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TWENTY-FIVE CENTS

Pauley: Careers and Family

By Erich Merrill

Jane Pauley spoke to an audience of over 100 on Wednesday, Oct. 21, about her own career and the current opportunities made possible by the women's movement of the last decade. Pauley said that the movement has permitted women to "have it all" by maintaining both a career and a home, but that women must decide for themselves whether such a role is possible.

Pauley began her presentation on a light note with some comments on her own background and her observations about preppies ("You can marry one, but not get it. You can marry down, but not

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Students Chase Ames Thief

By Mary Tarduno

An intruder took over \$400 in cash and jewelry from four rooms in Ames Hall on Sunday, Oct. 25. Two students chased the intruder from the dormitory, across the HLS campus, and into Harvard Yard but were unable to catch up with him.

Harvard University police arrived on the scene shortly after the thefts and were given a good description of the intruder by residents of Ames Hall and by the students who took up the chase. Police stopped two people in Harvard Square who fit the description, but those suspects were later released according to Resident Assistant Bud Gilbert, 2L.

Gilbert said the intruder's job

was made easier by the fact that residents had propped one of the hall doors open and because a number of residents had left their rooms unlocked.

"Looked Real Preppie"

The thefts took place on the third floor of Ames, a women's floor, at about 7:30 in the evening. According to one of the residents of the floor, Donna Mazzaferro, 1L, "a black man dressed like a student was sitting in the lounge. He looked real preppie." She added that the man spoke to the women residents who walked down the hall past the lounge. At that time, a number of the women were preparing dinner, and thus were traveling between their rooms and the kitchens in neighboring Dane Hall.

Mazzaferro explained that, after preparing dinner, some of the women gathered in the lounge to eat. At that point, one woman saw the man come out of one of the rooms on the hall. The student asked the owner of the room, who was in the hall, whether she had company. The women then realized that the man was an intruder. The chase began.

Carole Petersen, 1L, an Ames 3 resident, chased the intruder from the dorm. Larry Unger, a 3L Ames 1 resident, was returning to Ames from the library when he saw the man burst out of the door. "I thought something was wrong," Unger said. "No one runs to the library like that." When Petersen reached the door, Unger said, she yelled that the man was a thief; Unger then

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The HLS team pours on the steam as they approach the finish line in the lightweight four race of the Head of the Charles, Sunday, Oct. 18. Story p.2.

Strong Finish for Law School Crew

By John Morris

The Law School's crew team continued to build its reputation as a serious rowing club this year, placing 21st in a field of 40 boats in the lightweight fours division of the Head of the Charles race held a week ago Sunday. Team president Mark Green, 3L, is hopeful that the success of this year's team will encourage experienced rowers at HLS to see the team as a serious vehicle for competition.

There was no shortage of experience as this year's rowers headed up the Charles. David Lakhdhir, 2L, and Kevin Gaut, 1L, won the and teammates Green and Chip Vetter, 2L, had rowed for Cornell and Dartmouth respectively. Coxswain Bruce Rogoff, a second year law student at B.U., was also experienced. "A good coxswain can save you a lot of time," Green said.

Green thinks the team could have placed even better had they had more time to practice. "I think it was the interviewing season that hurt us. We didn't get out in the morning," he said. "We had only sporadic on-the-water training in the last week or so which is really critical. We didn't have the leg strength or swing."

Better Boat Helps

While last year's eight-man team was probably in better shape, Green said, it had to row in an old boat borrowed from the Harvard College intramural program. This year the team was able to use a boat borrowed from the College's lightweight team and he said this made a great difference in their performance. They also obtained a better starting position this year. "Starting in the back last year we had no place to go," he said.

The team applied for positions in the eight-man race and in the double skull event but did not draw

a slot in the lottery for positions, so only the four-man boat was entered. Green said he thinks they could have fielded an eight-man crew as good as the four-man group this year had they had a position. About half the club's 27

To promote the recreational rowing, the club is working to pool resources with the Business School club so that it will be easier for those interested in recreational rowing to find enough people to man a boat.



J.M.

Crowds line the banks of the Charles by the Eliot Bridge to watch the races.

members are interested in competitive rowing, so Green thinks there is the depth to race in more than one event. While the club offers members the chance to row for recreation, Green sees both types of activity as important. "People who rowed seriously in college need something that resembles that to maintain interest and involvement," he said.

Over the long haul, Green says the club needs to acquire its own equipment. The first priority is oars which can cost \$1000 for a set. A used eight-man shell (boat) costs between \$3000 and \$5000, Green said, and the club has not yet mustered the resources for that sort of purchase.

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Students See a Pub in Hark's Future

By Mary Tarduno

"If the Business School can operate a pub, why can't we?" This question echoes the sentiment of a number of HLS students looking for an informal place to socialize at the Law School. And now a group of students is trying to get some action.

Brian Curran, 2L and a Law School Council (LSC) member, Mandy Lowell, 3L and President of the Dorm Council, and Richard Sinapi, 2L and LSC representative to the Harkness Committee, are in the process of drafting a pub proposal. According to Lowell, the group has used the Business School operation as a model, and hopes to send a proposal for an HLS pub to Assistant Dean Russell Simpson within the next few weeks.

