

HARVARD LAW RECORD

America's Oldest Law School Newspaper

© 1981 BY THE HARVARD LAW SCHOOL RECORD CORPORATION

VOL. 73, NO. 3

OCTOBER 9, 1981

TWENTY-FIVE CENTS

Computer Causes Placement Confusion

By Mary Tarduno

Scheduling problems plagued the opening of interview season this year. According to June Thompson, director of placement at HLS, the computer program used to schedule

interviews "began doing all sorts of things it never was programmed to do. I am at a complete loss to explain what happened."

Students first learned of the problems when they got notified of interview dates. For the first four

days of interviewing, Oct. 1, 2, 5 and 6, students found themselves scheduled for two or more interviews at the same time and/or for interviews during classes. One student "hit the jackpot," said Thompson; she had three interviews scheduled at the same time during a class.

The problems caused confusion and frustration among students. Students attempting to get interviews rescheduled waited in long lines at the Placement Office. Placement staff members, not sure of the cause of the problems, adjusted schedules by hand.

While students waited on lines, computer programmers at the Harvard Office of Information and Technology (HOIT) tried to figure out what was wrong with the placement computer program. Programmers worked one night until 4 A.M.; each time they adjusted the program, Thompson said, they ran into new problems. By last Friday, however, they did have the program running properly.

The computer problem caught placement officials by surprise. According to Thompson, HOIT has run that same program for the Law School for the past 15 years. The program smoothly scheduled students for interviews last year, she said, and no changes had been made in the program between last spring and now. As a result, she did not expect any surprises from the computer. Before last year's interviewing season she had taken the program through a "dry run," but she skipped such a test this

(Continued on Page 6)

Harvard Advocates Debate Human Life Bill

By Marisa Manley

Loudspeakers mounted on a hearse in Washington, D.C. blare messages in support of the Human Life Bill. Leafletters at Harvard Square stop shoppers to persuade them to work against the Human Life Bill. From the Harvard Law School yet a third style of advocacy addresses the merits of the Human Life Bill. Unlike their counterparts in the streets who may confront people with the blunt question of whether a fetus is a human being, the Harvard advocates focus on how passage of the bill would affect relations between the courts, Congress and the Constitution, rather than on how it would affect relations between a woman and a fetus.

The Human Life Bill, S.158, declares that human life begins at the moment of conception. According to its proponents, this would give fetuses 14th Amendment protections and prohibit abortions. Those who oppose the bill call it "linguistic legerdemain," an attempt to rewrite the Constitution without the two-thirds majority of

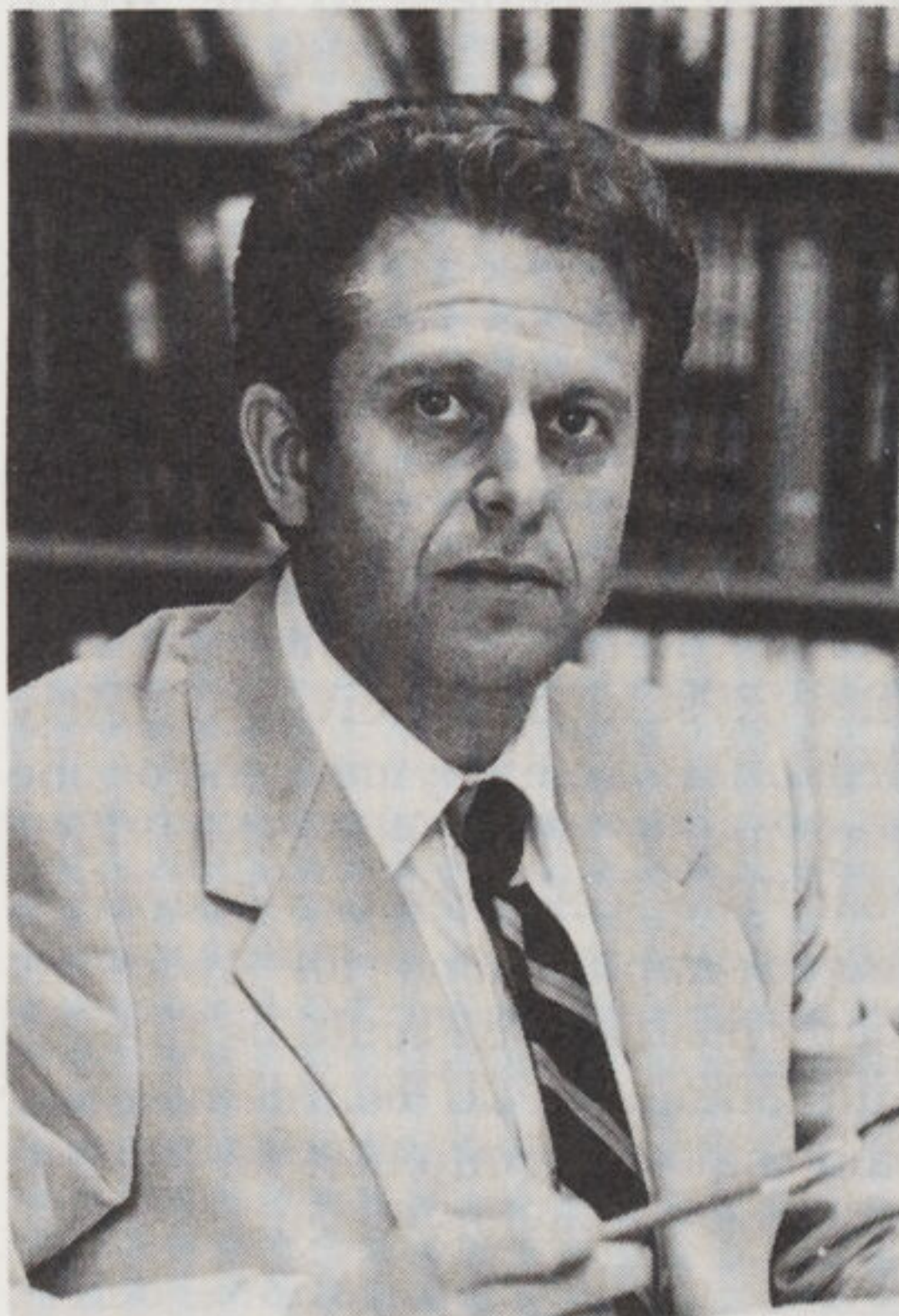


Photo by John Morris

Prof. Laurence Tribe

each house required for a straightforward constitutional amendment.

Alumni and professors of the Law School have helped shape the issues before Congress and have been asked to help decide their outcome

(Continued on Page 14)

SFF Sponsors Summer Employment

HLS students have been spreading their wealth. It is well known that annually many accept lucrative offers of summer employment at large firms — summers that are mainly spent scribbling memoranda in libraries. Less commonly known is their propensity for donating some of their earnings to help finance the summers of their more public interest-minded fellow students.

More than a third of the student population pledged portions of their earnings to Student Funded Fellowships, a non-profit corporation operated by HLS students. Faculty and student pledges totaled nearly \$17,000 last year. The money was used to help pay modest \$1750 salaries to 15 HLS students who chose public interest jobs last summer.

The SFF-funded jobs represented a wide range of public interest employment. One 3L worked in Nome, Alaska, with a two-attorney office of the Alaskan Legal Services Corporation. The bulk of her work involved gathering comments from residents of many surrounding villages on an environmental impact statement concerning offshore oil drilling. She reported that she also spent roughly half of her time on case work and became involved in community education efforts concerning new state laws on alcohol.

A 2L took a summer position with a landlord-tenant legal aid clinic in Detroit. Since Michigan has a very liberal rule on law student advocacy in its state courts, the student was able to function "as another attorney in the office," though he had completed only one year of law school.

Instant Issue-Spotter

Another 2L returned to her home state of Mississippi to work for an ACLU office. She reported that, since the office was the only one in the state, it received a wide range of complaints, averaging 75 telephone calls per week. Dealing with these telephone complaints, she noted, "was kind of like [being] an instant issue-spotter." She also

had primary responsibility for a Title IV challenge of a Mississippi state law that provided funds for certain athletic activities for male students but denied funds for the same types of activities for female students. She reported that she also wrote a policy memorandum challenging a State Highway Patrol practice. The Executive Director of the office forwarded her memo to the governor.

Boston Summers

Two 2Ls worked in the Boston area this summer. One spent much of the summer at Bridge-water State Hospital, a mental institution, as an intern with the Mental Health Legal Advisers' Committee. "It wasn't a very legalese-type summer," she commented, likening her experience to social work. The other Boston-based 2L worked with the Civil Liberties Union of Massachusetts. Her work involved challenges to the White administration's denials of demonstration permits to certain groups over the course of the summer and initial screening of complaints. She also had primary responsibility for the development of a case involving the right to receive literature from Communist countries.

SFF does not place students in public interest positions. Rather, once a student receives a fairly firm offer of employment, he or she may apply for a fellowship. Last year, the nine-member board received applications for twice as many positions as could be funded. Jim Simon, a 2L board member, said that the group met for several days of intensive discussion and review of the applications before deciding which students to fund. Factors given weight in SFF's decisions include the applicant's past commitment to public interest work and ad hoc evaluations of the organization's contributions to the "public interest." Simon added, "We looked for diversity, both in types of jobs and in geography."

