot Court trials and played them back for the edification of the participants.

During the following year, I was made supervisor of the video tape equipment and approximately seven students worked for me in taping trials. We worked in two-man teams and we were paid for our efforts by the law school. Since I was in my third year at that time, I insured that my assistants knew how to operate the equipment and upon my graduation, I turned the keys to the equipment over to the then Dean of Students, whom I believe was Dean Bruce.

So, the history of your video tape units actually goes back much farther than you believe.

Jay S. Kenoff '70
Beverly Hills, California

Sander Committee Merits Renaming

To the Editor:

The Sander Committee which is thinking of investigating the Legal Aid Society's selection process) ought to be re-named: the Marco DeFunis, Jr. Memorial Committee.

Frances Hopkins
Staten Island, N.Y.

Law Notes

The East Asian Law Speakers Program continues on November 13 with "Reflections on Japanese Business Operations in the United States," a speech to be delivered by Jino Murase. Murase is a senior partner in the New York law firm of Wender, Murase and White. A pre-speech informal lunch (bring-your-own-bag) will begin at 12:45; the speech proper will commence at 1:10. The site of the lunch and speech will again be Pound 419.

* * *

Complaints about discrimination in hiring practices or unwarranted questioning about grades by interviewing firms and organizations should be addressed to the Placement Office. Despite rumors of such incidents, Director of Placement Eleanor R. Appel reports that no formal complaints have been received by the office.

* * *

The Harvard Law Community Association will sponsor a **crafts fair** on December 7. Anyone with a creative touch is invited to participate and is asked to contact the HLCA at 492-3581 after 5 p.m.

* * *

Over 75,000 Harvard University Press books on subjects from art to zoology will go on sale at 40 to 90% off during **Harvard's Book Harvest** from November 7th through the 9th. The sale will be held in the Science Center and will run from 10 a.m. to 9 p.m. all three days. On November 9 there will be a lottery. The winner will receive \$50 worth of Harvard University Press books of his choice free for every year of his life. To enter the lottery one need only fill out a card at the sale.

* * *

The **Harvard Law Community Association** will meet on Wednesday, November 20, in 335 Pound. Pat Mitchell, entertainment editor for WBZ, will be guest speaker. The program commences with refreshments at 7:30 p.m., elections occur at 8:00 p.m., and Mitchell speaks shortly thereafter. All are welcome to attend the meeting though non-members will be charged \$1.

* * *

The second annual **Boston Women's Law Day**, sponsored by the Women's Law Association, will take place in Austin Hall tomorrow. Area attorneys, law students, and law school representatives will hold panel discussions on financial aid and admissions policies, career opportunities, and "Being a Woman in Law School." The Day begins with coffee at 10:00 a.m., continues with panel discussions from 10:30 to 12:30 p.m. and concludes with an after-lunch discussion (career opportunities) from 1:30 to 2:30 p.m.

Sexual Bias Studied By WLA

By Marilyn Murphy

The Women's Law Association (WLA), an umbrella organization which hopes to provide a forum for all projects of interest to Law School women, is currently engaged in a study of sex discrimination in firm interviewing and hiring.

"The Law School has dilly-dallied on this issue," Lucia A. Fakonas, 3L, director of the study and co-chairwoman of WLA's Coordinating Council, said Friday. She cited a placement proposal submitted last year by WLA and the Harvard Black Law Students Association which, based on interview and placement statistics collected by the two organizations, would place the "burden of proof for nondiscrimination on the firms themselves."

"Harvard's position is that what we were asking for is not reasonable. The school is not malicious but they don't understand. We must talk to them in terms they do understand," Fakonas said.

To accomplish this goal WLA has initiated a study based on reports of discrimination filed by women students interviewing firms for summer and permanent employment. However, Fakonas stressed the importance of participation by women who believe they have been discriminated against.

"A woman who has been discriminated against in an interview should fill out a discrimination report form," Fakonas urged. The forms, available in the WLA office, the Placement Office, and the Langdell desk, ask for a factual instance of discrimination and can be submitted either with a signature or anonymously.