Lowell stressed the benefits that a pub could provide to HLS: "People would feel less alienated. They would feel more like it was 'their' Law School and would be happier here. . . . I've seen from running Dorm Council social functions that there is always a core group interested in socializing. The Law School should do more for these people. Then maybe that core group would grow."

Beer and Chips

The current thinking of the students working on the proposal, Lowell explained, is that a pub could be operated out of the Swain Room in Harkness Commons. The pub would serve beer, wine, potato chips and soft drinks. "It would be very simple, not elaborate," Lowell added. The pub would operate in the evenings so that students could drop in after studying, Sinapi commented, perhaps from 4 P.M. on.

Before the pub could open, plumbing would have to be installed in the Swain Room; there is currently no plumbing in either that room or the game room. Other modifications would include softer lighting, carpeting and, of course, the installation of a bar. According to Lowell, the Law School is plan-

ning to install carpeting and new lighting in the Swain Room regardless of any pub plans.

Quick Opening Possible

Lowell felt that, once the Law School decided to establish a pub, the work needed before it could open could be done quickly. "We think we could have an operation going within two weeks," she said. The students have investigated the cost of installing plumbing and a bar, and have found them to be "not too substantial." They also have gathered catalogs for bar equipment.

Curran, Lowell and Sinapi have not limited their cost concerns to start-up expenses. The Business School pub, which serves only beer, wine, soda and chips, operates at a profit, Lowell said, "so we're not necessarily talking about a losing proposition." The students feel that, in order to keep costs down, the pub would have to run with only one bartender, as does the Business School pub.

In considering costs, Lowell hasn't lost sight of the possible benefits from a HLS pub. "I don't think it would lose money — but if it does lose a small amount, maybe that's a good way for the Law School to expend funds."

Committee Setting Priorities

The possibility of establishing a pub is also being considered by a "working group" designated by Dean Vorenberg to examine priorities for use of the Hark. According to Dean of Students Mary Upton, a member of the group, seven or eight priorities have been identified. She explained that the group hopes "to do a lot of things quickly. The idea is to do things very quickly to see what works the best."

Upton felt that the opening of a pub, with a bar and the necessary plumbing, could take as long as six months. Because of this time problem, she said, the working group is considering an option which could be invoked immediately — the

serving of foods and drinks, including beer and wine, in the Swain Room from a rolling food cart. "We're not ruling out the possibility of a pub at all," Upton stressed. "If this idea catches on, we will go ahead."

Upton did express some doubts about the possible financial viability of a Hark pub. Years ago, a pub did operate in the Hark, she explained, but it "folded from lack of use. So we are a bit leery of putting a lot of money [into a pub] before we see if it can work. We want to keep the space as usable as we can."

Why No Students?

The working group has not yet met with any students to discuss Hark priorities and plans. Upton said the group planned to ask the Law School Council this week to select student representatives. Currently the working group includes Upton, Simpson, Prof. Oliver Oldman, Paul Upson, Bernice Loss and Linda Beyer.

Lowell felt that the working group should have included students from the start. "I find it offensive that priorities [for the Hark] are being set without students. It sounds like there already is a conclusion about to be enacted without students' being contacted." Sinapi noted that he had heard that the group had "come up with a plan" for the Hark, but that "we want to come up with something ourselves."

Ideas for a pub have been put forth in separate proposals and in plans for Hark renovations in the recent past. Last year, Lowell explained, the Dorm Council discussed the idea of a student-run pub and actually set aside \$10,000 to finance the idea. The proposal never received serious consideration from the administration, however. It was felt that a student-run pub would not be effective because students would lose interest in operating it during exams, and there would be no continuity from year to year, Lowell said.

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Estrich Relates to HLS Students

By Dave Quinto

The Langdell South clock indicated that class should have been underway for several minutes before the young woman with a sweater draped over her shoulders politely requested Section IV's attention. Several more requests followed before the students were hushed. The speaker then took another minute to walk around distributing a mimeographed sheet to half a dozen 1L's who should have gotten the sheet the previous day.

Only then did Prof. Susan Estrich, '77, begin her class in Criminal Law. First came a 20-minute recap of the previous day's discussion. Estrich's lecture was audible and extremely lucid, but only a few students bothered taking notes. Estrich was pleased with the class's progress: "I don't want the students to take notes during the lecture, I want them to think about what they're learning."

First Name Basis

Estrich then gave the seating chart close scrutiny and called on Karen to begin the discussion of the day's first case. "Karen"? "They're used to being called by their first names so I use their first names in class," Estrich explained.

Estrich posed a question and the usual hands went up, but so did two dozen others. The students seemed to identify with Estrich, to feel good about being in her class. Section IV warmed to her early in the semester, organizing a "wear red day" to tease her for her proclivity to wear red dresses even before holding the annual "African floral print tie day" to honor their Property teacher, Prof. Liebman.

