

HARVARD LAW RECORD

America's Oldest Law School Newspaper

VOL. 60, NO. 6

MARCH 21, 1975

TWENTY CENTS

'75 Graduates Bound for N.Y. Sliced by 50%

By Roger P. Evans

June Harvard Law Graduates will spread their talents over at least 38 states according to figures released by the Placement Office in the March 10, 1975 interim report.

New York State retains its pre-eminent position with 56 3Ls opting for employment there. This represents, however, a startling decline from the 115 3Ls who were set to head for the Empire States at this time last year.

States	1975	1974
New York	56	115
Massachusetts	52	60
Washington, D.C.	47	55
California	43	40
Illinois	33	26
Texas	19	10
Pennsylvania	15	27
Colorado	9	3
Georgia	7	14
Washington	7	7
Florida	7	3
Michigan	6	9
Maryland	6	4
Connecticut	5	6
Alaska	4	2
Indiana	4	1
Ohio	3	10
Louisiana	3	0

As in previous years, the vast majority of New York State-bound graduates are en route to New York City. Some 51 3Ls are headed for the "Big Apple." Boston, a close second, will have 50 members of the class of 1975; Washington, D.C., 47; Chicago, 33; San Francisco, 19; and Los Angeles, 17.

(Continued on Page 2)

Legal Ethics Course Voted In By Faculty

By Patrick F. Kennedy

On Wednesday afternoon after long and vigorous debate the Law School faculty approved the establishment of a two credit professional responsibility course requirement as proposed by the Legal Education Committee.

To satisfy the new requirement, the Classes of '78 and thereafter will be required to enroll in one of several courses focusing on ethical problems which commonly confront the lawyer in practice as well as more general issues faced by the profession.

As recommended by the Legal Education Committee, students would be given a substantial number of options in which this work, or at least a major part of it, would be offered in classes of not larger than 50 students each.

Professor Robert E. Keeton opened the meeting explaining the Legal Education Committee's support for the measure. Keeton averred that failure to instruct students in the misunderstood and often overlooked issues of professional responsibility posed a far more serious problem than failure to instruct students in any of the subjects now required by the Law School. Keeton added that the latter subjects were easier for a student to get on his own.

(Continued on Page 14)

Student Memorial Service Offers Tribute to Dunau

By Ricardo Hinojosa

Professor Bernard Dunau, who taught *Labor Law* at the Law School since last year, died unexpectedly of a heart attack last week in St. Louis. Dunau was in Saint Louis serving as an arbitrator in a labor dispute.

Dunau, 54, had taught his *Labor Law* course, commuting between Washington, D.C., and Cambridge, for the last year and three-quarters. He was one of the country's leading labor lawyers and was engaged in private labor practice in Washington. Dunau is survived by his wife and four children.

(Continued on Page 6)



Mark McNeil

Bernard Dunau, 1920-1975

Grads Bound for NY Decline by One-Half

(Continued from Page 1)

Approximately 30% of the class had not reported the acceptance of a job offer as of March 10. This figure is approximately equal to last year's and supports Placement office Director Eleanor Appel's statement that there is no noticeable decline in the number of job offers received by Harvard students this year as compared to prior years.

Of the 367 3Ls who have accepted offers, 255 will be associated with law firms. Seventy-three have accepted clerkships, 54 of these with Federal courts. State and federal government work will occupy 25 graduates with 17 others in teaching, graduate study or business.

Category	JD 1975*	JD 1974*
Law Firms	255	266
Judicial Clerkships	73	72
Federal Government	18	15
State & Local Government	7	0
Corporation (Legal)	4	4
Graduate Study and Research	3	4
Legal Services	0	2
Public Interest	0	1
Corporation (Non-Legal)	0	1
Teaching	4	1
Banking, Other	2	0

* Figures are from Interim Reports.

Appel was unsure as to what to attribute the decline in the number of HLS graduates going to New York City. "The same firms are coming and the recruiting effort seemed the same," noted Appel. "Contributing factors might be the decline in securities work, possible past over-hiring, and the perceived unpleasant environment of New York." Students seem to be going "where the money is, where the recession is not too bad", Appel stated.

Texas, and to some extent California, seem to be the areas most increasing in popularity, although the Pacific Northwest and cities like Denver and Minneapolis are also gaining in favor.

The paucity of students interested in public service was attributed by Appel to a variety of factors. She saw public interest groups experiencing "problems with fund-

ing, and with the projecting of future needs." Additionally, many students, especially those burdened by heavy educational loans, feel a need to make higher salaries than those offered by public interest jobs. In an uncertain economy, the lesser security of such positions may also play a part. Appel predicted that about 10-15 students would eventually accept public service positions.

Sacks Lists New Teachers; Scott and Ginsburg Named

By Ricardo Hinojosa

Dean Albert M. Sacks has announced the appointment of Hal S. Scott and Douglas H. Ginsburg as assistant professors for next year. Sacks has also confirmed the appointment of United Nations Ambassador Clyde Ferguson, Jr. '51, as a visiting professor as had been reported from other sources in the February 28 RECORD.

Scott, 31, who is presently Assistant Professor of Law at Berkeley, received his A.B. from Princeton, an M.A. from Stanford in 1967 with a Ph.D. pending approval of his dissertation, and his J.D. from the University of Chicago in 1972. While in law school he served as Comment and Topics Editor of the *Chicago Law Review*. He has also served as a clerk for the D.C. Circuit Court of Appeals and Justice Byron White on the United States Supreme Court.

According to Sacks, Scott's appointment will run for four years instead of the usual five years because of his prior year of teaching experience. Scott is interested in teaching commercial law and corporate law. Sacks added that Scott had a "special interest" in the interna-

tional aspects of these two subjects.

Ginsburg, 28, received his B.S. from Cornell in 1970 and a J.D. degree from the University of Chicago in 1973. He was Articles and Book Reviews Editor of the *Chicago Law Review*. He has clerked for the D.C. Circuit Court of Appeals and he is presently clerking for Justice Thurgood Marshall on the United States Supreme Court.

Ginsburg's appointment as assistant professor will run for five years. He has shown an interest in teaching a course in equitable remedies and will offer a course or seminar on the subject next year. Sacks commented that Ginsburg also has an interest in labor law.

Ferguson, who is presently serving as the fourth highest member of the U.S. delegation to the United Nations, has previously served as a law professor at Rutgers University Law School and at Howard University where he also served as dean.

Ferguson will teach one of the first year sections of *Civil Procedure* next year along with a course on the problems of human rights in developing countries.

Ferguson's appointment as a visiting professor is for two years, rather than the usual one year. The reason for this, opined Sacks, is "to see what the basis is for a further relationship." In that sense he added it is very much like an assistant professorship.

Published ten times each semester by the Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138. Telephone 617-495-4418. Subscription price: \$3.00 semester, \$6.00 year mailed; \$8.00 year mailed outside U.S.; students \$3.00 year distributed at the Law School. Individual copies including back issues: 20 cents at the Law School, 35 cents mailed. Second class postage paid at Boston, Mass. Copyright 1975 by the Harvard Law School Record Corporation. The opinions expressed in the Harvard Law Record are those solely of the students comprising the Board of Directors of the Harvard Law School Record Corporation.

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Good Time at Shake a Legacy!

By Paula Bonnell

Shake a Legacy! is high jinks and not professional theatre. But it has its moments and the Saturday night Law School audience with which I saw it had a good time. The show is just good enough so that I was aware of its imperfections in a way I wouldn't have been if it had been unabashedly amateur.

legalism square dance Wilkins singsongs a call which is one of the plums of the show:

Bait and switch
Then hit the trail
Lead your witness
Skipping bail
Hold her closely
Hold her in due course
Slap a summons
Then divorce.



CWM

Music and dancing will continue for three more nights as *Shake a Legacy* plays its final weekend.

The set is fairly elaborate, the cast is large and the organizational efforts of the Harding-Hope-Budnick-Mack quartet are impressive. H, H, B & M have provided us with goings-on which include slide-show titles, an orchestra (too tinny, alas), professorial participants, a gaggle of scriptwriters and several dances. The style is Rodgers & Hammerstein '50's, with conventional slapstick and an endgame of paring off the protagonists.