"Discrimination is taking place," Fakonas said. "I know about it because people tell me about incidents. But if it is to do any good, people must fill out these forms."

As examples of recent discrimination, Fakonas recounted one incident where a firm refused to hire a well-qualified woman, explaining that they had only three positions open and had already hired a

woman for one of them, and another case where a senior partner made a pass at a woman student during an interview.

At the conclusion of the interviewing season, WLA plans to circulate questionnaires among students to compile reactions to interviewing and compare the responses of women and men, including minority students.

Using the discrimination reports, the questionnaires and information on particular firms guilty of discrimination, WLA plans to "prove a threshold case of discrimination" and submit a legal memorandum or brief to the Law School administration, according to Fakonas.

Another aim of WLA is to articulate and discuss women's issues. Although she welcomes the increased number of women at the Law School, Fakonas said there may be an "unfortunate" result of this change.

"The absolute number of women is larger, but the percentage of women is not that much larger," Fakonas noted. "With a larger number, people may tend to minimize issues, to think we've come farther than we really have."

An added danger, she said, is that "lots of firms are still hiring on the token theory. The more women there are in the Law School, the faster those token slots will be filled. There will not be enough appropriate jobs. Most people end up with jobs, but maybe not the ones they want and are qualified for, and it may be worse in ten years unless tokenism is ended," she added.

The recruitment of potential law students is another WLA project. In cooperation with the admissions office, WLA members are making trips to colleges and universities to talk with women interested in attending law school.

To provide more information and discussion to women considering a legal career, WLA is sponsoring the second annual Boston Women's Law Day Saturday November 9 in Austin Hall. Boston attorneys, law students and representatives from the area law schools will partici-

pate in panel discussions in "Admissions and Financial Aid Policies," "Being a Woman in Law School," and "Career Opportunities for Women in Law."

WLA is also sponsoring a series of luncheon speakers. Bernice Sandler spoke on Title IX two weeks ago.

"We want to have major speakers comparable to the Forum speakers," Fakonas said, "because other groups really treat women's issues only peripherally if at all."

WLA is also developing an Ames alternative on employment discrimination involving modification of an actual New York case. Another current project includes doing research for a lawyer working in a case to challenge prostitution laws. Other women are working on setting up a "network of contacts" between students and women who have graduated and are practicing or teaching in different parts of the country.

"This way we can keep in touch and exchange information," Fakonas said. "It's like the 'old boy' contacts men have and women are excluded from," she added.

"The important thing is for WLA as an organization to be flexible enough to let people get involved in various projects and go off in different directions. They can always come back to WLA for help," Fakonas explained.

Dorm Council Activities This Weekend

TGIF — Friday, Nov. 8, 4-6 p.m.

Harkness Downstairs Lounge

MIXER — Friday, Nov. 8, 8-12 p.m.

Harkness. \$1.50

or free with HLSDC card

CHARADE — with Cary Grant and Audrey Hepburn.

Saturday, Nov. 9, 8 and 10 p.m.

Harkness. \$1, or 50c

with HLSDC card.

Cohen Duo Authors Book on China

By Frank E. Sisson

A new artistic, historic, and sociological study of China will make its appearance in national bookstores in the next few weeks. The work is a joint effort on the part of Professor Jerome A. Cohen and his wife, Joan L. Cohen.

The 400 page book, *China Today and Her Ancient Treasures*, contains over 350 illustrations including 336 full color plates. Most of these are half or full page photographs of Chinese art, people, and modern Chinese culture. All photographs were taken by Joan Cohen, a self-taught photographer, with the exception of two shots taken by the Cohens' eldest son, Peter.

The Cohens were among the first Americans to get an extended look at today's China and spent six weeks in the country during the summer of 1972, following the improvement of Sino-American relations. The

Cohens were also able to devote two weeks of last year to a China trip.

The book is published by Harry N. Abrams, Inc. of New York but is being printed in Japan. According to Jerome Cohen, 25,000 copies of the work are being shipped to this country and should be available within two weeks to the American public. A Japanese edition is also being published.