The \$1750 stipends funded 10 weeks of work. The degree of SFF

funding varied according to the ability of the employer to contribute to the student's salary. Where employers were unable to contribute the total amount of the stipend, SFF made up the balance. SFF provided the entire amount of the stipend for some students; in some cases, SFF merely contributed the employer's portion of federally-funded work-study grants.

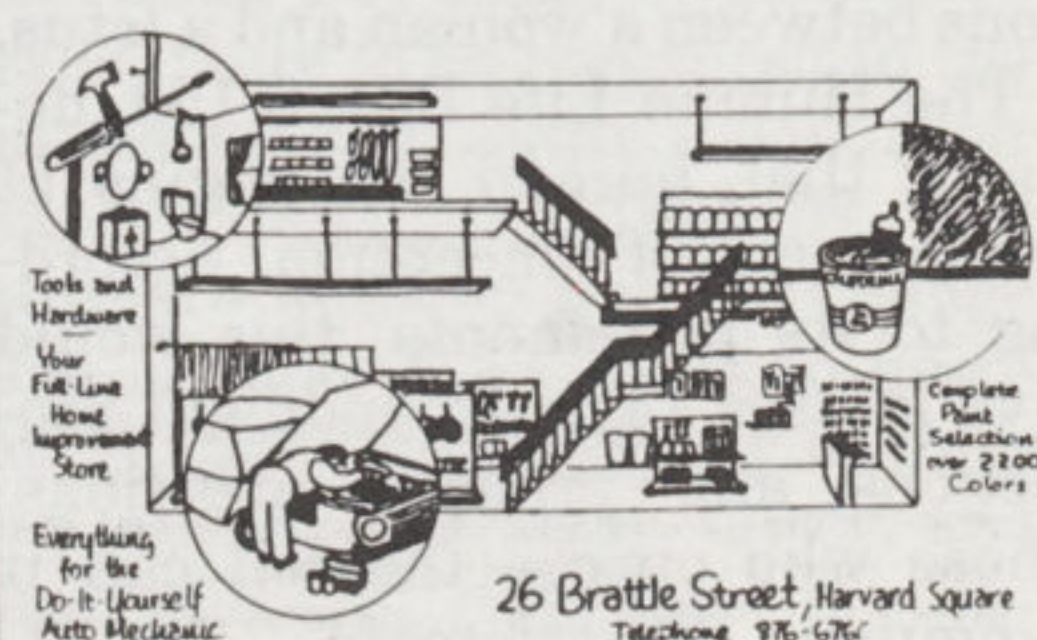
SFF suggested that students contribute one per cent of their gross summer earnings. Simon noted that many gave generously and that pledges in the \$60-\$100 range were not uncommon.

Uncollected Pledges

So far, SFF has collected about 60 per cent of the total amount pledged last spring. The organization sets its summer budget in anticipation of receiving 75 per cent of the pledges. David Abromowitz, 3L and president of SFF, said that he expects more of the pledge money to arrive soon. Many of the pledgors were 1981 HLS graduates, who have only now begun to work. Current students who have not yet made good on their pledges may drop checks in SFF's box in the office of the Board of Student Advisors.

Abromowitz observed that SFF "fills a very big gap, but can only do it in a limited way. No one should be complacent because we have SFF around." He urged support for other organizations involved in the public advocacy.

DICKSON BROS. HARDWARE
When you want to fix things... but good!



Tools and Hardware
Your Full Line Home Improvement Store
Everything for the Do-It-Yourself Auto Mechanic
Lumber
Wallpaper
Complete Paint Selection over 2,000 Colors

26 Brattle Street, Harvard Square
Telephone 876-6766
Open 8:30 - 5:30 daily
VISA and Master Charge accepted

June LSAT Will Have a New Look

By Mark Pogue

Educational Testing Service, Inc. (ETS), the non-profit corporation that develops and administers more than 40 different aptitude and achievement tests, is expected to announce major revisions in the Law School Admissions Test (LSAT) within the next two weeks.

According to Mary Francis Nysse, supervisor of communications at the Law School Admissions Services, the new LSAT is expected to reflect the following changes: (i) the scoring scale will be compressed from 200-800 to 10-50; (ii) both the "quantitative comparison" (math) and "sentence correction" (grammar) sections of the current LSAT will be eliminated; and (iii) the new format will require test-takers to compose one or more twenty-minute essays. It is uncertain whether the essay section will ask students to paraphrase information presented or to write on specified topics, but in either case no substantive prior knowledge will be presumed. ETS will send copies of the essays, unscored, directly to the law schools for whatever evaluation is deemed appropriate.

ETS's Latest Effort

The changes in the content of the LSAT, which will appear first on the test administered in June 1982, represent ETS's latest effort to make the exam as good a predictor as possible of applicants' future performance in law school. "The possibility of changing the format of the test in a major way had been under consideration for quite a while," said Nysse. "I think there was a feeling it wasn't providing

the most accurate possible assessment of future performance." Nysse also suggested that two errors which appeared recently in the math questions — only one of which was discovered internally — contributed to the decision to scrap that section.

ETS's efforts to enhance the predictive potential of the test are accompanied by an attempt to de-emphasize its role in the overall admissions process. By compressing the scoring scale to a 41-point span, Nysse said, scores will cluster more and it will be more difficult to rank applicants on the basis of the test. Nysse denied that ETS or the Law School Admissions Council believed that law schools were misusing the LSAT score. But she did say, "There was a feeling schools placed too much emphasis on scores and should consider other criteria for admissions."

A "Real Improvement"

At Harvard, Dean of Admissions Molly Geraghty, who heads a staff that must review over 7,000 applications each year, called the LSAT changes a "real improvement" and said she was "looking forward to using the new test." Geraghty said she wasn't sure yet how the writing samples would be used at Harvard, but promised that "we won't go on orthography alone." At the least, she noted, the samples should prove useful because there will be no doubt about who wrote them. The same cannot be said of the longer, unsupervised essay normally required as a part of an applicant's admissions packet. "There's no guarantee that the long essay wasn't reviewed by every member

of a student's English Department," said Geraghty with a smile.

False Sense of Precision

Geraghty is equally pleased that the LSAT scale has been compressed. "I think that was a wise decision," she stated. "The 800-point scale has a built-in error factor of plus or minus 30 points, but it still tends to create a false sense of precision. And that scale has been around for so long that certain numbers have almost taken on personalities. You hear '720' and a particular opinion forms in your mind."

Will the compressed scale effectively reduce the usefulness of the LSAT score, forcing Geraghty and crew to spend additional hours poring over "softer" admissions materials? "Maybe we should have been doing that all along," she said. "But even if it does mean more work, that's good for us. Busy hands are happy hands."



Advertise in the RECORD

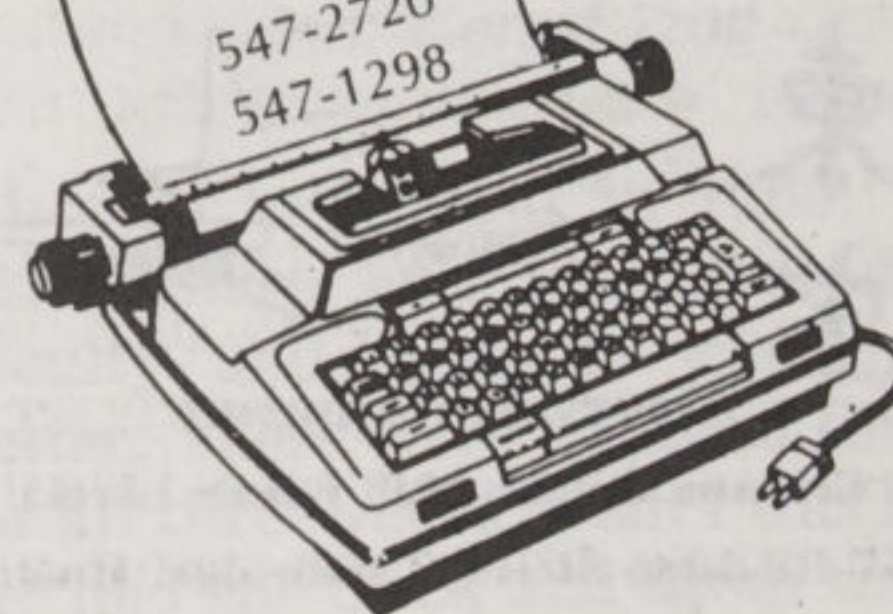
UNIVERSITY TYPEWRITER CO., INC.

Typewriters
New and Rebuilt

- Electrical
- Manual

Quality Ribbons
90 Mt. Auburn St.
Harvard Square
Cambridge
547-2720
547-1298

- Sales
- Rentals
- Repairs



Published ten times each semester by the Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138-9984. Telephone 617-495-4418. Subscription price: \$8.00 year mailed; \$10.00 year mailed outside U.S.; students \$4.00 year distributed at the Law School. Individual copies including back issues: 25 cents at the Law School, 50 cents mailed. Second class postage paid at Boston, Mass. Copyright 1981 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. POSTMASTER: Send address changes to Harvard Law Record (ISSN 0017-8101), 23 Everett St., Cambridge, Mass. 02138-9984. ALUMNI: Alumni who receive the Record as a result of membership in the Harvard Law School Association should mail change-of-address information to the Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138. Each alumnus receiving a Record subscription through the Harvard Law School Assn. should be on notice that \$4.80 of his H.L.S.A. annual dues are used to purchase the Record subscription he receives. Dues paid at any time during the H.L.S.A. fiscal year which began in April 1981 and ends in March 1982 will purchase a subscription which begins in September 1981 and expires in June 1982, and so on in following years.