A real charmer has been uncovered in Bill Wilkins, 1L, who plays A. J. Cashner, errant professor. Wilkins is the only member of the cast who can really act and his grace is a real delight. His ease of manner is unmatched by any of the participants except perhas Harriet Kittner. Wilkins' particular ploy is an ingenuous quality which succeeds with even a corny joke like "I've got this terrible case of replevin!" As caller of the

Lyricist Chris Harding concocted the confection with the aid of *Black's*, perhaps the best use the book's had in recent memory. Changing the meaning of "bait and switch" to "do-si-do" and "find a loophole" to "sashay through" afforded the initiates in the audience the pleasure of re-experiencing the absurd sound of a jargon which has begun to be second-nature and the non-initiates the pleasure of experiencing the pure absurdity of legalese. The alacrity with which the dancers took the calls amusingly demonstrated how explicit the meaningless can be if you're in the right frame of mind.

Another high point of the show was the mockery of the Socratic method in which I saw Chayes strut his stuff. The scene suffered somewhat from having Cashner's clever song "It's a Tort" drowned by the orchestra and from Chayes' under-exposure of the inscription on his underpinnings to an audience whose reading speed has di-

minished with exposure to the case method. Despite these flaws, the scene went over well.

The extraordinary performance of the only crewcut man at the Law School, Richard Faull Hope, nearly beggars description. Last years' show featured a flesh-flashing lineup of a rather pitiful assortment of ridiculously clad female bodies which Hope apparently found entertaining. I was a little gratified to see that he could turn the same jaundiced eye on his own pudgy person, but even so I found Hope's antics embarrassing.

As twin 8-year-old terrors (the effete Alphonse and the offensive Gaston), Hope Baby-Hueys around the stage with what I found too much aplomb. He looks best with Kittner in tableau (they wear black and white kimonos) as the two sloppily slapstick to a fairly good song, "Gumption and Grit." Part of the point is made by the character's nickname: the Crisco Kid ain't supposed to look good. He's supposed to gross you out, and he does.

The will-reading song, freely borrowed from Gilbert and Sullivan's "Duke of Plaza-Toro" works fairly well. The preposterous legacy (1/3 to a twin, 1/3 to an ex-husband and 1/3 to the cow) leaves some dangling ends of plot (like, who gets the cow?) but plot's certainly not the point of the show, *contra* program notes.

Carol Dines, a BU student, is comfortable enough with her body to make her strip song "Banned in Boston" an enjoyable scene despite its unoriginal character. "Meet You in Macchu Pichu" suffers from the opposite effect—the song title is clever but Nancy Holland, 3L, has a smooth and stylized dance-school style unsuited to the raunchy character of the number.

John Enteman, 3L, is the only cast member who easily outsings the orchestra. His Watergate joke is his best moment.

One anomaly in the show still puzzles me—surely the scriptwriters didn't mean to imply "Property is theft" by making Cashner a Torts professor?

Tribute is Paid to "The Great

By Susan Gillette

During one of his last visits to Harvard Law School, where he had studied in the 1860's, Justice Oliver Wendell Holmes Jr., was led to his portrait, ordered by the Law School to honor him when he had served nearly 30 years on the United States Supreme Court.

Holmes surveyed the massive, larger-than-life representation of himself attired in judicial robes and seeming solemn, if not stern. He assessed the portrait in one sentence: "Well, it's not me, but it's a damn good thing if people think it is."

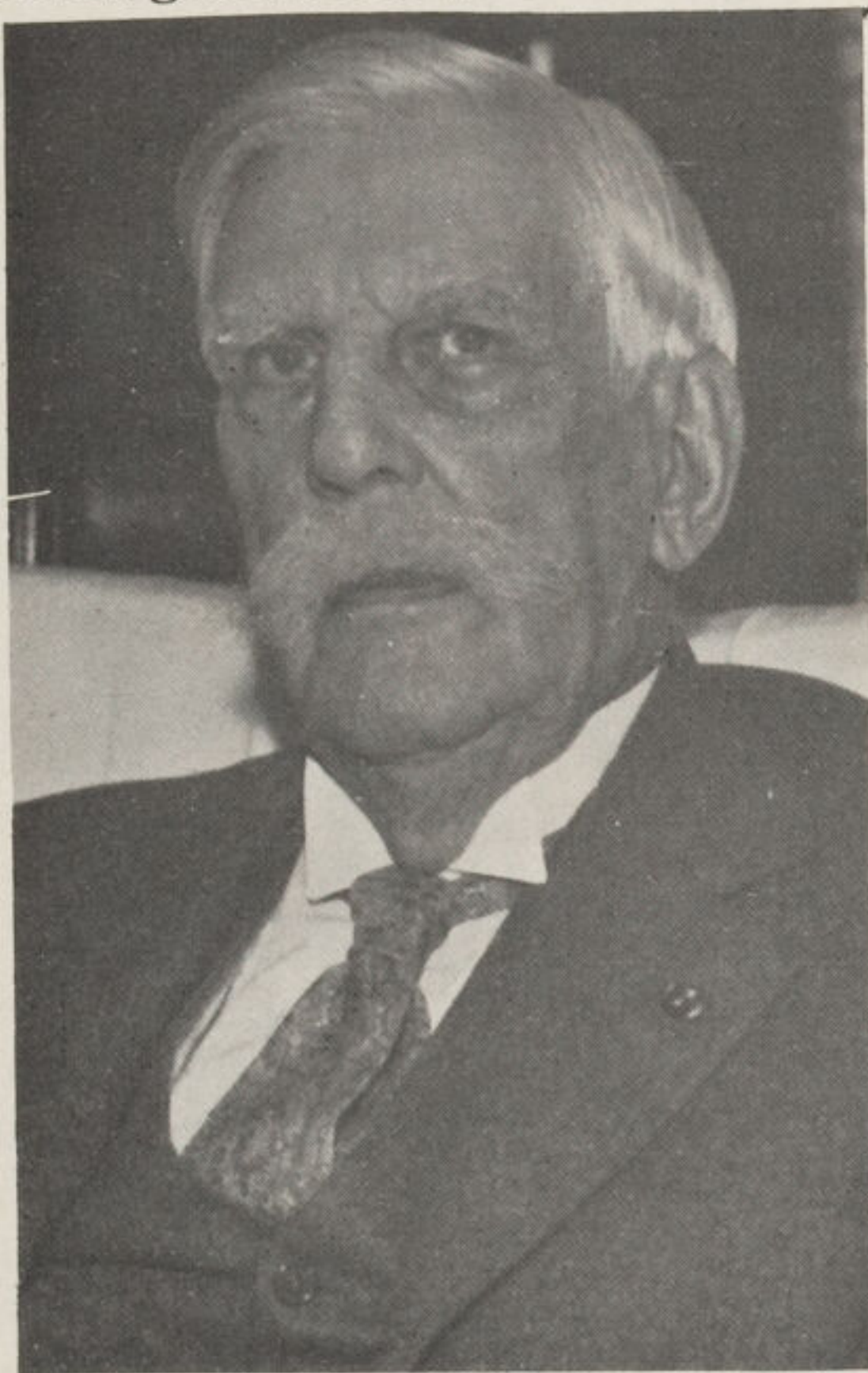
That statuesque representation of Holmes, the "Great Dissenter," has impressed students and visitors for more than 40 years. (It now hangs in the Pound Building.) This winter, however, the Law School is telling a more complete story about Oliver Wendell Holmes, Jr., in an exhibit depicting his youth, studies, family, Civil War experience, friendships and judicial accomplishments.

The exhibit, in the reading room and the Treasure Room of Langdell Hall, will be open through August 1. It is presented this year to commemorate the 40th anniversary of Holmes' death on March 15, 1975.

Erika S. Chadbourn, curator of archives and manuscripts of the library, worked for more than a year exploring the Law School's collections of Holmes' writings and

personal items to select those which best revealed the character and spirit of the Justice.