The Cohens hope that the work will "appeal to the general reader who wants to know more about the country today, its people and its past." The price of the book is \$25 (\$22.50 before Christmas).

Joan Cohen teaches Asian art at the School of the Museum of Fine Arts/Tufts University. She has written another Asian arts book — *Buddha* — and plans to have a second solo work published next year.

Professor Cohen is director of the East Asian Legal Center and has published books and articles dealing with China's legal system and

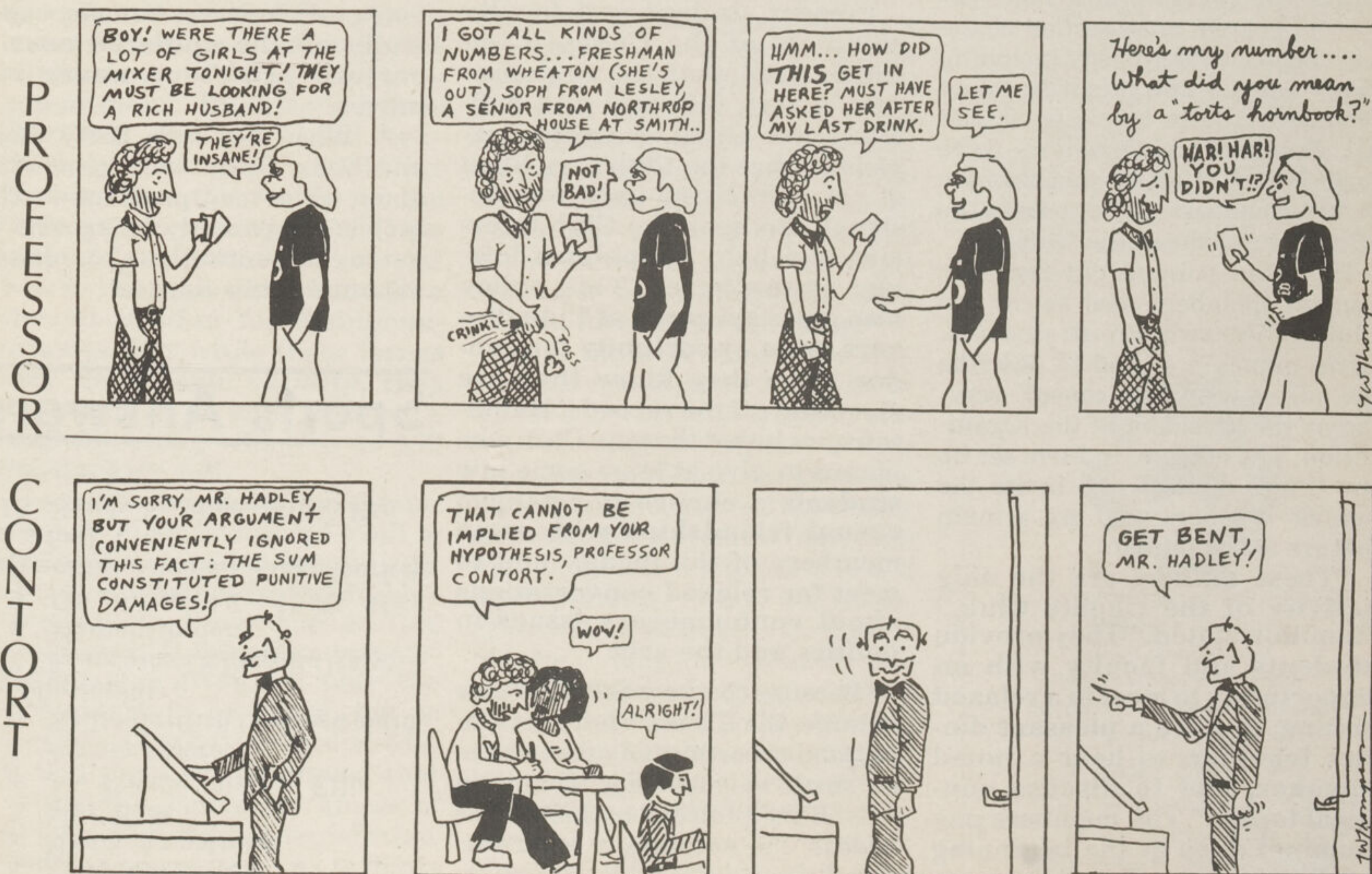
legal process. He speaks Chinese although his wife does not.