Estrich played along, calling on brightest of the bright and reddest of the red, John Jacobi, first.

A student asked whether, as a practical matter, felons make use of their appeals as of right. Estrich explained that many appeals are perfunctory because there may not have been errors worth appealing committed during the trial. After all, how many people like being in jail? She continued by describing legislative proposals to allow the prosecution to appeal certain matters. "It's clear that if you volunteer, I won't embarrass you," Estrich said later. "I try to take



J.M.

Prof. Susan Estrich

advantage in a positive way of what people say in volunteering."

Modest Manner

Estrich does not try to dazzle her students with intelligence or bludgeon with self-importance. Even in holding the class late to make up for time lost at the beginning, Estrich still seemed unconvinced that her words would be the most important the students heard that week.

To an observer, Estrich seemed to have one of the most open, refreshing personalities among the faculty. But as the students continued to reach out to her, the observer could also see her as a politician working her kind of crowd.

When asked later to name her favorite color, unhesitatingly she replied: "red." What would she have said last summer? "Blue, as in the ocean." There was that politician's ability to adapt to a constituency.

Estrich is no stranger to politics, getting her start working for Michael Harrington in 1969 when he ran for Congress. Later she worked for McGovern and Udall and headed the Women's Law Association Task Force on Placement at HLS. After clerking for Judge Skelly Wright and Justice John Paul Stevens, former HLS Prof. Steven Breyer lured her to the U.S. Senate Judiciary Committee in 1980.

Kennedy Campaigner

She "did not expect [Senator] Kennedy to run in '80," but by the time she started her job, "it was increasingly clear he was going to run. I certainly was going to work on the campaign." She served Kennedy as deputy director of issues and platform coordinator for the Democratic Convention, a task which she described as her most arduous since serving as president of the *Law Review*. Recently Estrich has been busy writing speeches and direct mail letters for former Gov. Dukakis's comeback campaign as a favor for a close friend who is in charge of planning Dukakis's political strategy.

Conversation is interrupted by
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The Legacy of the Missing Students

By Mark Pogue
with John Morris

The professor stops his pacing a moment to study the seating chart. "Let's see here, who shall we ask to help us with this case? Mr. Paslci?" No response. "Is Mr. Paslci here?" Silence. For a second the same thought occurs to a hundred different people in the room: Who is this guy Paslci, anyway? And why isn't he ever here?

How to Succeed at HLS Without Really Attending Classes is a book that has never been written, but there is no shortage of potential authors. On the contrary, RECORD interviews with students, administrators, professors and alumni indicate that the practice of class-cutting has a long history at the Law School — and that history is still being written. Today, just as in years gone by, a very small but very hardy band of "phantom students" is making its way toward the HLS degree largely without benefit of class attendance.

Fable and Fact

The history of class-cutting at HLS is not an easy one to detail. Few alumni are willing to talk about their own exploits, and administrators cannot discuss the details of investigations involving class-cutters who were disciplined. Adding to the difficulty in gaining historical perspective is the problem of separating truth from fable. Over the years, stories of phenomenal class nonattendance have been handed down, but they cannot be verified and many seem apocryphal. Legend has it, for instance, that one student spent his spring semesters touring the museums and monuments of Europe while his classmates slogged through the snows to class. The "Artful Dodger," as he is respectfully known, reportedly returned to Cambridge with two or three weeks remaining and learned his subjects from outlines or other secondary material.

The lore of the Law School also

includes the tale of a student whose absenteeism was less grandiose but certainly gutsier than that of the Artful Dodger. According to the HLS administrator who tells the story, this student was the regular squash partner of a professor whose classes he never attended. The professor eventually discovered that his partner was a truant and had him disciplined.

Other stories are certainly authentic. According to Assistant Dean Stephen Bernardi, in the Sixties one student enrolled simultaneously at M.I.T. and HLS. Not content to make academic double-time, the student then added a full-time job to his busy schedule and forsook his classes. When the student received some media attention, HLS's Administrative Board took action to discipline the class-cutter. Bernardi believes, however, that in time the student graduated from HLS.

An alumnus from the early Seventies, now in San Francisco, helped a buddy to spend his semesters romancing a sweetheart in North Carolina. First, the abettor and the class-cutter registered for all the same classes. After his friend departed for the South, the abettor attended the classes and casually slipped a piece of carbon paper under each page of notes that he took. The carbon copied notes were mailed once a week to the Dixie lovenest. In at least one course, the phantom student received a better grade than did his loyal friend in Cambridge.

Assistant Professor Chris Edley made news in 1976 when he left school to work on the Carter presidential campaign while enrolled at HLS. (He did resign from the *Law Review* before departing.) Midway through the semester, Edley's registration was cancelled and he had to make up the credit later. And only last year, a phantom Harvard student was discovered living in a faraway city — rumored to be New Orleans — while enrolled at the Law School. When this came to the attention of the administration, the student's case was re-

ferred to the Administrative Board and he lost all credit for that term.