On March 15 this year the Law School hosted a reunion of those of its graduates who had known



Oliver Wendell Holmes, Jr. Holmes intimately. Seven alumni who had worked as "secretaries" — clerks — for Holmes gathered in the Root Room.

Seated among the exhibit cases, they listened patiently as Dean Albert M. Sacks and Professor Paul Freund praised the Justice and complimented the exhibit.

Freund then provided them with a surprise, however, when a needle

was touched to a record produced in the 1930s and the voice of Justice Holmes was heard. The visitors leaned forward, trying to catch each word.

They recalled the tone and inflections of the voice of the man who had called them "Sonny." And they were familiar with his text. It was a recording of the radio broadcast Holmes made as part of a program honoring him on his 90th birthday, March 8, 1931.

"To express one's feelings as the end draws near is too intimate a task," the Justice said. Then he offered a thought about the years ahead.

"There is time to hear the kind voice of friends and to say to one's self: 'The work is done.' But just as one says that, the answer comes: 'The race is over, but the work never is done while the power to work remains' . . . [T]o live is to function. That is all there is in living.

"And so I end with a line from a Latin poet who uttered the message more than fifteen hundred years ago: 'Death plucks my ear and says, Live—I am coming.'"

The seven secretaries nodded knowingly as Freund began explaining for the benefit of faculty and students present that the source of Holmes' Latin quotation was not identified for several days after the broadcast. Then the *New York Times* traced it to a pseudo-



Professors, friends, and past "secretaries" to Holmes gather to hear commemorative speech by Professor

Paul A. Freund (center, front) in Law Library's Treasure Room.

Dissenter," 40 Years After

Virgilian work, "The Syrian Dancing Girls."

The poem was an "eat, drink and be merry" verse, Freund said, and he judged it quite appropriate to Holmes' character that he had chosen to use "hedonistic verses for stoic purposes."

Freund's program initiated a convivial afternoon of reminiscing. The Justice's secretaries delighted one another and listeners with recollections of moments from Holmes' private life.



Holmes, as a Civil War soldier, included this illustration of "Capt. Hall and Lt. Holmes" in a letter to his parents.

Chadbourn said these tales added genuineness to her concept of the man she had carefully studied in preparing the exhibit.

As she worked, she found that Holmes remained "aloof," as in the portrait, because the archives lacked records which exposed fully the character of the man.

Attempting to learn about Holmes as "a person, as well as a lawyer and judge," Chadbourn explored his diaries of Civil War experiences, his wife's records of European travels, and letters written by friends. There was even a chest of family belongings, where she found the belt and buttons and epaulettes from his Union uniform, tickets to class dances, and the poem he wrote for Harvard College Class Day Exercises in 1861.

She located a note from William James explaining for Holmes "the Hegelian method of giving a dinner party;" a letter from the author of *Child Rhymes* thanking Holmes for his comments on the volume; and a note Holmes scribbled as he lay wounded in a house on the An-

tietam battlefield, before he fainted from his injuries.

These items and others enriched the exhibit, but they did not satisfy Chadbourn's curiosity about Holmes.

Even those acquainted with Holmes during his life sometimes were deceived by the Justice's posturings. A student who observed that Holmes was melancholy once questioned his wife Fanny about the cause for the attitude. She replied that "Wendell had just discovered a new toy—despair."

Alger Hiss '29 was Holmes



secretary. Hiss enjoys repeating the story of another playful incident. Hiss and Holmes were nearly involved in an automobile accident. Tipping his head in the direction of the driver of his Packard, Holmes said to Hiss, "My lord, sonny, what a blow to jurisprudence if he'd killed both of us."

The other secretaries, Donald Hiss '32, Chauncey Belknap '15, Thomas G. Corcoran '25, Laurence Curtis '21, M. Chapman Rose '31 and Robert W. Wales '30, all preserve their own stories of revealing moments in their relations with the Justice.

In moments of relaxation Holmes played solitaire. "It's life; you're competing with yourself," he informed his secretary.

Holmes was once took "judicial notice" that the champagne he sipped — glass after glass — on his 92nd birthday in 1933 was manufactured before Prohibition.

Even after retirement, Holmes would slip on his black alpaca work coat and approach his stand-up

desk to ponder and write, meanwhile blowing halos of smoke from a cigar.

On his office wall in his Washington house Holmes hung the crossed swords his grandfather had used in the Indian Wars. Franklin D. Roosevelt, shortly after his election in 1933, came to the house to ask whether Holmes had any advice for him. Placing himself under the crossed swords, Holmes intoned: "Form your battalions and fight, just as you have done, Mr. President."

What forces produced such a man? Chadbourn tried to pinpoint them, if that can be done, in the exhibit. She titled it "Touched with Fire," choosing her title from these lines from a Memorial Day address Justice Holmes delivered in 1884: "But, nevertheless, the generation that carried on the war has been set apart by its experience. Through our great good fortune, in our youth our hearts were touched with fire. It was given to us to learn at the outset that life is a profound and passionate thing."

The secretaries made it clear that Holmes could have fun, which Chadbourn had doubted. But each of them was unchangeably impressed by the breadth of Holmes' knowledge and by his commitment to his work.

Holmes never gave his secretaries advice, they said, but his example recommended to them an approach to the tasks they faced as his assistants and would face in their careers.

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Memorial Service Offers Tribute to Dunau

(Continued from Page 1)

In a moving memorial service held last Friday in Pound 101, where Dunau's *Labor Law* class had met for the last six months, Law School students and professors paid tribute to Dunau. Although members of the family were unable to attend, a tape recording was made of the service and has been sent to Mrs. Dunau.

Speakers at the memorial service included students Ann R. Cronin, 2L, Anne E. Libbin, 3L, and Karl E. Klare, 3L. Dean Albert M. Sacks and Visiting *Labor Law* Professor David E. Feller also spoke.

Cronin, who described Dunau as "a tremendous teacher, whose

idealism and compassion inspired his students," called the memorial a tribute in "gratitude for the positive influence which he had on us."

Dean Sacks, who alluded to Dunau's brief time at the Law School as a visiting professor, said "He was actually with us a very short time, but it is obvious that he made a deep impression on many, many people. He was a naturally gifted teacher."

Feller, who is a long-time Dunau family friend, said of Dunau that he was a "lawyer's lawyer" in the labor law field. Referring to his close friend as "Bernie", Feller called him a scholar, a fair man, and a great teacher.

After his remarks, Feller read a letter to Law School students from Mrs. Dunau, who is a lawyer for the Labor Department in Washington. In it she said that "next to his family he cared most for his students." She exhorted students to become lawyers in the Dunau tradition.

"A Worker Reads History" a poem by Bertolt Brecht was read by Libbin. The poem was picked for its exultation of the working people, a group to which Dunau devoted much of his lifetime.

Klare, who was Dunau's research assistant, read a tribute which he described as a "collective effort" by several students including himself. In closing he recounted that Dunau always ended the semester by telling his students that "lawyers don't have all the answers . . . But . . . a career in the law is meaningful, because every once in a while you can strike a blow for freedom. . . ."

Dunau received his A.B. degree in 1940 from New York University and his LL. B. three years later from Harvard where he was a member of the *Harvard Law Review*. After several years in the Army and practice with the National Labor Relations Board, he started his private labor law practice in 1954.

Dunau was mainly a labor union lawyer, but his private Washington, D.C., practice ran the gamut of the labor law field, including litigation, consultation on legislation, trial of arbitration cases, arbitration, collective bargaining negotiations, and grievance handling.

Dunau had taken up teaching on a part-time basis since 1967 when he started teaching at the University of Virginia Law School. This arrangement lasted until 1973, when he started his relationship with Harvard.

In an interview with the RECORD last year Dunau commented on his dual role as a practitioner and teacher. He admitted that it was grueling work, but he added, "you have to decide what you want to do, and then make every effort to do it well. Sure, it's hard but it also makes for a much fuller life."