Ioffe: Free to Write and Think at HLS

By John Morris

One of the Soviet Union's most prominent legal scholars has been named a Fellow in Comparative Law at the Law School. Professor Olimpiad S. Ioffe, who was Chairman of the Department of Civil Law at Leningrad University from 1966 to 1979, emigrated this spring after waiting a year and a half for an exit visa.

Ioffe lost his job at the University after he granted the parental permission required under Soviet law for his daughter's exit visa. In fact, he was dismissed the same day she received permission to leave. He then left the University for his country home where he was isolated from his academic colleagues. He did not attempt to maintain ties with them, he said, and they were understandably reluctant to seek him out. During the first months of this period, the state continued to pay his professor's salary, but when he turned 60 in January of 1980, he was given the standard Soviet pension instead. He applied for an exit visa for the first time that month.

Before his dismissal, Ioffe wrote more than 30 books on law-related topics. He also helped draft the Fundamental Principles of Civil Law, a framework of legislation within which the individual Soviet republics enact their own civil codes.

Ioffe's time here is spent writing and helping Prof. Harold Berman with his courses on Soviet Law. "I work every day from morning to night until I am satisfied with my work," he said.

Different Style

The work of an American professor of law is different from that of his Soviet counterpart, he noted. In particular, he said, the lecture style is different. "Your [class] looks like a conversation . . . not in the strict sense, but students can interrupt and the professor can ask questions. In Europe in general the lecture is more like a monologue. . . . Students can ask questions [only] by submitting them in writing." European seminars, however, are conducted in a style more like American classes, he said.

Under Soviet law, professors are paid for two sorts of work — research and teaching — and their time each day is supposed to be divided roughly equally between the two, he said. In December, each professor must present his research papers for the year to the faculty for discussion. The faculty then assesses the work to determine "if it is serious — or if it is nothing."

Time and Freedom to Write

Now that he is at HLS, Ioffe

plans to write on subjects he has reflected on for many years. When asked if he felt constrained in his research within the Soviet Union, he said, "I cannot answer that affirmatively or negatively. All my topics I choose myself; no one told me what to do. In that way I was a free man. . . . But I knew what was permitted and what was not. . . . I had my inner censorship."



J.M.

Prof. Olimpiad Ioffe

He also said that on occasion he was told that parts of his books or articles would have to be changed.

"I dreamt of writing books quite freely — to write what I had thought of. For the first time I can do it. I am grateful to have a law school which would give me such an opportunity." He also expressed appreciation to HLS Prof. Berman for helping him come to the Law School and to American scholars in general for their support of his efforts to obtain an exit visa.



The RECORD needs photographers.

If you would like to take pictures, or help with darkroom work, drop by Tuesday evening, Oct. 13.

HARVARD LAW RECORD

ORIENTAL TOURS & TRAVEL

China Tour Specialists

Low cost airfares
JAPAN FAR EAST
anywhere in the world

東宝



Harvard Square

Crimson Galeria Mall Lower Level
57 Boylston Street, Cambridge, Mass.
Tel. 491-0029

JAMES F. BRINE INC.
29 BRATTLE ST.
HARVARD SQ. 876-4218

SPORTS EQUIPMENT AND APPAREL
FOR THE ENTIRE FAMILY

SOCCER	JOGGING	SQUASH
SHOES	WARM-UPS	RACKETS
BALLS	SHOES	SHOES

ATHLETIC SHOES BY:
ADIDAS, TIGER, ETONIC, NIKE,
BROOKS, LE COQ SPORTIF.

WARM CLOTHES FOR FALL &
WINTER

DOWN PARKAS & VESTS, WOOL
SHIRTS, RUGBY SHIRTS, WOOL
SWEATERS.

"BETTER BUYS AT BRINE'S"

Penn's Frug Returns to HLS for Good

By Erich Merrill

Gerald Frug has returned to HLS to become a professor 18 years after completing his term as a law student at the school. During those years, a fellowship at the London School of Economics, a job with the U.S. Equal Employment Opportunity Commission, and a position as Administrator of the Health Services Administration of New York City have defined the perimeter of a life Frug says is centered around academic enterprise.

This article is the first in a series the RECORD will print about new faculty members at HLS.

Frug was born in Berkeley in 1939. He attended the University of California in Berkeley, and graduated in 1960 with a major in political science. Three years later, he left Harvard with a degree in law.

In 1963, Frug attended the London School of Economics. Though the school's name suggests that he had begun studies in a new area, Frug explains that the institution was really a school of economics, politics, and law.

He returned to the United States in 1964 and became a clerk for Justice Roger Traynor of the California Supreme Court. Frug was impressed with the fact that "Traynor never stopped working. His idea of a vacation was to go to an ALI (American Legal Institute) meeting. He lived in Berkeley. He would drive all the way home from San Francisco each night and work at his dining room table."

A Government Job

In 1965, Frug began a year at Heller, Ehrman, White & McAuliffe in San Francisco. Then in 1966, he took a position with the U.S. Equal Employment Opportunity Commission.

"I went to law school for two reasons," Frug said. "I wanted to teach, and I wanted to work for the government. It seemed appropriate to me to do something else before I

taught. Since the government job was available and interesting, I wanted to do that first."

In 1969, Frug left the public sector to work for Cravath, Swaine & Moore in New York, but the break in his government career was a short one. Still interested in the workings of administrative bureaucracy, he became General Counsel for New York City's Health Services Administration. By 1974 he had been named Administrator of that agency.

"The Health Services Administration is New York's super-agency that runs the hospitals, mental institutions, and other health facilities. I wanted to see if I could get a handle on the system and do something with it."

"I succeeded partially. One never gets control of the system. But you can do specific things that will make a difference to people." He continued, "The only way not to get frustrated in an administrative job is to focus on your successes. So though I can't say that people in New York were as a whole healthier when I left than when I started, there were lots of things that we had changed."

Administrator to Academic

"But I didn't want to make the government a career, and it's hard to make it a career. You have to change jobs every four years." In 1974, he accepted a position at the University of Pennsylvania School of Law and started teaching contracts and local government law.

"I left [then Mayor] Lindsey in 1974; it seemed like an appropriate time to make the break. And it was a real break, a radical transition. It was a very basic change in what I was doing." He says some people may have thought his work in New York made him an experienced hand in local government law. "Local government law was the cover under which I moved [from the administrative to the academic job], but really local government law was nothing like the principles which the HSA ran by."

The RECORD asked why Frug de-

cided to start teaching contracts, a subject usually associated with the private sector.

"Contracts are not independent of government. The whole law of contracts is made by government action. Public policy and formulation of law is one of my interests." Frug said that he has always taught both public and private law, because the two intersect. Continuing in this habit, he is teaching administrative law and contracts this year at Harvard.

Interest in 1Ls

Frug also chose to teach contracts "because I wanted to teach first-year students. There's an enormous excitement of discovery for entering students. They have the opportunity to think about basic problems afresh. That makes teaching fun."

Frug left Pennsylvania for a year to be a visiting professor at Harvard in 1978. He found that Harvard had changed tremendously



E.M.

Prof. Gerald Frug

since he had left it in 1963. "The atmosphere and the diversity of faculty and students were much better. There were required courses for all three years when I was here. We had one black and seven women

(Continued on Page 13)

Placement Under Scrutiny; Committee Seeks Reform

By Bennett Murphy

As the 1981 recruiting season got off to a wobbly start, the faculty's Placement Committee continued its scrutiny of placement at HLS and its work toward proposals for reform. Though the Committee is not due to make its recommendations to the full faculty until November, when most of the current season will have passed, current 1Ls and 2Ls would face a very different placement process in 1982 if some of the Committee's ideas gain acceptance.

The major flaw the faculty finds with the current system is not absenteeism, according to Professor Abram Chayes, chairman of the Committee. It is the "diversion of interest and attention from the classroom" which the faculty finds "galling," according to Chayes, who said that professors feel they must compete with "the emotional attachment [of the student] to the interview just before or just after class."

Job Fair Rejected

The Committee appears ready to jettison the pre-registration job fair proposed in its spring report to the faculty. Faculty and administration were concerned over the large loss of student earnings resulting from the shortened summer, much of which would have to be made up by greater financial aid. Chayes asserted that "we would have to be very sure other possibilities were exhausted" before the fair would be adopted.

In place of the fair, the Committee is considering reforms that would preserve the format of on-campus interviews and fly-outs but reduce or delay its impact on the student body. One plan would call for withholding placement materials until several weeks into the term and delay the start of on-campus interviews until mid-October. Chayes said the Committee recognizes the conflict between fly-

outs and fall term exams that might result and would consider barring fly-outs until the Christmas vacation period.

Chayes believes that concern over the placement process is shared by firms and that firms would cooperate in reform efforts. "There is a widespread feeling bubbling among the firms that the entire process is out of hand — in terms of money, in terms of time, and in terms of perquisites," he said. He also discounted the notion that HLS students would be at a competitive disadvantage if the interview process were restricted. "Our students will continue to get 100% employment," he said, adding that Harvard students' success in the legal job market "is more a tribute to the raw materials than to the school."

Another proposal before the committee would limit on-campus interviews to afternoons and evenings. Besides easing the conflict with classes, Chayes believes the plan would "encourage visiting attorneys to look over resumes more carefully."