Against the Rules

It is against the rules of HLS to attend classes in other than a "regular" manner. The formal policy is set out at page 126 of the Law School Catalog:

"Class work is essential to the educational program at the Law School, and regular attendance at classes is expected of all students. If, after notice of delinquency in this respect, you continue in a course of persistent and unexcused absence, the Law School may treat you as having withdrawn from the course or seminar in question."

Evidently, a student discovered living an uncommutable distance away from Harvard may be regarded as having withdrawn from all courses, but according to Dean of Students Mary Upton, in the last 10 years only three or four students have been brought before the Administrative Board because of flagrant absenteeism. Upton noted, however, that in some cases discipline has been meted out at levels short of the Board. For instance, in a few cases professors who have noticed that a student is regularly absent have directed the registrar to cancel the student's credit for that particular course. The RECORD did not learn of any instance in which a phantom student was expelled by the Administrative Board or any other disciplinary body for absenteeism.

Why Stay Away?

Students cutting classes are understandably reluctant to identify themselves or broadcast their motives, and as a result the task of profiling the phantom student is a speculative one. In Professor Clark Byse's view, class-cutters may have widely divergent reasons for staying home. "The type you worry about, especially in the first year,

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Students Voice Placement Concerns

By Erich Merrill

Comments ranged from witty to desperate in an open meeting of the Placement Committee last Wednesday, Oct. 28, as 40 students expressed their views on placement process proposals being considered by the Committee. Most of the 14 committee members were present to respond and offer their own criticisms.

The proposals under consideration came from a memo addressed to the Committee from Prof. Abram Chayes, and a memo to the Committee from the Law School Council (LSC). The Chayes memo listed as possible changes in the placement process including

- compressing the interview period and making it later in the fall
- scheduling all interviews in the afternoon or evening
- requiring all fly-outs to be later, perhaps during Christmas break.

The LSC responded with several suggestions of its own. Its memo suggested that the interview period be moved to the spring, and that students be told that they are not expected to wear suits to interviews.

The comments from the students present at the meeting began when one asked whether the Committee would seriously consider moving the interview period to the spring, giving public sector employers a better chance to compete with the private sector. Chayes responded that though the Committee supported such a move, it was trying to come up with a proposal which could be implemented next year. Chayes felt that "administrative difficulties made it impossible" to make such a change by next fall.

Chayes listed two other factors that bear on the move to a spring interview season. "There have been efforts by this school over a number of years to bring about such a change. The feeling has been that it would be hard for us to do it alone." Chayes also mentioned that

employers were reluctant to interview in the spring.

Student Disagrees

Jeff Smith, 3L member of the Placement Committee, said he had spent some time talking to interviewers on campus about the possible change. "The interviewers say, 'The later the better.'" Smith said that employers thought students made better decisions about which jobs to seek, and which jobs to accept, when interviews were held closer to the time students would start their jobs.

One student pointed out that spring interviews might keep fly-outs from interfering with classes. Fly-outs could be taken during spring break, he said.

Other comments were directed toward the proposal that the interview season be compressed to reduce interference with classes. Several of those present agreed with the LSC memo, expressing doubts that the interview season causes people to miss classes. Smith asked anyone who had missed a class because of an interview to raise their hand; no one did. Chayes said that he thought "the lack of devotion to classes in the second and third years [was] attributable to other causes."

Several students were upset at the thought of having fly-outs over Christmas vacation. One felt that fly-outs over Christmas break would encroach on a much-needed escape from law school. "I think people should be allowed to be people rather than just law students and job seekers." Another commented, "I think it would be abhorrent to have to split my 10 days of vacation between my family, whom I haven't seen and care a great deal about, and some firms, whom I may care very little about." A third thought moving fly-outs to a later date was a move in the wrong direction.

"The earlier the process is over, the better. Then I can relax and concentrate on my studies."

1L Debate

The most extensive and animated discussions of the meeting centered on the issue of whether 1Ls should have access to the Placement Office when interviewers are here in the fall. One student said that she "realized that the Placement Committee would like to continue its head-in-the-sand attitude toward 1Ls," but that any proposal for change in the placement process had to consider first-year students, to be successful and fair.

Chayes responded, "Currently 1Ls get a much broader variety of jobs than 2Ls and 3Ls. I think we can show that heretofore there has been no practical disadvantage to the [1L] policy." Chayes felt any proposal should actually "tighten up" on unauthorized 1L interviewing. "Maybe the best answer of all would be a required clinical program in the summer after the first year."

"And are you going to pay the next year's tuition bill?" someone wondered.

Will Hunter, 2L, suggested that the placement office should tell students they are not expected to wear suits to interviews, saying that it was silly for them to do so when interviewers knew they were talking to students, who usually didn't wear suits. Someone thought that proposal sounded too much like a dress code. Chayes reassured everyone with a grin: "Whatever the Law School does, it won't interfere with your freedom of choice on this matter." June Thompson, director of placement, saw an easy solution to the problem. "Maybe we should wear suits all the time."