A Letter From Stasi Dunau

March 12, 1975

Dear Students,

Ben won't be meeting his class today, and in a world full of mass tragedy this is one of the most incomprehensible individual ones we all must face. Next to his family, he cared most for his students; and he cared passionately. He cared that you should know how the system worked, and that you should train yourselves to make it better. He was concerned that in your youthful concern for betterment you not forget about the strictures of the Bill of Rights, particularly those of the First Amendment. He wanted you not only to avoid looking for the easy answer, but also to

avoid looking for the answer that is intellectually brilliant and clever but totally unworkable in practice. Above all, he wanted you to think for yourselves and to think hard.

Honor his memory by trying to become the type of lawyer he was: Honest in his dealings with himself and others, zealous in his devotion to the rights of the individual, intellectually inquisitive, innovative and rigorous, energetic in the pursuit of the interests of his clients, but always mindful of the ethics and ideals of justice of our profession.

My love is with you.

Yours in sorrow,
Stasi Dunau

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Students Remember Valued Professor

The following tribute was read by Karl Klare, 3L, at the memorial service for Professor Bernard Dunau on Friday, March 14, 1975:

On Tuesday, about ten of Professor Dunau's students gathered to share their memories of him. None of us could believe then, and we cannot believe now, that he is dead. What I will say this afternoon is actually the product of a collective effort by the group to set down the things all of us said over and over again during those hours, each in our own way.

We are not minded to offer an exhaustive eulogy of Bernie's achievements. He was a man of action, most comfortable when "getting on" with things, when taking part in the ceaseless struggle against unreason. He had little time for ceremony or remorse. I am sure that he would wish his passing to be marked only by a gesture of love to his family and a quick return to the business of learning the skills we need to fight the good fight.

But we felt as a group that we could not go on without pausing to remember and to record our feelings toward the man and what he meant to us in the brief time that he was at Harvard.

We would like to convey something of his qualities as a teacher.

He was devoted to teaching and to his students, and this devotion was repaid, as can be seen by your presence here today. He knew he wouldn't always be around and that his work, being but a part of a long, continuous process, would be meaningful only if the next generation were trained to carry on with it. He was always available to help students with problems, or just to have a beer and tell the "inside story" of his courtroom triumphs or to kid himself about carefully planned strategies which didn't work out. He was known as one of the most accessible members of the faculty, even though he was only here one day a week.

He demanded excellence. He demanded that students advance positions only if they had a reason to believe in them. No doubt he sometimes overawed students with his forensic skills, although privately

he regretted this. But this is not to be confused with professorial ego-tripping. He was never in competition with his students. He respected them and fervently hoped that at least some would carry on his work. His sometimes brusque classroom self-presentation was only his way of showing that he really wanted us to be as good as he was in court. It was a matter of some pride to him that such a large number of last year's students this fall sought and were able to get jobs with the NLRB or in other areas of labor practice. To him that justified the incredible energy he put into teaching and the endless hours commuting by plane from Washington, D.C.

Above all, his classroom was so meaningful because of his compassion and commitment. Bernie believed that it is wrong to live life without some deep and abiding social commitments. He never hesitated to draw the connections between his detached, scholarly ob-



Mark McNeil

Professor Dunau in his office last spring.

servations and the principles he saw at stake in the cases. The cases came alive for him. They were not arid, lifeless records of forgotten events, but real human stories in which people with real problems won or lost.

He never lost sight of the human dimension or restricted his concern to the technical issues. Many appel-

late specialists never meet their clients, or even care to. Bernie not only took the time to get to know all his clients. He regarded the individual workers he represented as the true heroes of the legal battles he waged, and gave them more credit for his Supreme Court victories than he claimed for his own talents. Take the *Quality Manufacturing* case (43 USLW 4282), in which the Justices gave Bernie his last Supreme Court triumph a few weeks ago. Three women trade unionists in a remote town in West Virginia took a stand on principle and were discharged or suspended. They could easily have compromised and "gotten along," thereby saving their jobs and avoiding the agony of a six-year legal battle. Had they not stuck to their commitments, there would have been no *Quality Manufacturing* case vindicating the legal principle in the Supreme Court. In discussing the case with students, he never let us forget that these women's courage made the legal victory possible.

Bernie always ended the semester with a brief speech about the meaning of being a lawyer, which I would like to re-tell as best I can, for the students who, tragically, will not be able to hear it this year. I don't recall all the details. There was a long obscure quotation from Holmes, and Bernie's words at first seemed overly serious, as he stripped away his "tough-guy" facade and began to express what he felt inside. He ended with an unforgettable message—that lawyers don't have the answers to every problem, and there are many other decent ways to live than being a lawyer. But he thought a career in law is meaningful, because every once in a while you can strike a blow for freedom, and this allows you to walk a little taller and raise your head a little higher.

In light of Bernie's life-long interest in literature, it seems appropriate to conclude with this verse from the poet William Blake: I will not cease from Mental Fight, Nor shall my Sword sleep in my hand

Till we have built Jerusalem
In England's green & pleasant Land.

Student Markets Course Outlines

By Frank E. Sisson

What does the law student do when the Gilbert's for his course is of less-than-desirable brilliance?

While many of the law outline buying crowd forgive "Professor Gilbert" and make do with what he has written, Steven L. Emanuel, a business-minded 1L, did something about it—he wrote and sold a new *Civil Procedure* outline that provided a competitive alternative to established outlines.

Emanuel's sales market was limited almost exclusively to the Harvard Law School Community when he put out his first

sections included in the format, and that would avoid being "excessively nuts and bolts."

"We've covered jurisdiction and *Erie* problems, two of the most philosophical topics in Procedure, much more extensively than these are treated in most other outlines. We've tried to show the policy reasons underlying the decisions," commented Emanuel.

Aided by three fellow 1Ls, Peter D. Banos, Kevin J. O'Connor, and Stephen Gang, Emanuel put together an outline over 200 pages in length, although due to time pressures, the first outline was sold in

When queried on the profitability of his venture, Emanuel parried: "It's a question of accounting I suppose. My major expense is printing and my father is my printer. When you consider him and me as part of the same economic unit, it looks pretty profitable."

Emanuel's father, Lazar Emanuel '48, decided to abandon a ten year New York City practice for the business world and opened a printing and typesetting shop in Teaneck, New Jersey. Emanuel, however, has personally "set every word" of the outlines on his father's machinery.