Though student members have not been added to the Placement Committee, Chayes has promised that "a full-fledged conversation with the students" will precede any recommendation to the faculty. Other Placement Committee members are Professors David Rosenberg, Bernard Wolfman, and Clare Dalton, plus Assistant Dean Stephen Bernardi and Placement Director June Thompson.

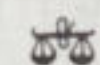
Placement Confusion

(Continued from Page 1)

year.

In all, the computer program set the placement office's scheduling process back by a week, Thompson said. By Oct. 6, however, the placement operation was moving smoothly again — students were being notified of interview dates a week in advance, and scheduling conflicts were not occurring, Thompson said.

While the exact cause of last week's problems is not known, Thompson hopes they will not recur. She jokingly attributed them to the time of year: "There's something doomed about the first few days of placement every year."



**Professional Dry Cleaning
and Shirt Laundry**

at

Rite-Way

DRY CLEANERS, INC.

547-8008

4 Hudson St., Cambridge
(off 1672 Mass. Ave.)



FLEMING & SON
INCORPORATED

Printers Since 1910

FORTY WHITE STREET

at Porter Square, Cambridge
SOMERVILLE, MASS. 02144

623-3047

623-3909

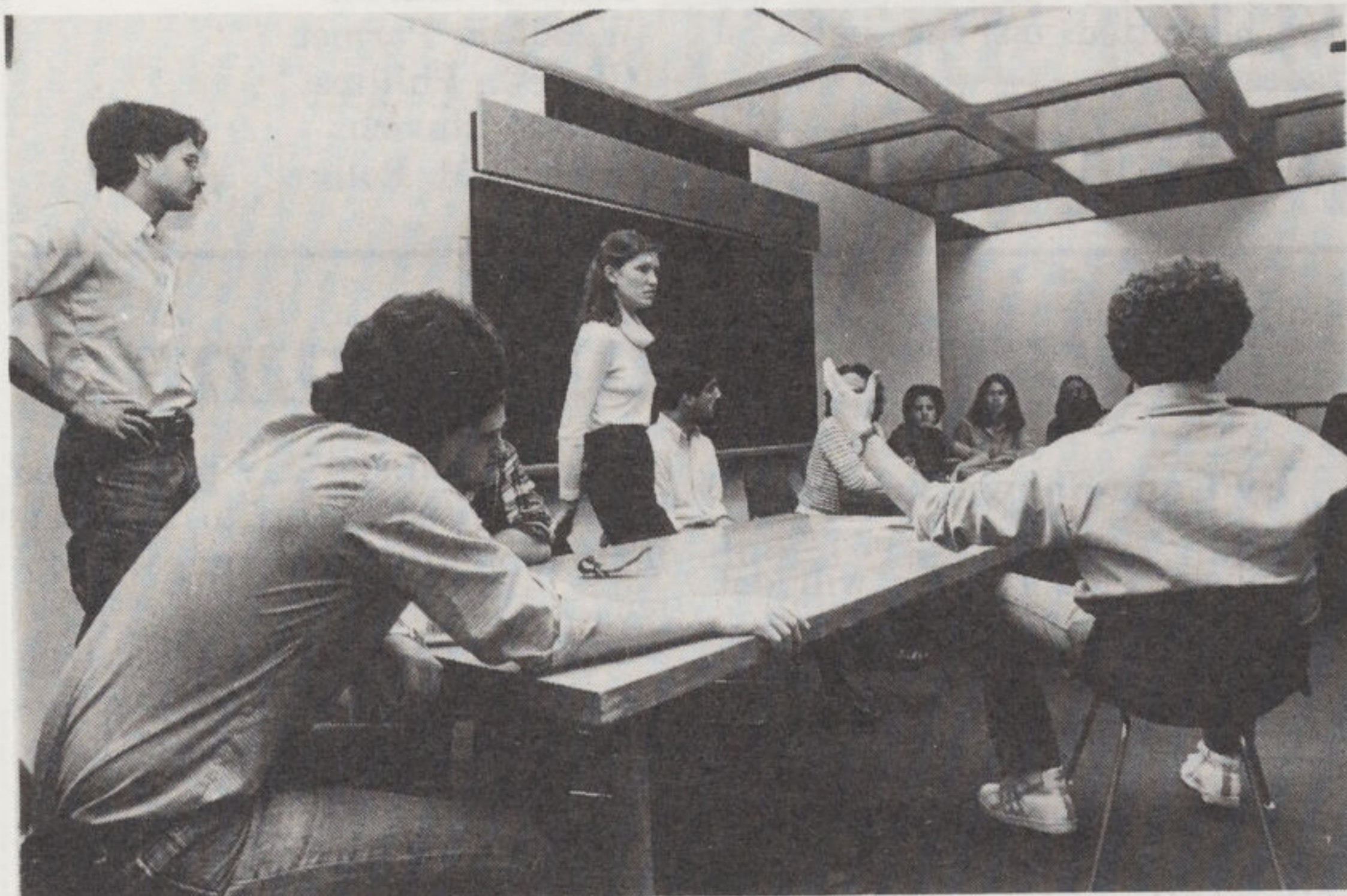
**Koby
Antupit**
PHOTOGRAPHERS

Creative Portraits
Resume & Publicity
Photographs
Instant Color Passports

Harvard Square
8 Boylston St., Cambridge

547-7552

Jurors Gearing Up



J.M.

Shirley Boyd (standing at left) takes a stand against an exasperated Michael Meloy (seated right, back to camera) in the HLS Drama Society's production of the drama

12 Angry Jurors. The finished product will be available for the public's verdict next Thursday, Friday, and Saturday, Oct. 15, 16, and 17, at 8:30 P.M. in the Hark.

RECORD Funds Returned

John Phipps, the Custodial Services employee arrested on suspicion of taking money from the RECORD office (see RECORD, Sept. 18, p. 7), pled guilty to the charge in Middlesex County Court on Tuesday, Sept. 29. Business Manager Eileen Brownell, 3L, and Managing Editor Erich Merrill, 2L, had been subpoenaed to appear at the trial, but due to the plea were not required to testify in court. Brownell reported that all the money taken has been returned.

G.R.

Also pictured above: Standing — Peter Bain. Seated around the table — Jon Weber, Dave Burkett, John Packman, Cynthia Carr (face blocked), Bonnie Jacobson, Amy Schwartz, Temple Dickinson.

One Ls Founding "Un-Law" Journal

By Joyce Tichy

"What are you doing with the rest of your mind?" On the basis of this query, a group of 1L students is organizing the first HLS "un-law" journal. The purpose of this journal, which is titled DICTA, is to provide a forum for HLS students interested in doing creative writing and commentary, "unfettered by the restrictions of a law journal format," as stated by the magazine's Board of Editors.

Joan Greco, the editor-in-chief of DICTA, emphasized that the form of the magazine is whatever the writers want to make it. She said that any contributions or suggestions are welcome. Some possibilities for entries are cartoons, political commentaries, short stories, poetry, and humor. Artwork and photography are also solicited. "The function of the Board is not to control, but to direct what goes into

the magazine," she said.

Debbie Kavish, a member of the magazine's Board of Editors, explained why she thinks the magazine's title is appropriate. A short form of "obiturn dictum," the term refers to that part of a court's decision that may have only tangential meaning to the case at hand, but which he or she still feels important enough to bear discussion. As Kavish noted, the turnout of 25 people at the magazine's organizational meeting proves that there are numerous students at HLS who feel that there are other important kinds of writing besides the kind typically found in law journals. "The interest shown in this magazine speaks well of the people here," Greco said. "When I first thought of the idea for this kind of magazine, people said that there just wouldn't be enough interest at first." She said, however, that the feedback she has gotten from other

students indicates an enormous interest in doing creative work.

Greco's enthusiasm may be part of the reason why the magazine already has gotten off to a good start. Besides that, she also brings to her job a good deal of journalistic experience. While she was an undergraduate at the University of Pennsylvania, she wrote more than 200 articles for the school's newspaper and magazine, and also served as a feature and news editor. Greco spent a summer working for the Wall Street Journal, and worked as an assistant editor of a trade journal after college.

Greco indicated that the first issue of the magazine will come out early next term. After that issue, she plans to establish a schedule of at least two per year, and hopes that number will increase to three or four once the magazine becomes established.

Review Announces New Members

The *Law Review* announced the winners of the annual writing competition on Friday. Of the 50 contestants chosen in the first round 10 days before, 20 were added to the roles of the *Review*. Michael Reuben, executive editor of the *Review* and chairman of the *Review* committee overseeing the competition, said that between 40 and 50 are usually chosen for the second round. "The *Review* wanted to increase participation this year," he said, and thus chose a larger number than in some years.

The following 2Ls were admitted to the *Review* by the writing competition or on the basis of grades:

James C. Baker
W. Scott Bales
Laura Besvinick
Christopher D. Cameron
Seth J. Chandler
Edward DeAngelo
John L. Donahue
Peter D. Enrich
Constance Burr Evans
James A. Feldman
Elizabeth V. Foote
Dirk J. Giseburt
David G. Golden
Jefferson M. Gray
Kathryn E. Hoff-Patrinis
Jerald S. Howe, Jr.
Kevin R. Johnson
Thomas M. Kelly
Frederick C. F. Knowlton
Wallace K. Lightsey
Debra Livingston
Alex Makowski
Mark S. Merley
Steven S. Michaels
J. Robert Noblin
Sharon Oxborough
Bruce R. Parker
Larry R. Parkinson
Richard H. Pildes
Marc S. Rosenberg
Jerome C. Roth
Steven A. Schneider
James F. Simon
Michael E. Soloff
Eric A. Stern
William H. Widen
Richard H. Wohl, Jr.