The Cohens discuss the theme of the work in the book's introduction: "The aim of this book is to achieve a . . . balance between past and present. The photographs and commentary reflect impressions gained during several recent visits to China and attempt to show the magnificent artistic heritage of the Chinese people in the context of their society today."

According to Joan Cohen, the Chinese "praise [their relics of ancient art] for the high quality of mechanical craftsmanship while at the same time they denounce them as objects of the ruling class that oppressed the worker."

The photographs vary in subject matter from children learning English using translations of Chairman Mao's "Thought" to ancient Chinese ceramics, the Great Wall, and examples of the Socialist realism style predominating modern Chinese painting.

The Law School Funnies



Choate Club Membership Ponder Future Role Shift

(Continued from Page 1)

semester in early November. "A number of the members, both students and faculty, have been discussing the secrecy and membership issues," Hamilton explained, "and there is a desire to discuss whether the present policies are appropriate in the Law School environment."

One faculty member noted that the Club has revised its membership selection procedures in recent years but uneasy feelings have remained within the Club about the need for some of its long-standing traditions.

Associate Dean Paul M. Bator explained that the Choate Club was founded as a legal club where students read papers but evolved into a group to discuss literary and other nonlegal topics. The organization was intended to be low-key and informal. "The Club has always tried to attract students whom the members felt had interesting backgrounds or were very bright," Bator said. "In recent years the membership has represented a real cross-section of the Law School student body including many women and minority group members." Bator emphasized that all membership decisions were made by the students and that the faculty members play no part in the official decisions of the Club.

Hamilton pointed out that the student members also select the Club's officers who are all students. Latin names are used to describe the offices with the "consul" serving as the president of the organization. The officers, in turn, set up the Club's dinners and invite the outside speakers who are a main feature of the dinners.

"These dinners are the only activity of the Choate Club," Hamilton stated. "They provide students and faculty with an opportunity to meet in a relaxed setting, to have a pleasant dinner together, to hear a noted speaker, and to discuss non-legal topics." The members pay nominal dues at the beginning of the year as well as a separate

charge for each dinner they attend. The Club does not pay honorariums or expenses to any of its guest speakers.

In recent years such figures as Archibald Cox, Lewis Mumford, Judge Charles Wyzanski, McGeorge Bundy, David Reisman, Robert Lowell, Edmund Land, C. Day Lewis, and Archibald McLeish have addressed the Club. In addition, many members of the Harvard academic community are invited to speak at Choate dinners.

In the fall of 1968, the RECORD published an editorial which described the Choate organization as a "secret social club" and which called for the Club to publish its membership lists. Subsequently, the Club's student members voted not to reveal the membership lists, and several defenders of the Club wrote to the RECORD to explain that any secrecy which had shrouded the organization's activities was only intended to protect the "modest and unpretentious" character of the group.

Present student and faculty members of the Choate Club emphasized that the organization is very informal and definitely not elitist. Hamilton explained that the Club's tradition of not publicizing itself was designed "to keep the Club informal and help maintain a low-key atmosphere. "This policy also gives speakers at Club dinners more opportunity for candor since they know they are speaking off the record." Hamilton concluded that the Club was meant to give at least some law students a chance to establish casual friendships with some members of the faculty and to meet for relaxed conversations about contemporary issues in politics and the arts.

"Because the Law School is now so large, the Choate Club offers an unusual opportunity in part due to its small membership," Hamilton felt. "If the Club had to change," he added, "I'm not sure it could survive."

Rule 26:



By Bill Kenety

Q. With all this rain you'd think they'd waterproof the tunnels so they don't leak. Why the inaction?

A. Dean Bruce explains that last year the law school installed drip pans to catch any water from the tunnel ceilings; the pans run off to buckets which are hopefully emptied before they overflow. Apparently the cost of digging and re-waterproofing the tunnels would be tremendous.