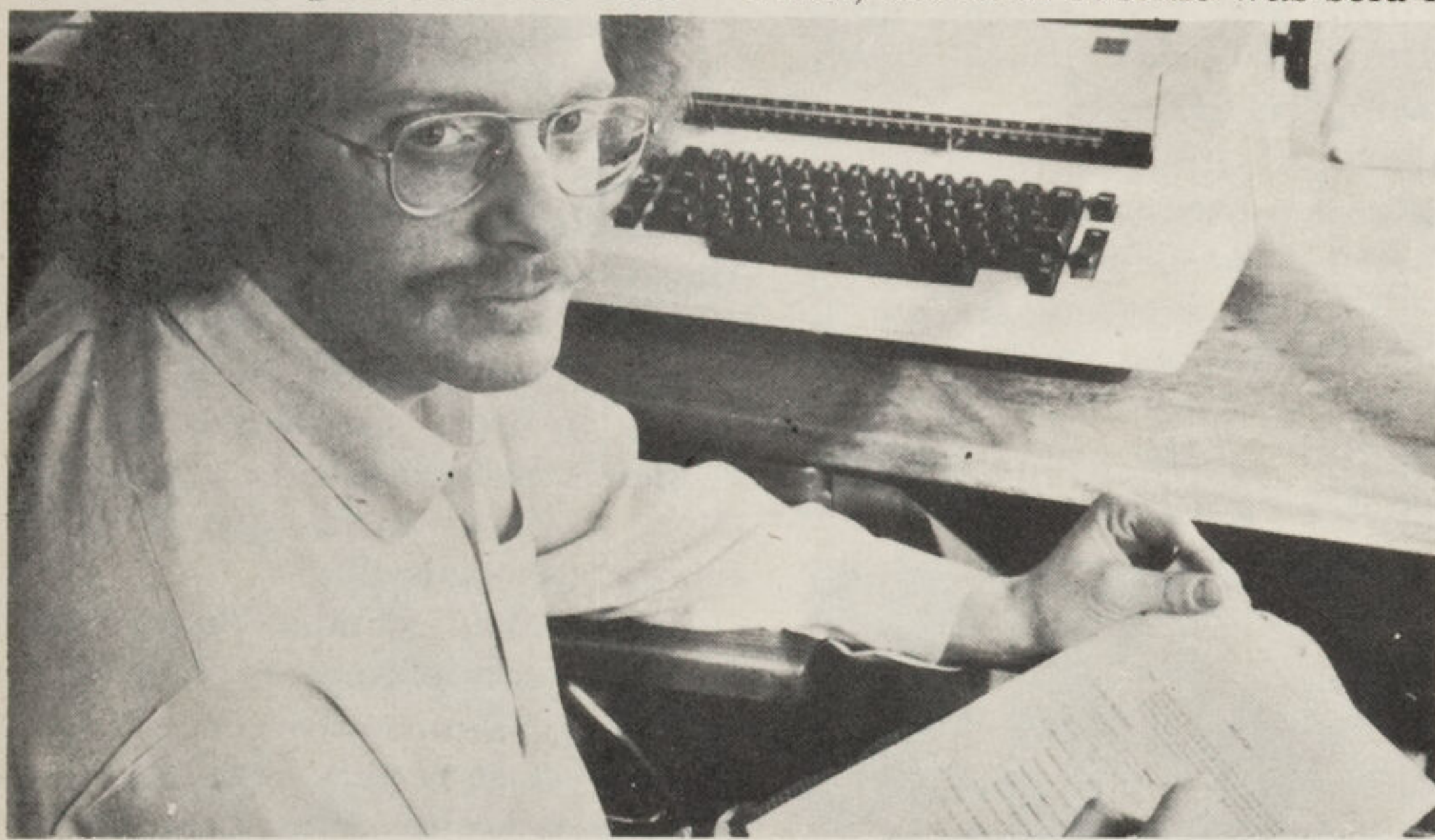
Emanuel, also Note Editor of the *Harvard Journal on Legislation* and an excellent flautist and tennis player, has put in "somewhere over 500 or 600 hours" on the outlining project to date.

"I've got agents at five or six schools but I'm looking forward to recruiting at many other institutions," explained Emanuel. Emanuel will also have several agents among the different sections selling the outline from their dormitory rooms.

Emanuel stated: "I haven't had any professorial comment on the *Procedure* outline, although several faculty members have complimentary copies."

Emanuel continues to search for the course which will provide the subject matter for next year's new outline. *Contracts* is already being outlined in collaboration with Steven K. Knowles, 2L.

"A good Gilbert's doesn't frighten me away," claimed the ever-vigilant outliner.



CWM

Steve Emanuel, 2L, at work revising the 1974 edition of his *Civil Procedure* outline.

Procedure outline last spring. Now, as a 2L, Emanuel has hopes of breaking into the national law school market with a "substantially rewritten" version of last year's outline.

The original project was conceived in January 1974. "It seemed to me that the conventional outlines weren't sufficiently sophisticated for the type of Procedure taught at Harvard Law School," explained Emanuel. "The hornbooks for Procedure, on the other hand, are quite expensive and contain a lot of material that is not covered in the first year course. I've tried to write an outline that falls in between conventional outlines and hornbooks."

Sensing a potential market, Emanuel planned an outline that would use a "programmed approach" with question-and-answer

incomplete form with supplements following near the end of the term. Emanuel estimates that 210 outlines were sold last year to Harvard Law students alone, with 20 to 30 of the leftovers being sold last fall.

The second edition of the *Civil Procedure* outline—with added cases (e.g. *Eisen*) and easier to read typography—should be on sale just after spring break. Emanuel is having 1000 copies of the outline printed in order to cover Harvard and new markets. Emanuel is also working on a *Secured Transactions* outline (to cover the first half of *Commercial Transactions*), with a target date of May 1; but with regard to this recent addition to the Emanuel's Law Outlines series, the author said: "I'm going to print about 300 and not really make an effort to sell anywhere else this year."

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HARVARD LAW RECORD

Ruling Poses Problems for Legal Aid

By Phil Heagney

Despite the popularity of its program among students, the Harvard Legal Aid Bureau is facing the possibility of a significant reorganization of its operations in the aftermath of a recent Supreme Judicial Court decision on law student practice in Massachusetts' courts.

This past January, the Court announced its intention to allow only third-year law students to appear in the Commonwealth's civil courts as of July 1, 1975. Previously, both second- and third-year students were allowed to represent clients in civil cases in Massachusetts, and the Legal Aid Bureau has built its program around this option.

"The new student practice rule definitely poses problems for us," concluded Carol Kellermann, 2L, the newly-elected president of the Bureau. "If the new rule isn't modified, the Bureau won't be able to count on having third-year students with court experience every year. The new rule might effect our second-year applications, and it will affect the clinical courses at the school."

Hellen R. Trilling, 2L, the new executive director of Legal Aid, explained that presently the Bureau's members are organized into teams of three or four members each. "Each student has his or her own load of six to ten cases," she said, "but the team members provide a lot of help and supervision to one another. By including second- and third-year students on each team, we could insure that every team would have some members with prior litigation experience, under the old system."

Trilling emphasized that "even if the new rule goes into effect, it won't come close to wiping out the amount of work that second-year students can do in Legal Aid. Our work involves a lot more than court appearances; 2Ls would continue to interview clients, do research, write briefs, and provide counseling."

Kellermann agreed with this view and said that the Bureau is proceeding in two directions in response to the new rule.

Thomas Fraser, 2L, vice-president of Legal Aid, is heading a committee to develop a new structure for the Bureau's program if July 1st comes without a change in the rule. In addition, Bureau officers have discussed the situation with Dean Albert M. Sacks. "He has been very sympathetic, and Assistant Dean Jeanne Kettleson has been very active in helping us," Kellermann said.

mer before we plan next year's program." Kellermann added that the Bureau would also like to develop a better system for pooling and passing on law reform ideas which members develop during the course of their work.

At the present time, the Bureau has about 60 active members who are supervised this semester by one full-time attorney and by five part-time volunteers from Hale and Dorr.



CWM

Newly elected executive officers of the Legal Aid Bureau, Carol Kellermann and Helen Trilling.

Although administrators and legal aid bureaus at other Boston-area law schools are also working for some revision of the student practice rule, neither Kellermann nor Trilling are willing to predict at this point what the outcome of this movement will be. "There's a lot of talking and writing going on now," Kellermann said, "but the whole thing is up in the air at this point."

Regardless of the accommodations that have to be made to the new student practice rule, Kellermann and Trilling would like to see the Bureau undertake at least two new projects in the coming year. One of these projects involves a survey of all the past cases handled by the Bureau. Trilling explained that "the Bureau has kept very good records of its cases, and we'd like to go through them this sum-

The Bureau will take applications for 35-40 positions sometime after spring vacation. Kellermann explained that Legal Aid will use a lottery to choose its new members. "We would like to take more people, but the size of our building limits the places we have for people to work," she said. "And we're also concerned about keeping the organization manageable."

Legal Aid continues to receive more applicants than it can serve. Domestic problems, landlord-tenant problems, and consumer complaints make up the majority of the Bureau's cases. Recently, the number of bankruptcies and other problems relating to the failing Massachusetts economy has been growing steadily.

The Task Undertaken

After vigorous and extended debate the faculty has given approval to the professional responsibility requirement proposed by the Legal Education Committee. We applaud this decision. A legal education without training in this area is grossly deficient. If properly conducted the new requirement will acquaint students with issues which despite their extreme import are neither readily apparent nor easily mastered on the side.