In addition, the following 3Ls were admitted on the basis of grades:

Mark Barenberg
Ivan H. Humphreys

Brian J. Martin
Wendy E. Parmet
Greer L. Phillips
Jess M. Ravich
Thomas M. Rollins

Ribbons Fight Famine

By Gabe Shawn Varges

Symbolic blue ribbons will dot the assortment of three-piece suits, tweed jackets, sweaters, and t-shirts worn by Harvard Law students next Friday, Oct. 16, as HLS joins the nation in commemorating World Food Day.

"People throughout the U.S. will be wearing these blue ribbons," explained Lloyd Randolph, 2L, "to show their concern for the millions of hungry people around the world."

Randolph and Ben Davis, also a 2L, have been working to increase the awareness among HLS students of the world hunger problem. Under the auspices of the Harvard International Law Society and with the assistance of Professor C. Clyde Ferguson, they have organized the Project on International Economic Development (PIE-D). Among the activities of PIE-D is World Food Day and the annual OXFAM fast.

Self-Sufficiency

"We hope that the many individuals and organizations which worked together to support the OXFAM fast last year will again stand together and wear the blue ribbons on Oct. 16," said Davis. The OXFAM fast traditionally takes place a few days before Thanksgiving and involves individuals donating the money they would spend on food on that day to OXFAM, a non-profit international development agency that funds self-help programs in Asia, Africa, and Latin America. Food and economic self-sufficiency are the major emphases of the organization.

World Food Day, according to Randolph, is not an OXFAM activ-

ity but an official day proclaimed in the United States to focus attention on the world hunger problem.

The statistics that have triggered the World Food Day movement are staggering. World Bank and International Labor Organizations statistics indicate that as many as 800 million people live in absolute poverty, lacking resources to secure even the most basic of human necessities. In some countries, many of the poor spend the greater proportion of their income on food, and yet remain badly malnourished. An estimated 15 to 20 million people die yearly from hunger-related causes, and many more succumb to diseases which are compounded by dietary deficiencies.

"The situation is tragic," said Randolph, "and certainly one which merits the immediate attention of academic institutions such as Harvard." Randolph and Davis hope that PIE-D will serve as a forum for encouraging HLS students to become actively involved in world hunger issues. Efforts also are underway to establish links with alumni who are interested in the problem or who are working professionally in the area. "It would be great if this association with alumni leads students to consider careers in development or at least to conduct research and write third-year papers on it," added Randolph.

Blue ribbons are available to anyone interested at the International Law Society office in the basement of ILS, or by contacting Randolph or Davis. They are also being sent to the various Harvard organizations for distribution among their members. ☛

Next RECORD
Oct. 16

IS THERE LIFE AT HARVARD LAW SCHOOL?

For the first time, the Harvard Law School Yearbook is available, on a limited basis, to alumni. The Yearbook offers a unique insight into life at Harvard Law School today.

The 1982 Yearbook will include:

- Portraits and complete biographies of each faculty member
- Portraits of each current student
- Candid photographs of the campus and the students at work and play
- Photographs of official (and unofficial) student organizations
- And much more. 260 pages in all, handsomely bound in crimson and white with the Harvard Law School seal

The Yearbook is making a special offer to alumni. You may reserve your copy of the Yearbook for \$22.50, or you may contribute to this student-run, non-subsidized publication by making a patronage donation with your book purchase for the combined price of \$35.00.

Those who purchase and patronize the Yearbook now will be listed in a special Sponsors section in the Yearbook (unless anonymity is requested).

Take this opportunity to find out about life at the Law School today. It may not be better, but it sure is different.

Clip and return with payment.

Please place orders by November 1, 1981.

Harvard Law School Yearbook

23 Everett Street, Cambridge, Massachusetts 02138
(617) 495-4411

☐ I would like to purchase and patronize the 1982 Harvard Law School Yearbook at the special rate of \$35.00.

☐ I would like to purchase ____ 1982 Harvard Law School Yearbook(s) at \$22.50 each.

Total enclosed \$_____

Name

Street

City

State

Zip

All prices postpaid. Books will be mailed May 1, 1982.

Sadat Will Be Missed

In a region of the world where trust between nations is almost unheard of, Egyptian President Anwar Sadat was a remarkable man. He dared to extend a hand to his foe, taking the chance that he would be rebuked. While Israel responded to Sadat's gesture, Sadat paid very heavily among his fellow Arab leaders for his efforts to achieve peace. It is a very sad day when the world loses a leader willing to take the risks that Sadat did.

It is too early to tell what effect Sadat's death will have on the stability of the Middle East, or what Egypt's fate will be. Sadat's assassination, however, emphasizes the precariousness of American foreign policy in the area. Just as the Shah in Iran had come to bear too much of the weight of our policy, Sadat was becoming more and more central. The remaining pillar in the Arab world, the Saudis, are attempting the sorts of modernization that led to the Shah's downfall and which undermined Sadat's authority at home.

Sadat's death, then, leaves nothing but uncertainty in the region. In the long run, though, what makes his loss most tragic is that he displayed that rare quality, trust. ☛

Expanding the Choices

When we wrote last week about the School's policy discouraging 1Ls from beginning the recruiting process too early in their first year, we had no intention of provoking a panic among students. The issue as we see it is one of equity: students who abide by the guidelines often have fewer employment choices for their first summer.

What are the opportunities that are lost? As it is large firms that are most likely to have filled their summer positions by the time 1Ls are set loose to interview under the policy, Prof. Chayes suggests that our criticisms are premised on the notion that these jobs are somehow the best opportunities.

We would not like to be caught making such an assumption. The choice of employment is obviously one for individuals — and no Placement Committee or Placement Office policy which is likely to reduce opportunities of a particular sort can be justified by claiming that those sorts of jobs may not be the most rewarding.

We will not own up to making the assumption that larger firms offer better opportunities in some sense, but we think that Chayes is asking the right question. The economics of the recruiting process at present make it difficult for many smaller firms and institutions to compete. If the Placement Committee can make real progress towards regaining some control of the process and making it less costly, everyone — students, employers and the School — will be better served. Then students can choose for themselves from the widest range of possibilities. ☛

HARVARD LAW RECORD

EDITOR-IN-CHIEF John Morris
MANAGING EDITOR Erich Merrill
BUSINESS MANAGER Eileen Brownell
EDITOR EMERITUS Mary Tarduno
SENIOR EDITORS Bennett Murphy, Dave Quinto,
Gretchen Rule, Laura Taylor
SPORTS EDITOR Benne Hutson
EDITORIAL STAFF: Mark Graham, Louis Hoffman, Tom Isenberg,
Brad Hudson, Will Hunter, Fred Landau, Marisa Manley, Mark
Pogue, Joyce Tichy, Gabe Varges, Rob Woolmington
PHOTOGRAPHY STAFF: Erich Merrill, John Morris

Fenno

Fenno knocked, paused, and knocked again. From behind the office door, a voice wearily called, "Come in." Fenno shrugged, turned the knob, and entered the office.

It was quiet in the skyscraper; the only sound Fenno could hear was a cleaning woman grumbling to herself in Serbo-Croatian as she emptied wastebaskets. He looked at the two lawyers staring dully at the lights of the World Trade Center. The older one, tilted back in his desk chair, sipped a cup of lukewarm coffee and rubbed his eyes, already puffy with fatigue. The younger one, whom Fenno had known as a bright, energetic law student only eight months before, was slumped forward in another chair, his vest unbuttoned and his tie loose.

"Fenno!" the younger associate exclaimed, struggling to his feet. "Sit down, please! What are you doing here of all places at 2 A.M.?"

"Nothing much," Fenno answered. "I just wanted to get a taste of life after law school." He sat down gently on a stack of photocopies. "Having fun?"

"FUN? First him and now you. What do they teach you in law school these days, anyway?" the older associate asked plaintively.

"Larry's giving me my lecture about the facts of life," the younger associate said confidently.

"Well, Bill, you need it," Larry replied. "Look, I still can't believe that you came here looking for satisfying work, a job you could enjoy. You won't get any of that crap here or any other law firm. All you'll get here is law and degradation." He smiled sourly. "Law and degradation — that's pretty good. A good title for a novel, if ever I have time to write anything other than a memo or an opinion letter."

"This stuff's horrible, just horrible," Bill chimed in. "What do you think all the perks are for? Why do you think they pay such outrageous salaries? Why do you think placement season is such a con game? No one in his right mind would do this because he liked to."

"It's a jungle out there, Bill," Larry said consolingly. "See that picture? I keep it on my wall just to remind myself every now and then."

"I used to think it was a picture of Walden Pond," Bill whispered to Fenno, "but this place is getting to me. It *does* look like a jungle."

"I think I'd better go," Fenno said hurriedly; he was feeling a bit claustrophobic. "I think I'll stay in school a while longer."

"You do that, Fenno," Larry counseled. "You just don't realize when you're well off."

"Others we saved," quoted Bill sardonically. "Ourselves we couldn't save."