Consumer-4 Seeks Investigative Interns

By Thomas Isenberg

The line between investigative journalism and law is at best a thin one, believes Sharon Wright, a reporter and the head of WBZ-TV's Consumer-4 unit, and she has asked Harvard Law students to help her prove this proposition. On Oct. 14, Ms. Wright visited the Law School to recruit students for her consumer-oriented investigative reporting team. Ms. Wright and her colleagues investigate consumer complaints and problems of almost every type. She seeks to resolve those problems and, in the process, develop a report for her employer's nightly news broadcast. Her reports, described as "hard-hitting" by some, have covered everything from an analysis of proposed legislation to a hidden-camera investigation of car repair rip-offs.

Why Law Students?

Ms. Wright wishes to recruit a handful of law students for her unit's intern program. She believes that law students have the ability to "cut through a lot of red tape and find resources" necessary to solve consumers' problems. More than any other professionals, except perhaps for journalists themselves, lawyers are trained to search out facts and be "100% accurate and fair," says Ms. Wright. Accuracy and fairness, she stresses, is the stuff that investigative reporting is made of.

When questioned about exactly what the interns would do for Consumer-4, Ms. Wright replied, "Just about everything." Some of the work would involve legal research, for example, a search of Massachusetts' law to determine how much privacy a restaurant is entitled to from the prying eye of TV cameras, both hidden and in plain sight. But most of the interns' time would be spent in investigating consumer problems. This investigative activity would involve "following leads" by calling lawmakers, consumer agencies, businesses and complaining consumers.

Actual undercover work would also be involved to get to the heart of suspected business frauds. Ms. Wright said that she would not be putting any students on the air, at least not for the first three weeks, she added jokingly.

The students would be aiding Ms. Wright and her team in determining, in particular situations how far consumers, businesses and even reporters can go in exercising and pursuing their rights. Ms. Wright emphasizes that her unit is "setting [itself] up for a libel suit" by each television report it makes and that, as a consequence, she must be certain that all the information she gets is accurate before she "sticks her neck out."

On-Air Confrontations

And "sticking her neck out" is just what Ms. Wright and Consumer-4 do best. At the orientation meeting, in addition to describing the exploits of her unit, she showed a videotape of a few actual reports. One such report found Ms. Wright following up leads on a bogus apartment rental agency that

charged consumers hefty fees for access to the firm's apartment "listings." She interviewed defrauded consumers who paid their money but found no apartments. She then confronted the businessman himself, demanding that he show her the promised listings. After he insisted that she pay for the service, she offered to pay. In response, he evasively put her off. Ms. Wright's next move was to persuade the local realty board to suspend the firm's operations. The matter is now in the courts and in the hands of the U.S. Attorney, reported Ms. Wright.

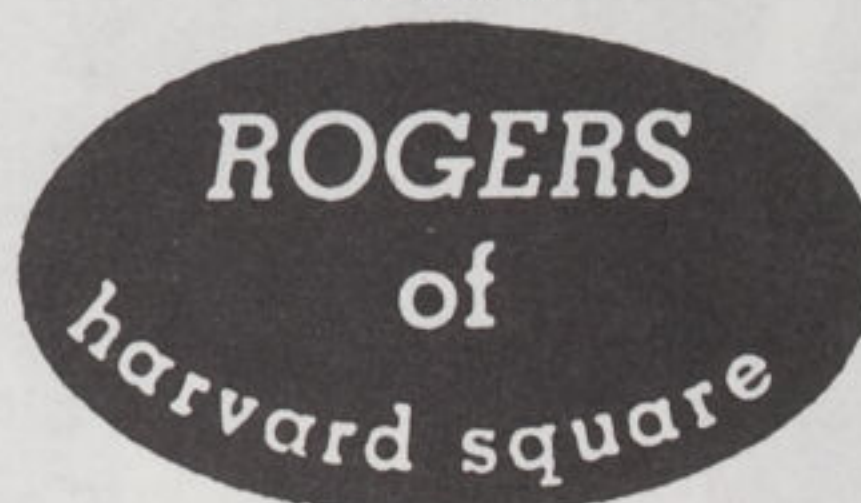
Ms. Wright's most interesting encounter occurred during her undercover investigation of Boston auto repair shops. In one episode, entitled "Shifty Gears," she brought a car, rigged with a slight transmission problem, into a Roslindale shop. The shop took the transmission apart and recommended further work. She refused the further repairs and asked the shop to reassemble her car. After the mechanic reassembled the transmission, she left the shop and had her own ex-

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Bator Named to New Bromley Chair

By Gretchen Rule

On Tuesday, Oct. 27 the Bruce Bromley Professorship of Law was inaugurated in a ceremony in the Ropes-Gray Room of Pound Hall. The chair was established through the efforts of the law firm of Cravath, Swaine & Moore of New York in memory of one of their most revered partners. Prof. Paul Bator is the chair's first incumbent.