Properly construed, the faculty vote represents a commitment to the teaching of professional responsibility. Such a commitment is necessary since the task undertaken may prove substantial. Questions about the quality and content of the course remain. Several faculty members dissenting in the decision voiced the opinion that eventual faculty will have to be cajoled into teaching the course causing quality and interest to plummet. And we are concerned that insufficient alternatives will be offered to students due to a paucity of teachers, causing the course to grow to monstrous proportions; perhaps outstripping *Accounting* in remote-controlled education.

The Committee on Legal Education's proposal states that options should be available to students in which a large part of the work would be done in classes of fifty students or less. This aspect of the Committee's proposal is crucial, not only because it insures students the opportunity to ask questions and participate actively in the course, but also because it helps insure a certain minimum quality.

Likewise, it is important that those who are teaching these courses pool their efforts in the planning and developmental stages of the course. Although one of the strengths of the proposal as it stands is the opportunity for students to choose among several different offerings, we believe the courses should have a common core in order to achieve the objectives the faculty envision. To define this common core should be a central concern of those who have undertaken the task of teaching the new requirement.

Dean Sacks noted at the last faculty meeting that students are almost invariably opposed to new requirements. Today we meet the exception. But it must be noted that the longstanding opposition to requirements derives from experience that actions do not always follow words, and the best intentions do not make a good course. Students have generally welcomed the professional responsibility course because they believe it should be an integral part of a legal education. However, like any other requirement, it promises to become a source of student dissatisfaction if the faculty fails to recognize and discharge the obligations they have undertaken.

HARVARD LAW RECORD

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Fenno

"I just can't believe it," the 1L said, shaking her head in surprised dismay.

"Don't feel too badly about it," Fenno offered consolingly. "The gift of faith doesn't come to all of us."

"I mean, it's so crazy."

His capacity to perceive the obvious honed to a fine edge by his HLS training, Fenno saw immediately that there was no way to get out of this conversation.

"What's so crazy?" he asked, somewhat helplessly.

"The Williston Competition."

"Oh," Fenno rejoined. It seemed like the best thing to say.

"It was going so well," the 1L explained. "We were negotiating an employment contract, and we'd gotten our opponents to agree to a twenty-thousand-dollar-a-year salary cut, a 25% increase in working hours, and termination at the will of the employer in any month with an 'r' in it."

"That doesn't sound so crazy," Fenno observed. "It's just your standard, garden-variety, utterly realistic negotiating situation."

"And all we had left," the 1L continued, "was deciding what days the guy would get off. We reached a minor impasse when we told them that he could have Christmas Day or Chanukah, but not both."

"That doesn't seem like much of a problem," Fenno said. "All in all, it looks like things were going pretty well."

"That's what we thought. Then the other side started comparing the terms they were getting with everyone else's, and found out that we were, well—"

"Yes?"

"—screwing them."

"And they didn't appreciate it?"

"No. They said our negotiating tactics reflected bad faith, unconscionability, material misrepresentation, and the kind of castration complex that will prevent us from ever being married."

"They're obviously approaching this with the wrong kind of attitude."

"Then we told them that pleading unconscionability and so forth only works in casebooks and Legal Methods sections, and wouldn't cut any ice with us."

"That was a nice touch."

"Then they told us to go negotiate with NOW, and they quit."

"That was a mistake. They'll probably never win now, although you never can tell."

"Do you really think it was their fault that the negotiations failed?" the 1L asked, a little anxiously.

"Oh, clearly," Fenno responded. "They obviously approached it as an educational exercise, i.e., they expected that they would teach you how to negotiate. What they failed to realize is that nothing that happens at the Harvard Law School has anything to do with education — except by accident."

HARVARD LAW RECORD

Letters to the Editor of the RECORD

"Cryptic Law-yer" Braves Challenge

To the Editor:

I would like to point out four confusing typos in the "Cryptic Law" portion of your February 14, 1975 edition. On line 6, "wzhiadla" should be "wzhiadla". On line 7, "lrz" should be "lhz". On line 8, "wgccdidslp" should be "wgccdidslz". On line 9, "ihlwzdzqzsk" should be "ihlwzdzgzsk". I'm not sure whether these were unintentional errors or whether they were inserted to make the cryptogram more challenging. In any event, I think this is the most engrossing feature in the paper and hope you keep up the good work.

Udydyrv Ysbksl
(William Leyden) '72
New York City

Sybert Responds With "So, Relax"

To the Editor:

I have only just now read Mr. Berg's letter in a January issue of the RECORD. He contends that the satiric piece I had printed in a previous issue is anti-semitic. Allow me please to reply.

Firstly, assuming *arguendo* he is correct, so what? Secondly, stating as a fact that he is not, I will add that I am so very tired of people taking themselves seriously. That in fact was the point of my previous letter. So, please, relax, Mr. Berg; I meant no harm.

Richard P. Sybert, 2L
Honolulu, Hawaii

Fenno Taking Cheap Shots?

To the Editor:

Fenno is right to point out in the March 7 issue that professors should grade exams promptly, but where are *his* priorities? Certainly the cheap shots he takes at "Professor Tripe" are uncalled for. (I haven't taken a course with "Professor Lemon", so I won't comment on him.)

The two courses I've taken with "Professor Tripe" have been demanding, unusually stimulating, and very thoroughly prepared. I think he's a damn good teacher.

No doubt there are faculty members who couldn't care less about students and who demonstrate that attitude daily where it hurts the most—in the classroom. But the list of courses with late grades doesn't help much in identifying them.

Name Withheld
By Request, 3L
Cambridge, Massachusetts

Backbencher Reader Cries "Heil Hagen"

To the Editor:

I am writing to announce the formation of the Harvard Law School Students for Suspending the Constitutional Rights of Those Who Deny the Constitutional Rights of Others.

That's right folks, some of us found John Hagen's radical article against the constitutionally protected right of women to an abortion to be so convincing and original, that we've formed a group to demand other arbitrary abrogations of civil liberties. Specifically, we propose to suspend the right of persons opposed to legal abortions to speak or publish until they renounce such views.

We know some people will object that the rights to speak and publish freely are constitutionally protected. But, following Mr. Hagen's line of reasoning, we call that *bourgeois constitutionalism* which reduces civil rights to the single standard adopted by the Constitution of the United States of America. We acknowledge that American courts have recently been defending constitutional rights with greater than usual enthusiasm. If we can't persuade enough judges to see things our way, we will propose a constitutional amendment to prohibit all speech and publication against legal abortion. After all, who gave judges the power to decide if state action infringes protected individual rights?

We include both pro- and anti-abortion advocates within the broad embrace of our movement. Francisco Franco for example, while opposing a woman's right to an abortion in Spain, has come out forthrightly for government without any civil liberties or constitutional protection for its citizens. The well-known Mr. A. Hitler and Mr. B. Mussolini took similar positions in Germany and Italy respectively. Currently the governments of South Vietnam and South Korea are in the vanguard of the international movement to suspend constitutional rights. We don't know what their positions on abortion are, but we can guess.

We in America, as Mr. Hagen suggests, desperately need to affirm something more positive than our 200-year-old Constitution. It is only on a commitment to higher morality that we can aspire, God willing, to a decent, if not just, society.

Heil Hagen!

Jan Ting, 3L
Cambridge, Massachusetts

Correction: The picture which appeared on page 16 of the March 7th issue, should be credited to Bernard E. Nelson, not CWM.

Law Notes

The Harvard Law School Forum will present former Governor Frank Sargent of Massachusetts at 1:30 p.m. on Saturday, March 22 in the Pound Building, Room 102. Admission for Sargent's speech on "Personal Privacy in America" is \$1.00. On Monday, March 24, the Forum presents Senator Lowell Wicker of Connecticut, a member of the Watergate Committee, at 8:00 p.m. in the Ames Courtroom, Austin Hall. Admission is \$1.75.

* * * * *

The Law School Council is distributing a questionnaire available today (Friday) in the student mailboxes in the basement of Langdell. The questionnaire concerns the following issues of interest to students: written work requirement, student advising, clinical studies, grading, and the semester system.

Cryptic Law

The following excerpt from a rather dated opinion is in "judicial code." Decode it. (Hint: Each letter stands for a different letter of the alphabet.)