Fenno closed the door. He stumbled into the welcoming elevator, made sure his shuttle ticket was safe in his pocket, and closed his eyes at the same moment the elevator closed its doors. It was time to go home. ☛

HARVARD LAW RECORD

Letters to the Editor of the RECORD

Chayes's Rejoinder

To the Editor:

Much of the effort of the Placement Committee for the past few years has been devoted to reducing student-generated tension about placement. It was discouraging, therefore, to read your September 25 editorial, which can only increase those tensions among first-year students.

The facts are clear: the overwhelming majority of first-year students have been successful in getting summer jobs in the law. By far the largest portion of them followed the School's guidelines and did not begin looking seriously until after Thanksgiving. Careful surveys of 1L placement activities during the last two years have produced no evidence that first-year students get better jobs by starting the process in September or October rather than by waiting until November or December. And we have a good deal of evidence that many firms do not want to be bothered with 1L resumes while they are concentrating on 2L and 3L hiring.

These facts are a much better prescription for students who are "panicked" by the sight of "friends racing to the xerox with resumes" than the dubious sympathy exuded in your editorial.

You believe that the School's policy of emphasizing studies in the first few months of the first year is wise. So do I.

You think that the School's policy is defeated to the extent that some first year students join the "recruiting rat-race" in the early fall. So do I.

You think that setting up a minimal number of interviews would alleviate this problem. I think it would only institutionalize the rat race. And if some first-year students are ignoring the School's advice that they defer placement activity until the late fall, why would they not also ignore advice that they limit themselves to the minimal number of interviews arranged for them by the Placement Office.

Finally, under the existing system, 1Ls see a much wider slice of the legal profession than their elders. Thirty percent of them last summer wound up working for smaller firms, in government agencies and public interest offices. Second and third year students often complain that they are virtually debarred from such opportunities because the employers who find it convenient to use the Placement Office facilities are primarily the large firms.

Your editorial repeatedly refers to the existing policy as advice of the Placement Office. It is not. It is the advice of the School, endorsed by the Dean, the Committee on

Placement, and the faculty. In my view, it is sound advice and bears repeating here:

Our advice to first year-students is that they postpone, at least until Thanksgiving, the search for summer jobs. We are confident that this postponement will not seriously disadvantage any student who chooses to seek law-related work. But because there has been some confusion in past years about the implications of this advice we wish to be precise: If you take our advice you will probably hear from *some* employers that they have already filled their first year student needs; if you do not take our advice and attempt to contact employers at once, you will probably hear from *some* that they have not yet decided whether to hire first year students. On balance, taking into account the academic demands at the beginning of your professional training and in view of the success our first-year students have had in securing summer employment, we strongly believe that concentrating on the

educational program now and postponing the search for a summer job is the better way to proceed.

Abram Chayes
Chairman
Placement Committee

The RECORD's policy on letters is simple. We read all of them. We print most of them, subject only to editorial discretion. We encourage letters on any subject, and especially on subjects which have appeared in the RECORD.

This space could
be yours.

The RECORD charges only
\$7 per column inch per issue.

SCHOOL OF LAW UNIVERSITY OF SANTA CLARA SUMMER LAW STUDY ABROAD 1982

*TOKYO, JAPAN

Emphasis on U.S.-Japanese Trade. Courses in Japanese Legal System, Japanese Business Law, Regulation of U.S.-Japanese Trade. Internships available with Japanese law firms and corporate law departments.

*HONG KONG

Emphasis on Hong Kong as the commercial focus for U.S. trade with China and Southeast Asia. Subject areas include financing and taxation of international transactions through Hong Kong, commercial arrangements in Southeast Asia, and the emerging commercial structure of the Peoples Republic of China. Internship possibilities.

*STRASBOURG, FRANCE

Emphasis on International Human Rights. Public International Law taught by recognized experts from around the world. Affiliated with International Institute of Human Rights. Courses in Law of Treaties, National and International Control of Multi-national Corporations. Internship possibilities.

*OXFORD, ENGLAND

Students live in 15th Century Oxford College and are taught by Oxford Professors in Oxford Tutorial Method. Course offerings include Jurisprudence, European Economic Community Law, Legal History and various comparative courses.

For further information, write:

Director, Summer Overseas Programs
School of Law
University of Santa Clara
Santa Clara, CA 95053

To reserve your place, please include \$50.00 deposit for Strasbourg, Tokyo and Hong Kong; \$100.00 for Oxford.

Movie Theater Hopping

Thomas Isenberg

Moviegoing is a student activity that has successfully rivaled those of partying and bar-hopping ever since the Cinema was invented. And the Boston metropolitan area (including Cambridge, Brookline, Allston, and Boston proper) offers what I sincerely believe to be the best opportunities to exploit this savored activity of any place in the world, short of Cannes, France, N.Y., N.Y., and Berkeley, California (and we all know that nothing rivals Berkeley in the sphere of any halfway enjoyable activity).

Classy to Tacky

One can find most any old first-run flick playing in Boston within days of its release, but that's true of almost all major U.S. cities. What Boston offers the film connoisseur is the chance to view cinematic gems, the best of the past and the best of the present, including anything and everything from Hollywood's finest to its most bizarre, from its classiest to its tackiest. In other words, if it's of any value whatsoever in filmic terms, Boston and its environs are sure to show it. Rather than discuss particular films that have been presented in the area or will be screened at some future date, we will embark on a brief, yet concise, tour of the palaces that present the movies of note. Once one is familiar with just where the action is, all one need do to join in on the fun is consult the theaters' current schedules, either by phone or by perusal of the Boston dailies or weeklies and other such printed matter.

Let's begin our sojourn a few short blocks from the Law School, right smack in the heart of Harvard Square. The Harvard Square Theater (between Brigham's and Store 24) is what's known as a "revival" house: it shows the best of Hollywood's product. Ranging from 1930's gangster flicks to 1960's acid movies, from bubbling 1950's

musicals to 1970's horror shockers, the films presented at the H.S.T. are all noteworthy because of their past popularity, campiness, or esoteric appeal. The theater itself is large and cavernous. Perhaps this theater's main claim to fame is the fact that besides presenting the most well-known films of all its competitors, it presents a different double feature every day, with major repetitions about every four months. Something for everyone is the Harvard Square's motto, or should be its motto if it doesn't yet have one.

Around the corner from the Harvard Square Theater on Brattle Street, is the Brattle Theater (what else?). This theater, a smaller and more cramped affair than its neighbor, also presents double bills, with occasional exceptions. The Brattle, unlike its neighbor, concentrates on the special, the unique, the more artful of past filmdom. The movies presented all claim something beyond mere popularity at time of initial release (if even that). Some may be noteworthy for their skillfully-written plots, others for their directorial prowess, or astounding cinematography. The theater will often present a mini-series concentrating on a few weeks of films by one director, or of one star or team of stars, or of a like theme. The show changes about every three days so the array of presentations is wide and always interesting.

Foreign Fare

Down Mass. Ave. toward Central Square, next to that delicious newcomer to the Harvard area, Chi Chi's Mexican Restaurant, is the Orson Welles Cinemas. The Orson Welles consists of three viewing theaters of three different sizes, and shows mostly recent foreign films. These foreign films are the best (generally), consisting of the work of great foreign directors,

Academy Award winners in the Best Foreign Film category, and products of the finest foreign actors. If it all sounds foreign, well, it most certainly is. The Orson Welles will sometimes show an overlooked jewel of the American cinema, usually in a midnight show or during a Holiday 12-hour movie marathon, but its emphasis is on the imports. The proximity of Chi Chi's and the Orson Welles provides the perfect opportunity to sample the delicacies of cultures other than our own.

Crossing the Charles River into Boston and onto Commonwealth Ave., we stumble across what is perhaps the best movie theater of the entire bunch, the Nickelodeon. Recently expanded from a dual-screen to a triple-screen potpourri, the Nickelodeon generally offers the most interesting, most engaging, and most challenging films in Boston. The menu cannot be easily typecast; it consists of whatever strikes the programmers' fancies. But it is always worth seeing. For example, one month the theater may be showing an overlooked foreign film by an obscure director, a campy American punk rock extravaganza, and a re-edited version of a failed Hollywood big-budget production, and the following month show a serious documentary examining some trend or phenomenon in today's crazy world, an old cult classic of underground cinema, and a previously unreleased classic of the modern cinema. If the foregoing makes absolutely no sense to you, then your only hope for understanding is to frequent the joint yourself.

Monstrous Yet Intimate

Finally, we hop the Green Line down Beacon Street to Brookline Center and arrive at the Coolidge Corner Moviehouse. This theater was originally one of those mon-

(Continued on Next Page)

THEATER REVIEW

(Continued from Previous Page)

strous palaces of old that one only found in the heart of downtown, but has been skillfully converted into a two-screen complex. The bottom-half is the entire original floor of the palace and the top-half is a horizontal floor built across the middle of the palace's airspace and closed-off to make for a small, intimate viewing arena of sorts. Each half presents a double feature, and each changes its show every three days. This place rivals the Harvard Square Theatre in terms of sheer volume, but when it comes to quality, that's another matter entirely. The Coolidge Corner, like The Brattle, features films of special interest from all lands, with an acute concentration on the Japanese cinema and oldies but goodies of the American *film noire* genre. There's a little of everything and also interesting pairings of films (i.e. two works of the same director, or two works concerning a certain human quality or emotion, and so on).

Our tour ends now, but of course is by no means exhaustive of the many fine places to see movies (great or otherwise) in the Boston area. With all the colleges the area boasts (60 of them was a count recently touted) there are an almost infinite number of campus presentations of cinematic exotica and crapola. And one cannot overlook the downtown (and suburban) Sack and Eddy chains with their 30-40 or so screens. Throw in the midnight shows presented week-ends at almost every theater (including most of the theaters discussed herein), and you have a mindblowing array of opportunities to indulge in that century-old activity of filmgoing.