According to Cravath partner Paul Dodyk (HLS '64), the prime motivation for initiating the fund-raising effort that led to the chair's endowment was "the enormous affection that everyone in the firm had for Bruce. He was universally admired — so we were looking for an appropriate way to preserve his memory." At first, the focus was on establishing or adding to an already-established scholarship fund. "But we were so surprised with the amount of money [that people in the firm were willing to donate] — it became clear within 60 days that we could get a million dollars. It was really amazing how it snow-

balled."

The money needed to endow the chair is coming from a variety of sources, not the least of which are the Cravath attorneys. "The firm itself doesn't give," explained partner Sam Butler (HLS '54), "but it matches gifts from associates." Donations from clients, Bromley's family and friends, and other law firms, along with the merger into the fund of a previously-established scholarship fund have helped to bring the endowment fund close to its \$1 million goal, the amount necessary to endow a chair at Harvard University.

Most Appropriate Use

The question then became one of how to use the money. "There were lots of different ideas," asserted Dodyk. "One was to establish a foundation that would administer grants; another was to establish a 'floating' professorship at Harvard, Columbia and Yale." But it was finally decided that the most appropriate use was to establish a

professorship where Bromley had been a law student — here at HLS.

As the first occupant of the chair, Bator was disappointed only that the endowment did not contain a guarantee that his salary would never fall below that of first-year associates at Cravath and that he was not treated to the lavish affairs bestowed upon Cravath's summer clerks. He described his feelings about being the first Bruce Bromley Professor of Law as "special and perhaps inspiring," and expressed his hope that he and future Chair occupants would be able to instill some of Bromley's qualities in their students.

Bromley (HLS '17) was one of the nation's leading trial and appellate lawyers for more than 50 years and an active partner in the firm of Cravath, Swaine & Moore from 1926 to his death in 1980, except for a year as Judge of the New York Court of Appeals. Widely recognized as a distinguished leader of the New York Bar, his practice encompassed the fields of free speech, civil rights, antitrust and other commercial matters, judicial misconduct, representation of the steel industry and litigation involving the U.S. House of Representatives. He was regarded as an effective advocate, a diligent student of the law, a master of courtroom strategy and an excellent teacher.



Elizabeth W. Rockwood

Roger Fisher, Samuel Williston Professor of Law at HLS, was awarded the Szilard Peace Award at ceremonies in Boston on October 16. Fisher was honored "for his sustained work to reduce the risks of war by improving the theory and practice of dealing with international differences in peaceful ways."

Paul Warnke, the keynote speaker, praised Fisher for his efforts in the Iranian hostage crisis and for his new book on negotiation, *Getting To Yes*. Pictured here is Fisher with George Kistiakowsky, Chairman of the Council for a Livable World, the organization that awards the Szilard prize.

Yearbooks for Alumni:

The Law School Yearbook's offer to alumni to purchase the book advertised in the RECORD of Oct. 9 has been extended to Dec. 1. The books are available, postpaid, for \$22.50, or with a patronage listing for \$35.00. Orders should be sent to:

Harvard Law School Yearbook
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Pauley Speaks on Career and Family

(Continued from Page 1)

out"). Then she moved to some statistics relevant to the rest of her talk, which showed that "the greatest trend of the '70s is living alone." She stated that the number of people living alone increased from 11 billion in 1970 to 18 billion in 1980.

Pauley then launched into a depiction of her own career, during which she caught the women's movement at its crest and rode a



wave of feminism for all it was worth. She told how in 1972 she became one of the first female newscasters. "Station WISH needed, and I quote, a 'female-type person' for its news team. Feeling somehow that I qualified, I applied. I got the job."

Perfect Timing

In 1975, she left WISH to join NBC. When Barbara Walters left the *Today* show, Pauley took her place, and has been there since.

Pauley gives much credit for her rise to the top to the women's movement, which changed society's feelings about who should hold jobs, just as it had changed people's perceptions of who should be students. "God always made smart women; he just never let them come to Harvard," she quipped.

When the women's movement started to grow, Pauley was in a position to use it to her advantage. "My timing was perfect," she said

several times during the talk. The FCC started requiring stations to include more women on their staffs in the early '70s, and Pauley was one of the few then ready to take such a job.

Nevertheless, she gives herself some credit for being where she is today. "I was given opportunities because I was a woman. I kept my job because I was good."

Having established a career, Pauley faces decisions that many women face today, she said. Women may "have it all" if they



so choose. She defines having it all as maintaining a career while "acting on honorable feminine instincts to have children and a home."