"Qme mvb L qp zvlmz ov okcc dvt bsqo L
oslmv vr osk ekrkmeqmo'n oknolpvm. Dvt
pqd sqik mvolyke, Pw. Rvwkppm qme
zkmockppm, osqo sk blake sln sqmen
etwlmz sln oknolpvm. Lo ln wqoskw q
ytwlvtn oslmz, xto osqo ln qcpvno qcbqdn qm
lmelyqolvm vr cdlmz. Bsd lo nsvtce xk nv bk
evm'o umvb, xto osqo ln osk rgyo. L oslmv
osqo kikwd nlmzek bvwe osqo ppm ngle,
kfykao bskm sk qzwwke blos osk
zvkwmpkmo'n oknolpvm bqn q clk."

(Answers on Page 16)

Sports Answers

10. Ken Boyer, 1964; Joe Torre, 1971
9. Lloyd Neal
8. Juan Pizarro and Joey Jay
7. Dyrel Burleson and Jim Grelle
6. Charley Hennigan
5. (D) Tommy Bolt, 1958
4. Billy Talbert
3. Candy Cummings
- (E) Arizona State
- (D) Georgetown
- (C) Tennessee
- (B) Michigan State
2. (A) Nevada-Las Vegas
1. Joe Adcock

SPORTS QUIZ

1. On May 26, 1959, Harvey Had-dix pitched a perfect game for 12 innings only to lose in the 13th on an error, a walk, and a double. Name the player whose hit drove in the winning run.

2. Match the following college basketball coaches with their teams:

- (A) Jerry Tarkanian
- (B) Gus Ganakas
- (C) Ray Mears
- (D) John Thompson
- (E) Ned Wulk

3. Name the pitcher generally credited by baseball historians with inventing the curve ball.

4. This former outstanding tennis doubles player is presently the U.S. Open Tournament director at Forest Hills. Name him.

5. Only one of the following golfers has won the U.S. Open. Which one?

- (A) Charles Coody
- (B) Sam Sneed
- (C) Doug Sanders
- (D) Tommy Bolt
- (E) J.M. Rainer
- (F) Jimmy Demaret

6. One of the all-time AFL greats caught an incredible 101 passes in the 1964 season. Name this wide receiver.

7. From the late 1950's to the coming of Jim Ryun, distance running in the USA was dominated by two West Coast milers. Who were they?

8. The pennant-winning Braves of 1957-58 featured starting pitchers Spahn, Burdette, and Buhl. They traded away two promising youngsters, a lefty and a righty who were languishing in the bullpen, who went on to become stars in their own right? Who were they?

9. The Portland Trailblazers have two centers who were the first player picked in their year of eligibility for the NBA. However, the starting center during their recent surge is a 6' 7" unheralded performer. Name him.

10. Only three third baseman have won the MVP of the National League. Name the two who have won since 1960.

(Answers on Page 11)

March 12, 1975

COOP NOMINATIONS

In accordance with Article VI, Section 1, of the By-Laws of the Harvard Cooperative Society, as amended, the Stockholders of the Society have nominated the following individuals for election as Student Directors of the Society at the next Annual Meeting of the Stockholders in September, 1975.

IMPORTANT — Members seeking nomination as student directors by petition are urged to obtain a sample form of petition and a more detailed statement of the requirements governing petitions from the cashier in any Coop store.

STUDENT DIRECTORS

Harvard College Undergraduates

Mr. D. Thomas Abbott	Class of '76
Mr. Marvin N. Bagwell	Class of '76
Mr. Keith G. Hanley	Class of '76

Radcliffe College

Ms. Elisa A. Botta	Class of '78
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Harvard University Graduate Students

Mr. Michael H. Browder	Divinity School, Class of '76
Mr. Rick L. Frimmer	Law School, Class of '76
Mr. John Scott	Arts and Sciences

Massachusetts Institute of Technology Undergraduates

Mr. Jonathan W. Kutchins	Class of '78
Mr. Mark Thorne-Thomsen	Class of '76

Massachusetts Institute of Technology Graduate Students

Mr. John A. Foss	School of Science
Mr. Robert A. Wasson	School of Engineering

PROCEDURE FOR MAKING ADDITIONAL NOMINATIONS FOR STUDENT DIRECTORS

Pursuant to Article VI, Section 2, of the Society's By-Laws, as amended, additional nominations for student directors may be made by petition signed by at least one hundred student members and filed with the Clerk (by leaving the petition at the General Manager's office in the Harvard Square Store) not later than 5 p.m., April 7, 1975. A signature will be invalid unless the student designates his membership number and school and he is currently enrolled as a degree candidate in that school.

IF A STUDENT MEMBER SIGNS MORE THAN ONE PETITION, HIS SIGNATURE ON EACH PETITION WILL BE DISREGARDED.

The posting of nominations for officer-alumni directors has been postponed pending outcome of the current balloting on by-law amendments. Those amendments do not affect the nomination procedure for student directors.

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US-China Trade Arbitration Explored

By Rob Leflar

The upsurge of trade between the United States and the People's Republic of China forebodes a corresponding increase in trade disputes, but as yet China has no ties with any of the existing mechanisms set up to resolve these controversies.

To lay the groundwork for a system for settling commercial disputes between the two nations, Donald B. Straus, president of the Research Institute of the American Arbitration Association, visited China for two weeks in January. His impressions of Chinese attitudes towards negotiations and law were recounted at the East Asian Legal Studies Center on March 12.

Straus and his team of arbitration specialists had some surprises in store for them in Peking. Their Chinese counterparts seemed at first evasive and dilatory when the Americans asked persistently for specific details about Chinese dispute resolution. Patience seemed to get a bit frayed on both sides.

Then a Chinese leader took Straus aside and told him of Chairman Mao's maxim: "Never talk about details until basic principles are understood." So the Americans listened to a day or two of introductory lectures on Maoist principles of dispute settlement. Once their hosts felt they had reached a basic level of understanding, the Americans had their questions answered fully.

Straus reported that in settling international trade disputes, unlike Western practice, the Chinese seldom resort to formal arbitration; rather, they settle most cases by "friendly negotiation" (employing

the offices of the Chinese Foreign Trade Arbitration Commission) until the two sides come together. The Chinese avoid formal, legalistic confrontations by applying three principles to dispute settlement: "keeping the initiative," which seems to mean not losing sight of national law and ideology; "mutuality and equal benefit"; and "consideration of international practices" (which relieved the Americans somewhat).

The Chinese approach to dispute resolution, said Straus, is not to worry about determining which nation's law is to apply, as Western arbitrators would do, but rather to rely on these three principles in determining a settlement.

Straus learned Mao's maxim: "Never talk about details until basic principles are understood."

Straus envisions development of a model arbitration clause governing disputes between the U.S. and China involving a kind of compromise between formal Western concepts of third party arbitration and the Chinese method of "friendly negotiation." For instance, a U.S. corporation involved in a trade dispute would select an "impartial mediator" from the U.S. well acquainted with Chinese language and practices ("Most of the job candidates are probably in this room," quipped Straus), and the Chinese would select a mediator likewise familiar with America. This two-person mediation team would work together in good faith

to bridge the positions of the American and Chinese concerns. Only if this effort failed to bear fruit within a specified time limit would the two sides resort to arbitration. Straus sees this setup as a first step in bringing China within the world commercial arbitration network which is now being developed.

It would seem rather fruitless, observed Straus, to expend much effort studying Chinese law, since it's always changing. (That comment brought a grin to the face of the moderator, Professor Jerome A. Cohen, whose specialty is Chinese law.) The Chinese arbitration experts viewed their legal system as utterly instrumental, composed of changeable rules designed for par-

ticular purposes, shifting as necessary within the overarching framework of Maoist ideology. As a Chinese leader told Straus, "You must adjust law to men, not men to law."

Straus also related his impressions of the Peking University Law Department. The purpose of the curriculum is the proletarian education of young people for the Revolution. The students prior to entry must have spent at least two years working in a commune. "The most important function of the law department," said the Chinese experts to Straus, "is to change the thinking of the students so that they can serve the people."