CAMBRIDGE CONDO: Immediate occupancy, gem location, 2 bedrooms, 1½ baths, parking, custom drapes, rugs, furniture, appliances. \$140,000; \$40,000 down, 25 year 12% direct reduction mortgage for \$100,000. Please call owner, Mr. Bane, 595-5347, 595-5500.

Frug Returns

(Continued from Page 5)

among our graduating class. In about 20 years, Harvard had dramatically become a more interesting place."

"It had not been a life goal of mine to come to Harvard. Only when I came here in 1978 did I appreciate the quality of the faculty and students. Not until that point was the idea of teaching at Harvard really of interest to me."

Intellectual Enterprise

When his year as a visiting professor ended, Frug was very much interested in Harvard, and this year he joins the full-time faculty as professor of law. In looking back over the path that led to his professorship, Frug said, "You could look at what I've done and interpret it two ways. You could say, 'Here's a guy who's come to tell us about his government experiences.'" But he sees it another way. "The intellectual activity in teaching law is legal scholarship. That's really the center of what I've been doing. These other activities are really contributions to an intellectual enterprise; they're not war stories that are the heart of the enterprise."

What hobbies keep Frug busy when he's not teaching law? "Well, I like music — I play the piano. I'm a veteran concert and museum goer. I've also got two children, and they're more than a full-time hobby."

SPORTS QUIZ

Note: This week's Sports Quiz is very "constructive" as it deals with athletes whose names are the same as parts of a building.

1. One of the greatest goalies in the history of the National Hockey League, this man turned back shots for the Detroit Red Wings, Chicago Black Hawks, and St. Louis Blues during his career. Who is this player?
2. Although toiling for an expansion team, this man has proved himself to be one of the best young left-handed pitchers in the American League. Who is this player?
3. Before his present status as a reserve outfielder for the Montreal Expos, this man served a number of seasons in the same capacity for the Atlanta Braves. Who is this player?
4. The first player to ever serve as captain of the Los Angeles Kings, this defenseman spent a few seasons with the Detroit Red Wings before heading west in the expansion draft. Who is this now-retired athlete?
5. A journeyman catcher throughout his entire career, this man toiled for Charles O. Finley in both Kansas City and Oakland. Can you name this man?

Answers on Page 16

HAIR

WE'LL CUT IT
THE WAY YOU WANT IT

**Gino & Mike
Barber Shop**

ONE BLOCK FROM THE LAW SCHOOL
OPPOSITE HOLIDAY INN

354-6878

We do razor styling.

SUBSCRIPTION COUPON

Name Class
(and 1L section)

Address
(for mail subscriptions only)

STUDENT ON-CAMPUS RATE (20 Issues)—\$4.00 ☐

MAIL SUBSCRIPTIONS (NON ALUMNI)—\$8.00 ☐

FOREIGN—\$10.00 ☐

(Check Box)

Current mail subscribers please include address label below.

Mail to:

HARVARD LAW RECORD
23 Everett St., Cambridge, MA 02138

HLS Role in Human Life Bill Debate

(Continued from Page 1)

by presenting ideas about the Human Life Bill to members of the congressional committees who then must vote. The subject is one about which reasonable minds may disagree, and alumni and professors occupy both sides of the debate.

Alumnus Pushes Bill

Stephen Galebach, who graduated from the Law School in 1979, was a primary drafter of the Human Life Bill. According to Galebach, the bill started with an idea for a law review article. Galebach's idea was that under the present Constitution some branch of government must be competent to decide when human life begins. "But," said Galebach, "the Supreme Court in *Roe v. Wade* said the judiciary is not competent to decide, so that pretty much leaves us with Congress."

Last summer, after finishing a judicial clerkship, Galebach decided to spend part of his three-month vacation developing his idea and writing an article. Galebach showed the finished piece to a friend who showed it to Carl Anderson, one of Senator Helm's staff members. Anderson wanted to introduce the idea as a bill, so he and Galebach drafted S.158, the Human Life Bill, and Congressmen



HLYB

Stephen Galebach, '79, in his yearbook photo.

Helm, Hyde and Mazzoli introduced it.

Galebach's law review article was published in the *Human Life Review* in January 1981. Galebach and Professor Tribe of the Law School discussed the constitutionality of S.158 on the Today Show, and now, while working at Covington and Burling, Galebach devotes time — pro bono — to the cause.

Galebach took Constitutional Law from Prof. Archibald Cox, but said he did not get his idea for the bill in that course. Cox recently testified against the bill at the same congressional hearings where Galebach appeared to support it. Last June 1st, before the Senate Judiciary Committee's Subcommittee on the Separation of Powers, Cox argued that the Human Life Bill if enacted would be a nullity because it tries to overturn a constitutional decision of the Supreme Court by a simple legislative majority. Cox also said sections of the bill which try to deprive the lower federal courts of jurisdiction to make declaratory judgments or to order injunctions when state anti-abortion laws are questioned may be unconstitutional.

The subcommittee has finished its review of the bill, but according to Cox, work to prevent enactment of the Human Life Bill goes on. Common Cause, of which he is the head, will continue to oppose all bills which attempt to overturn Supreme Court decisions about school busing issues, right to life, and freedom of choice. Cox said Common Cause supports not the challenged Court decisions themselves, but constitutional processes.

Profs Oppose Bill

Other constitutional law professors have been active in this debate too. Last March, Professors Tribe and Ely, who are sometimes at odds, joined forces to write a short piece for the *New York Times*. In an article published March 17th, they said S.158's attempted re-

definition of life is both an unconstitutional means to try to overturn *Roe v. Wade*, and a dangerous attack on the Constitution, attempting by "definitional fiat" to make the Constitution mean what those in power want it to mean.

Since writing that article, Tribe has continued to speak against the

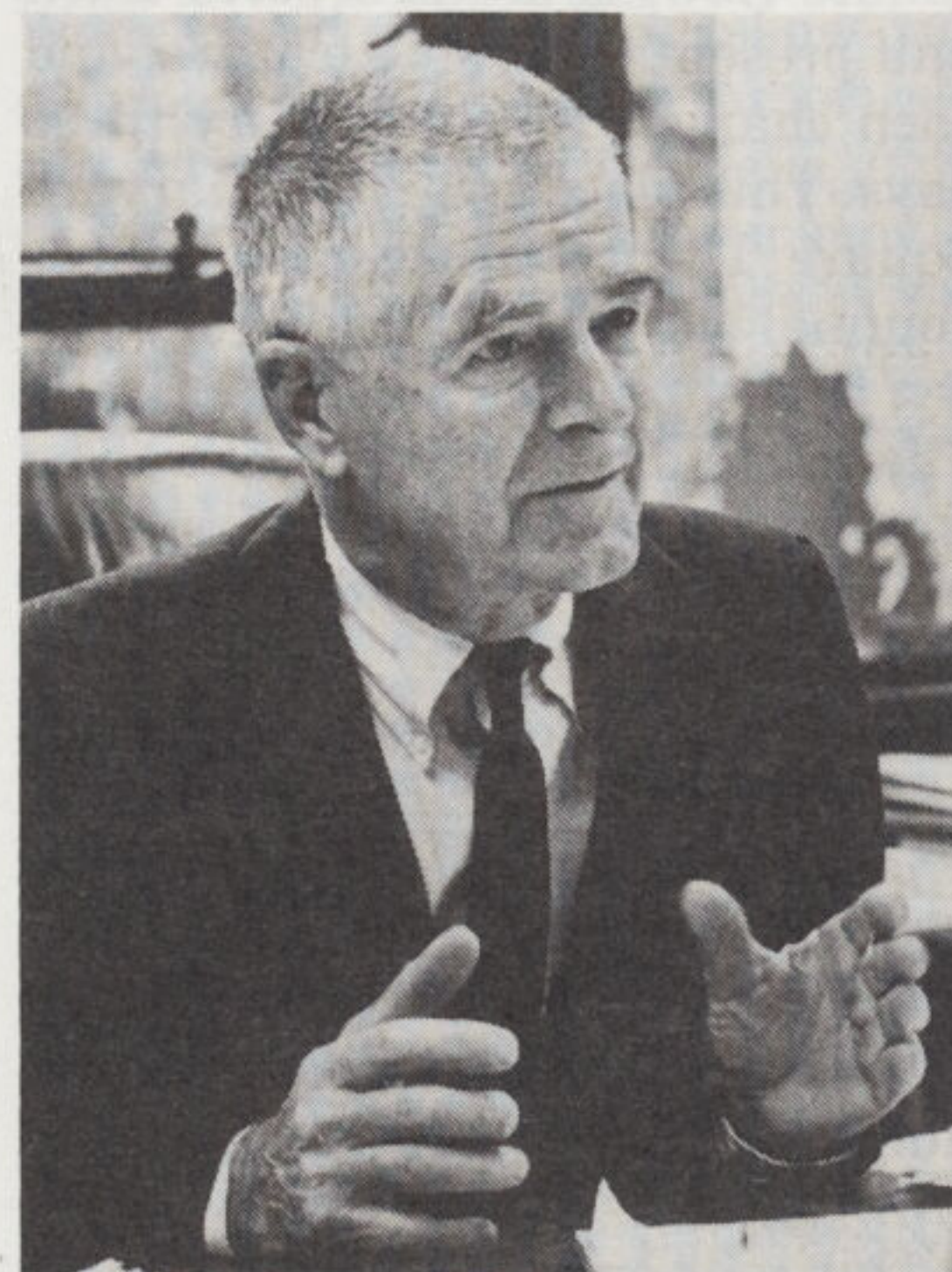


Photo by John Morris

Prof. Archibald Cox

Human Life Bill. He drafted a letter signed by twelve law school professors including Paul Brest, Telford Taylor, William Van Alstyne and Phillip Kurland. This letter was sent to Senator East who chaired the subcommittee hearings on the Human Life Bill. The letter declared that its signers regarded S.158 as a "dangerous circumvention of the avenues that the Constitution itself provides for reversing Supreme Court interpretations of the Constitution." Tribe commented that it is harder for people to argue that the constitutionality of the Human Life Bill is an open question when so diverse a group steps forward to say it is not.