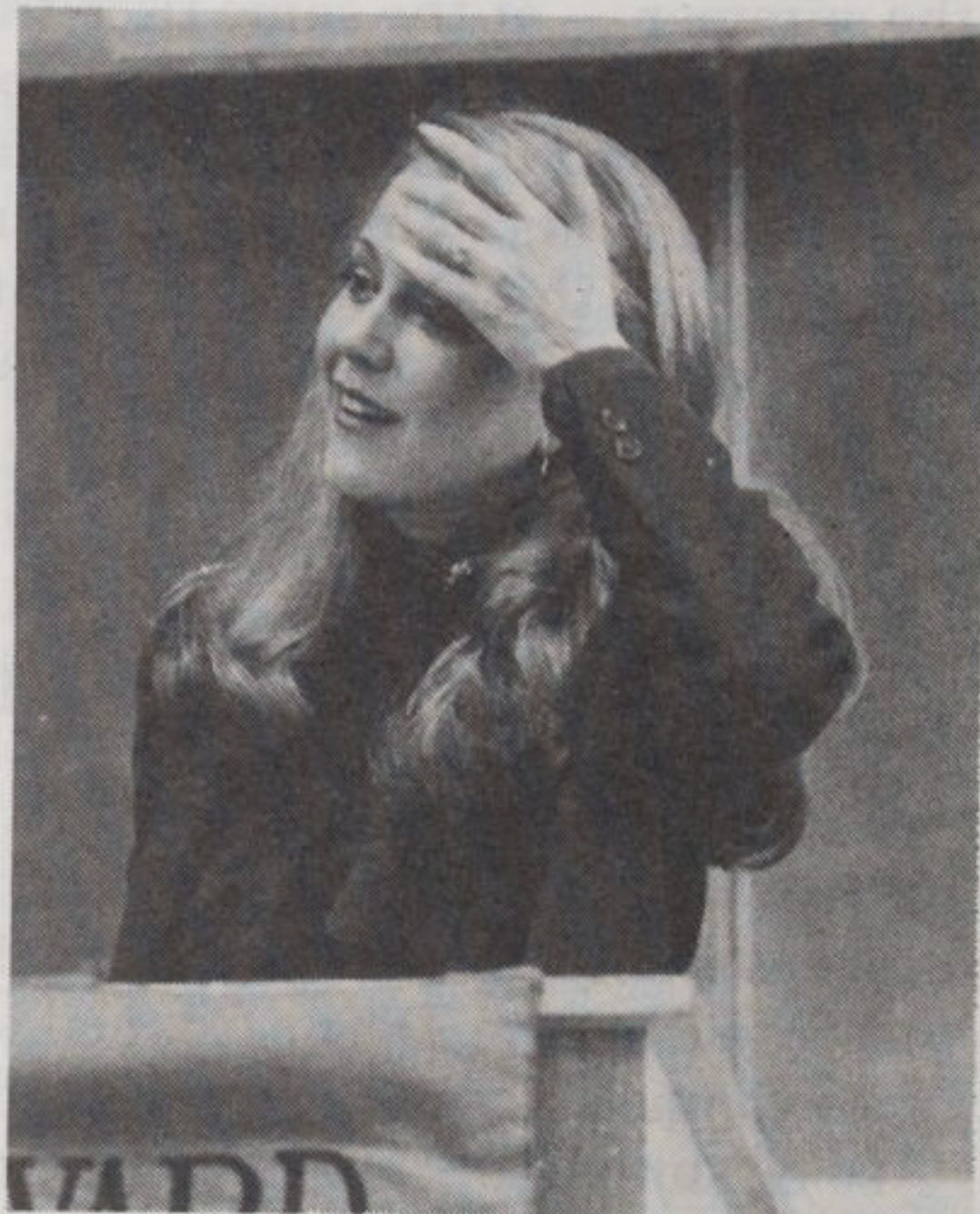
Pressures to sacrifice a family are intense, though, as Pauley showed with a story of a woman who was a banker. The woman became pregnant, having decided that the time was now or never for her to have a family. The woman got a promotion. The woman got an abortion.

Family Concerns Acceptable

The women's movement is recognizing for the first time in its history that the family is a legitimate concern of women, Pauley feels, noting that society has changed its attitude toward pregnant women. She said that 20 years ago when Florence Henderson, then host of the *Today* show, became pregnant,

all sorts of measures were taken to keep the viewers from noticing any change in her form. She contrasted that treatment with the media's attitude toward pregnancy today, noting that "these days it's almost fashionable." This change in attitude is evidence of a maturing of the women's movement, Pauley thinks.

Pauley said that men may play a role in the next part of the women's movement. Many men are both concerned about their wife's job and realizing that they want to play an important part in the maintenance of a home. Pauley says that many men are now the ones



E.M.

interested in having families, but notes with a smile that "men have always wanted to reproduce themselves."

Pauley hasn't decided whether she will have children, or, if she does, how they will be raised. She asserts that she would rather not have to turn her children over to someone else. But for Pauley, "Staying at home is not an option."

☛

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Gripe of the Week #2

The Harvard operators finally have the phone numbers of Law School students, and students finally have a Directory. The Law School is responsible for using registration materials to make a list of students and their numbers and pass it on to the University Telephone Office. This may seem like a trivial operation, but apparently it is not. After all, it took until October to do, four or five weeks after registration. The Directory took even longer.

Why so long? According to Registrar Sue Robinson, students have until the beginning of October to let the School know if they want an unlisted number. Then the Directory is published and sent to the operators. This year, administrative error and a publishing snafu delayed the process, so a computer print-out was finally sent to the operators.