Q. If the Hark can have a pinball machine downstairs why isn't there one upstairs so I can play with my lunch?

A. Because of a Cambridge city ordinance prohibiting the placing of pinball machines where liquor is served.

Q. It would seem that someone in charge would do something about the plethora of notices on "official" bulletin boards, especially all the outdated ones a certain professor never removes.

A. When last seen Betty Stout and Dean Bruce were conferring about this very problem — the problem apparently being who to put in charge of bulletin boards and outdated notice removal.

Sports Answers

1. Floyd Patterson
2. Henry Armstrong
3. Max Baer
4. Joe Frazier, Jimmy Ellis
5. Archie Moore
6. Emile Griffith (welterweight, middleweight)
7. Francesco DePiccoli (Italy)
8. Marcel Gerdon
9. On June 12, 1930 Max Schmeling defeated Jack Sharkey on a foul
10. Sandy Saddler, Willie Pep

Harvard Favors Secrecy, Against Candor

By Ira Nerken

Faced with the release of the Pentagon Papers, Dean Rusk threatened an end to the placement of important information (vital to an informed public) on paper. Faced with demands for the White House tapes, Richard Nixon threatened an end to "candor and frankness" (constituting an abuse of trust) in the oval office. Faced with Senator Buckley's bill giving students access to their own educational records, Harvard has threatened both an end to placement of information vital to students in their records, and an end to frankness and candor in their files.

With the emergence of the issue of student access to files that most vitally affect them, the arrogance of power in academia — at Harvard particularly, but also at other institutions of higher learning — has been set out in bold relief.

Yet to listen to the University's Counsel, Daniel Steiner, one would think the issue is neither Harvard's resentment of any constraints on its autocratic exercise of power, nor even real problems with the substance of the Buckley amendment. Buckley's bill is "terribly drafted," and "extremely ambiguous," claims Steiner, and the "heart of the University's objection," is "the lack of opportunity to be heard." For this Steiner merits a special citation for disingenuousness. For while these issues may have some validity, they have little to do with Harvard's real objective, which is to kill the Buckley bill.

Last summer State Representative Lois Pines introduced a bill in the Massachusetts legislature similar in substance to the Buckley amendment. Pines had drafted her bill well. It was not ambiguous. Steiner was given not only the opportunity to be heard, but to suggest alternative proposals. In that situation he argued that "unless the legislature knows of specific violations, legislation shouldn't be enacted." As to draft-

ing proposals, he doubted anything could be drafted that "would serve her [Pines'] purposes and ours."

"Harvard administrators," according to the *Crimson*, "have said repeatedly since the [Buckley amendment] passed Congress that it will hurt students because they will no longer be able to get straightforward and honest letters of recommendation. (Thus we learn the new Harvard motto: "Veritas — but not to your face.") This is not only a sordid, but also a hoary argument, and one well answered by President Prentice of Wheaton College, responding to a similar argument: "How can an evaluation be considered 'honest and candid' if it is to be kept from the person evaluated? I agree that my criticism of my students should be a matter between him and me and people who have a responsible right to my views. They should not be available to the general public, but they must be available to the candidate himself if I am to be considered 'honest and candid.'"

Admittedly, the protection Harvard heretofore afforded the hatchet job is gone — unless the hatcheteer wants to phone the University. But it took a Harvard senior tutor to point out what Harvard administrators and faculty chose to ignore: "those professors who occasionally say they'll write and then don't write a glowing letter will now say nothing, as they should have done all along."

As to the other hobgoblins Harvard has manufactured. *The Buckley amendment would allow students to violate the confidentiality of their parents' financial statements.* If parents are concerned about this, and can't get a promise from their sons/daughters not to peek, that is their problem — not Harvard's. *Students could see psychiatric reports.* Why in blazes are psychiatric reports lying around in files anyway? And if they must be there, why shouldn't the students look? *Harvard can no longer protect students from being forced to supply potential employers with materials from their files.* Maybe we need a

law to protect Harvard students from overbearing employers.