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Faculty Establishes Ethics Course

(Continued from page 1)

The debate was joined by Professor Charles Fried who noted that the faculty would be requiring something which was as yet an unknown and untested quantity. The proposed course, he reasoned, would be vastly different from presently required courses which have a well known and defined subject matter. Fried advanced an alternative motion proposing the faculty *recommend* that students take a two credit course in professional responsibility; that the faculty endeavor to create the necessary courses; and that they remind students of the increasing propensity of State Bars to require such courses.

At this point Dean Albert M. Sacks entered the discussion. Noting that students are regularly hostile to any new requirement, Sacks remarked that he had found no substantial opposition to the Committee's proposal. This, he attributed, to

a desire on the part of students that the school take a position on the importance of the area. Sacks added that with the development of the clinical program, as well as other courses and projects, a good professional responsibility program could be predicted.

The debate which followed touched upon several different issues, most notably: the wisdom of requiring a course which, some asserted, lacked a defined subject matter; and the prospects of regu-

larly finding professors who would be willing to teach the course. The vigorous debate sparked by these issues caused one faculty member to admit that he always found himself agreeing with the last speaker.

Upon the conclusion of the hour and a half debate, Sacks brought the Fried motion to vote. It was defeated 21 to 14. The proposal of the Committee was then voted on and passed by a vote of 26 to 10.

The Faculty then adjourned prior to consideration of appointments.



University Wine Quiz #5

1. What district borders Pomerol?
2. Name 3 years from the 60's that were "vintaged" by most Port shippers?
3. True or False? Rich, humus soil is found in the majority of European vineyards?
4. Where can one find the greatest selection of foreign beer in Boston? For the answers, see next week's quiz, or drop in at the answer to question 4....

University Wine Shop

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Last Week's Answers 1. 3 2. Sylvaner, Riesling, Gewurtztrammer 3. Bordeaux, France

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Argentinian Proves "A Literary Magician"

By Charlotte Renner

Several years ago, when many students were writing papers on the Whiteness of the Whale, or the Redness of the Letter, a new American novel appeared. Like the Early American novel, the new form was the product of a revolutionary consciousness and a nascent language; both of which can be found only in the Southern "underdeveloped" hemisphere. North American publishers were, for a long time, too busy to notice the newcomer (though a handful of English professors were, it must be noted, alert to its brilliance). There is, unfortunately, a great deal of superb Latin American fiction still untranslated, or, worse yet, unnoticed. We have, however, one novel, well translated and now readily available in paperback, which has already proven itself equal to the best of American and European literary classics. The title of the book is *One Hundred Years of Solitude*, by the Argentinian, Gabriel Garcia Marquez.

If, as it appears, the North American novelist is, compared to Marquez, "old-fashioned," then so is our critical vocabulary unequal to the task of describing Marquez's work. He might be called, for want of a better name, a literary magician. Or, more clinically, an "historical allegorist." One might contrast him with Borges, finding in his art a sensitivity to landscape and a social realism missing from Borgesian parable. Or, one might notice in his novel a Faulknerian sweep, a conflation of family history with the life of a geographical region. (The plot, which spans six generations, becomes comically cyclical as each male offspring is christened either Arcadio or Aureliano.) But, finally, such comparison is feeble. Though related to all sorts of respectable literary analogues, *One Hundred Years of Solitude* is, like Melville's *Confidence Man*, "an original."

Like most recent (and some ancient) fiction, *One Hundred Years of Solitude* presents itself as a book, a verbal artifact. But,

unlike much popular literature, this novel is not simply a stylistic bag of tricks. The complex narrative strategy exists not for its own sake, but serves the higher thematic purpose of probing authentic national attitudes towards the inevitable forces of economic and political "growth." Colonization, for example, is crystallized in a few brilliant sentences:

He set up a table and a chair that he had bought from Jacob, nailed up on the wall the shield of the republic that he had brought with him, and on the door he painted the sign: MAGISTRATE.

This same magistrate later explains a political schema not limited to the pages of fiction:

The Liberals, he said, were Freemasons, bad people . . . The Conservatives, on the other hand, who had received their power directly from God, proposed the establishment of public order and family morality.

Political parties are, throughout the novel, like costumes for the citizens of Macondo — not their native garb. Underneath the veneer of "Civilization" and "Progress" are the enduring realities of nature, custom, and love. Such things are manifest as miracles: a rainstorm which lasts for "four years, eleven months, and two days." An insomnia epidemic, during which signs have to be invented to fight loss of memory:

"This is a cow. She must be milked every morning so that she will produce milk, and the milk must be boiled in order to be mixed with coffee to make coffee and milk."

Larger realities also require identification:

At the beginning of the road into the swamp they put up a sign that said

MACONDO and another one on the main street that said GOD EXISTS.

Love, too, has its signs. The visits of one secret lover are attended by a plethora of yellow butterflies, which threaten to smother a suspicious matriarch. In short, the book surprises and delights at every turn. The comic genius of Marquez simply cannot be measured; nor can it be appreciated out of its fictive context. (In this respect the novel is not dissimilar in tone and effect to Fellini's *Amarcord*.)

Like the town it documents, *One Hundred Years of Solitude* ends in an instant (or, even after 300 odd pages, so it seems). Even as Aureliano discovers its written history, Macondo becomes radically transformed. Our Political Science books, or even International Law courses, may give us more technical names for the "fearful whirlwind" that swallows the town. But only Gabriel Garcia Marquez can save for us its beautiful memory.

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Rule 26: Hungarian Prince at Law School?

Q. The people who run this school, from Sacks on down, must be *SICK*. Couldn't we please get Good Friday off. I mean some respect for God would be in order.

A. Good Friday is not a holiday for the same reason Yom Kippur, Martin Luther King's Birthday, and Patriot's Day are not holidays—a need to maintain minimum classroom hours so as to satisfy state bar requirements, most notably New York's.

Q. Is there anyway I can find out the distribution of the grades in one of my courses, such as how many A+'s, A's, A-'s, etc. there were. Also, are there quota requirements on what percentage of the students should get A+'s, A's, A-'s, etc. in each course?

A. According to Registrar Mary Upton it is Law School "policy" not to release the breakdown of grades in each individual course. She also reports that there is no Law School policy per se on quota requirements but that individual professors may impose their own quota systems.

Q. Paul Bator—is he (or his

Solution to Cryptic Law

746, 747-48 (First Circuit, 1933).
Quercia v. United States 62 F. 2d was a lie."
with the government's testimony, man said, except when he agreed think that every single word that don't know, but that is the fact. I tion of lying. Why it should be so we but that is almost always an indication. It is rather a curious thing, wiped his hands during his testimony. Foreman and gentlemen, that he what I think of the defendant's testimony. You may have noticed, Mr. "And now I am going to tell you

father) really an emigré Hungarian Prince? Is that why he's known as "Prince Paul"?

A. Paul Bator emphatically denies that he or his father was ever a Prince of any kind. Bator, who was born in Budapest, is the son of a Hungarian lawyer. Friends suggest that his title stems from his princely demeanor.

Q. A three hour class meeting at 10 a.m. Monday thru Wednesday actually starts at 10:10 each day for a total of 50 minutes a day or a grand total of 150 minutes a week. If the same class met only twice a week shouldn't it start at 10:15 each day and thus meet twice for 75 minutes for a total of 150 minutes?

A. Mary Upton explains that it is "understood" that hour and a half

classes would start at 15 minutes past the hour or half-hour. However, as the reader well knows, "understandings" are not always understood.

Q. Who is responsible for the new artwork outside the elevator in the basement of Pound?

A. Bernice Loss, a member of the Law School's Art Committee, painted the signs.

Q. What are the chances of getting our yearbooks sometime in the near future?

A. Mark Halperin, the efficient editor of this year's yearbook, informs me that they are being printed this week in Winston-Salem, North Carolina. Halperin hopes that the yearbooks will be ready for distribution the week after Spring Vacation.

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