Shortly after this letter was sent to the East subcommittee, an identical letter signed by six of the nine living former United States Attorney Generals was sent to Senator Baucus, the ranking Democrat on the subcommittee reviewing the Human Life Bill. Tribe believes

(Continued on Next Page)

Human Life Bill

(Continued from Previous Page)

these joint statements offered important opposition to the bill. He said they had greater impact than would any individual's substantive testimony.

Subcommittee Votes For Bill

The subcommittee voted for the Human Life Bill, 3-2, but now S.158's progress has halted. Attention has shifted to the Human Life Amendment. Interest in the bill may have waned because, although the bill passed in committee, the broad congressional support expected by its sponsors did not materialize.

Tribe continues to be active in this constitutional debate now that attention to the Human Life Amendment is its subject. On October 5th, he testified before Senator Hatch's subcommittee on the Constitution. The questions explored were how the Human Life Amendment, if passed, would fit into the Constitution as a whole, whether it would meaningfully advance the rights of the unborn, and how it would affect other constitutional rights — the personal freedoms of women, for instance.

It is too early to know what the result of the new attention given the proposed amendment will be, but according to Tribe it is a healthy sign that, rather than trying to circumvent the Constitution, those who favor a change are facing the need to confront the Constitution. "This way," said Tribe, "Congress is considering a genuine question rather than a gimmick."

HEADQUARTERS FOR RACQUET SPORTS

- SQUASH
- TENNIS
- PLATFORM TENNIS



Tennis and Squash shop

67 Mt. Auburn St.
Harvard Square Cambridge
864-8800

EST. 1924

Largest selection of squash apparel and rackets in this area.

RELAX BY THE PIANO AT HARVARD SQUARE'S NEWEST NIGHT SPOT

CAFE LOUNGE

A new concept for the Harvard Square area.

Piano bar nightly from 5 p.m. in a relaxing atmosphere.

Featuring fine wines, International Beers, Specialty Drinks, until 1 a.m. daily

50 Church Street (in the Atrium)
Harvard Square 491-3749



Rufus Porter's Restaurant Bar & Lounge

Function Room
Wine, Beer & Cocktails

50 Church Street
Harvard Square, Cambridge
491-3735

cafe at the ATRIUM

Open for cocktails, light suppers, desserts, and spirited coffees every night until 1:00 a.m.

491-3745
50 Church Street
Harvard Square, Cambridge

The Finest in Continental

Ferdinand's

121 Mt. Auburn Street
Harvard Square, Cambridge

reservations 491-4915

TUFTED TAPESTREE TUFTS

come visit us

CARPET

Mon-Tues 12-6
Wed 10-6
Thurs-Fri 10-8
Sat 10-6

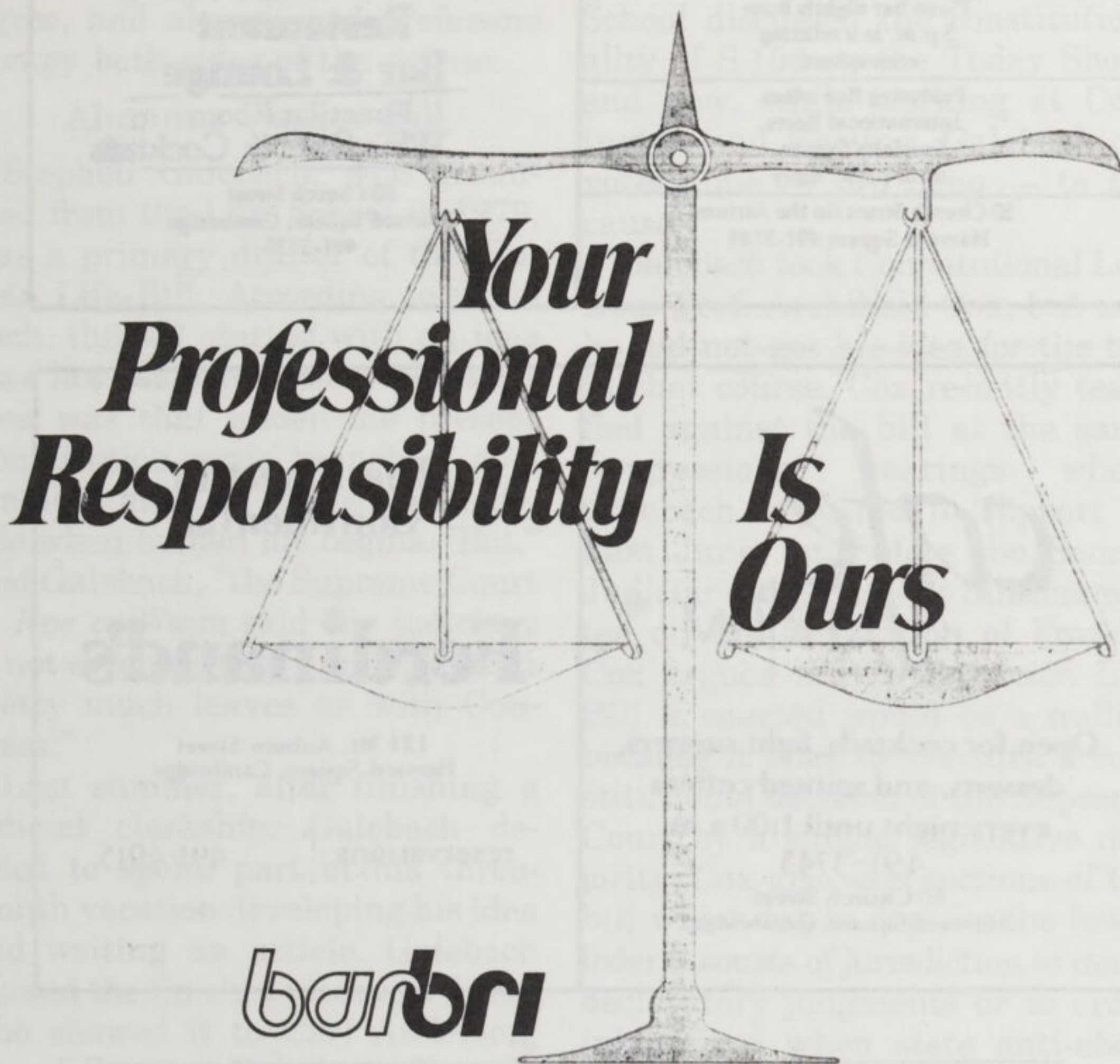
48 WHITE STREET
SOMERVILLE, MASS. 02144

OPPOSITE STAR MARKET
— PORTER SQUARE
(617) 776-1279

AREA RUGS
SCATTER
REMANANTS
BROADBLOOM

NEW YORK NOW REQUIRES THE MPRE*

*(Multi-state Professional Responsibility Exam)



The Nation's Number One Bar Review.

- Tuesday, October 27, 4:00 pm, LNM
Stan Chess, Executive Director of BAR/BRI,
will lecture on bar exams and bar reviews.
Free Pizza and Beer.
- Thursday, November 12: BAR/BRI discount period ends.

© 1981 BAR/BRI
First published 1979

SPORTS ANSWERS

5. Phil Roof.
4. Bob Wall.
3. Rowland Office.
2. Floyd Bannister.
1. Glenn Hall.

Student Subscribers

IF YOU DON'T RECEIVE YOUR
COPY OF THE RECORD IN YOUR
LANGDELL MAILBOX, PLEASE
LEAVE A NOTE IN THE MAILBOX
OF EILEEN BROWNELL, 3L.

(Please specify exactly which issue(s)
you did not receive).

LIBRARIANS & SUBSCRIBERS

The Harvard Law RECORD Index for the
1980-1981 school year (Volumes 71-72) is
now available.

To order, complete this form and mail it
with a check for \$8 per index ordered to:
Harvard Law RECORD, 23 Everett St., Cam-
bridge, MA 02138

Prior year indices are available for the
years 1969-1970 (Volumes 49-50) through
1979-1980 (Volumes 69-70).

I would like to order the 1980-1981 index
(Volumes 71-72) _____

I would like to order copies of the follow-
ing indices from prior years:

(Please specify year and volume numbers)

NAME _____

ADDRESS _____

Alumni: Send address changes to Alumni Association

SECOND CLASS POSTAGE
PAID AT BOSTON, MA

RETURN ADDRESS:
HARVARD LAW RECORD
(ISSN 0017-8101)
HARVARD LAW SCHOOL
CAMBRIDGE, MA 02138-9984