Professor Alan Heimert, of the Harvard English Department, denounced the Buckley bill as "representing the traducing of an entire profession. This law says that academics don't have any ethics, that academics don't even have any common sense, and that any negative recommendation is written in bronze." Perhaps Heimert should compare his words to those of the policemen who claim procedural restraints on their powers to search, etc. are a "traducement of the entire profession." Perhaps he should wonder why courts are allowing defendants to see their presentence reports, without worrying that this implies the judicial system has no ethics or common sense.

Finally, a word of advice to Harvard. Dean Rosovsky (FAS) has talked of "having no choice but to honor the law." But the Secretary of the FAS Council said that while the faculty's "initial posture" would be "full compliance" with the law, "non-compliance isn't out, but it isn't in." James Q. Wilson said "no one is talking about non-compliance at this stage." Such talk may get Gerald Ford to issue a statement deploring non-compliance, but saying Congress was wrong. But it will be hard to kick Southie around anymore.



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Newton Offers Ice Cream Heaven

The Great Pyramid will serve sixty-five people and costs \$66.00. What is it? It's sixty pints of your favorite flavor or flavors of ice cream, topped with twelve quarts of your favorite topping or toppings, mountains of whipped cream, nuts and cherries. Where can you get it? The place is Cabot's, an ice cream parlor about a mile west of Newton Corner in Newton. It's about a twenty minute ride from the Law School, and the unique frozen creations make the drive worthwhile.

Besides the incredible selection of sundaes, Parfaits, floats, freezes, frappes and sodas, Cabot's has a limited hot food menu. The hamburgers are excellent, and the Reuben sandwich is especially good. Generally, the hot meal prices are in the \$2 to \$3 range, the quantity being pretty fair.

Ah, but one journey to Cabot's for basically one thing — the fantastic assortment of ice cream dishes which vary dramatically in size and price. To begin with, Cabot's offers 33 flavors of homemade ice cream, including such delights as Pink Squirrel, Grasshopper, Butter Crunch, Dutch Apple, Brandied Coffee, Honeyglow, and Daiquiri Sherbet. Four varieties of hot toppings are available, among them Mellowcream Fudge and Bittersweet Chocolate. Additionally, twenty-four "regular" toppings are offered, including Hawaiian Pineapple, Gay 90's Wild Cherry, Roaring 20's Creme de Menthe, Rum Raisin, Bimini Calypso, and California Fruit Salad.

The basic sundae at Cabot's is \$.99, and is made with your favorite flavor and topping, with whipped cream or marshmallow. It's a

good idea to try one of these after a meal or if you aren't a big eater (or pig). If you feel like going in for something a bit more substantial, you should try one of the Sundae Creations which range from \$1.09 to \$2.55. For example, the Nosh-a-Rye is a mellow ripe banana, scoops of orange, lemon, lime, raspberry, pink champagne, daiquiri sherbets, topped with strawberry, pineapple, fruit salad toppings, and whipped cream or marshmallow. The Brazilian Combo consists of coffee, maple nut, butter pecan and vanilla ice cream with cold chocolate, coffee, rum flavored English toffee, and maple nut toppings.

For the even heartier eater, the Jumbo Hot Fudge Banana Boat is recommended. It costs \$2.95, but it is a meal in itself. It's made with a ripe banana, your choice of six

scoops of ice cream, covered with ladles of hot fudge, topped with whipped cream and nuts. If one of these isn't enough for you, have two.

In the frappe department, the "Pru" Center Frappe is the star. It's made with your favorite syrup (which you choose out of fourteen flavors), six scoops of ice cream, lots of milk, and totals two quarts and \$3.25. For the less imaginative, cones are available at \$.35 and \$.45.

Cabot's is open six days a week, 10:00 a.m. till 11:30 p.m. (Sunday opening an hour later), and is closed Mondays. Although Cabot's can accommodate from 70-80 people at a time, it is so popular that one often will have to wait in line for a table or booth.

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