We think this important information should be released earlier. This can be achieved in a number of ways. First, the response period for unlisted numbers can be shortened, even as far as to the day of Registration itself. Second, the operator's list should not be delayed while waiting for publication, as it usually is. Third, students in the dormitories can be notified of the phone number assigned to their room over the summer — at the same time they receive the room assignment itself. This would be especially easy because the numbers are arranged sequentially and do not change from year to year.

Most students do not list their numbers with the telephone company operators, so the University operators provide the sole means of contact. Delays in this listing cause aggravation which is easily avoidable.



We'll Drink to That

As this issue of the RECORD is put to bed and another hectic week comes to an end, it strikes the editors that a pub in the Hark would add immeasurably to the Law School environment. The force of the logic presented by the Dorm Council and the Law School Council becomes more compelling as the evening draws on in fact, we've noticed.

To be sure, the School should invest its money in renovations carefully, but it seems to us very unlikely that a well thought out pub plan would not succeed. The TG's are certainly successful now in drawing people together at the end of the week and they do not even benefit from the improvements in atmosphere envisioned for the Swain Room. A successful pub could function not only to revive the Hark, but could serve as a focus for the School as a whole. More power to the forces pushing for it.



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Fenno

It was interview season, and there were many strange sights for Fenno to see. But Fenno could not believe his eyes. Bernie, once a sharp and savvy 3L, was slumped pathetically on one of the grimy purple lounges outside the Law School Coop. He looked like he hadn't shaved in a week nor bathed in twice that time. He was mumbling to himself, drooling slightly, oblivious to the squads of tidy interviewees buzzing past him along the Harkness corridor.

"Bernie, what's wrong?" Fenno pleaded. "What happened? Did you go to Trautman's Accounting?"

A dim light clicked on behind the 3L's waxen pupils. "It's worse than that, Fenno. I'm finished in the placement game." Was this the same man who had slithered through a summer in midtown Manhattan, wowing them all without writing a single memorandum?

"Bernie, it can't be true! Remember when I saw you this summer? Your chauffeur nearly ran me over."

Slowly the story unfolded. "It all began in September, Fenno. I think there were three of them. They broke in through the window and cleaned out the whole apartment."

"What did they get? Stereos? Cameras?"

"No — our employer directories. The 1Ls are vicious this year. Right after that the Placement computer signed me up for every 11:40 interview in the book between Oct. 5 and Oct. 9. Fenno, who built that computer? Chrysler?"

"Didn't they send you cards?"

"Yeah, but they were weird. Each one had nothing on it but my biorhythms for the day. I was branded a chronic no-show, so next thing I knew, my suits were gone."

"Placement stole your clothing?"

"Just the pants, Fenno. I found a form letter from June Thompson on each hanger saying I'd get them back Dec. 15."

Fenno began the lecture he'd given so many times before. "Bernie, maybe you don't want to get into this rat race. After all, you'll never have a 2L summer again. Forget the good life. Henceforth it's twelve-hour days, chili dogs at your desk, divorce and desperation. Bernie, maybe you're a lucky man. Why slave for eight years and collapse before you're 35? Why not burn out right now and eliminate the misery?"

"I'm not ready to burn out yet, Fenno. I've got loans to pay." Bernie's eyes glimmered slightly. "But I guess I could go back to Akron and play the oboe."

Fenno walked off, shaking his head. Instantly he bumped into an eavesdropping 2L.

"I heard the whole conversation, Fenno, and I've got just one question."

"What's that?"

The 2L smacked his lips and grinned. "Did he really have a chauffeur?"



Consumer-4 Seeks Investigative Interns

(Continued from Page 7)

pert mechanic fix the rigged problem. But after driving around the block a few times, she found that her automobile now had a real transmission problem. A check by the expert revealed that the transmission fluid contained metal shavings, not normally found in such fluid. Ms. Wright then returned to the shop and confronted them with the shavings.

After some hemming and hawing and fluid comparing, there was a heated discussion between Ms. Wright and the shop mechanic as to where the shavings came from. Hearing the fight, the shop's owner rushed out of his office and joined the debate. After she was physically threatened by the mechanics, the owner accused Ms. Wright of possessing a stolen car, called the police and refused to let her leave with the car until their arrival. Eventually the police arrived and escorted Ms. Wright, the camera crew and the undercover car safely off of the premises. The series on car repairs resulted in action by the Massachusetts Consumer Council and the Attorney General's office is studying the matter.

Success Elsewhere

The intern program proposed by

Ms. Wright is modeled after similar programs in other cities involving consumer-investigative units of television stations and local law schools. The success of the pioneer program, now six years old, at George Washington Law School and one at N.Y.U., makes Ms. Wright optimistic and enthusiastic about her program.

The intern positions are non-paying but Ms. Wright hopes eventually that the interns will earn credits towards the law degree. Initially the students will work out of WBZ-TV offices on the Charles, complete with WATS lines. Of course, much fieldwork would be involved in the job, too. Eventually an office at HLS might be available.

Clout Helps Consumers

Ms. Wright says that her unit has "tremendous clout" because of its wide exposure; as a result, it can help consumers in areas where other consumer-oriented organizations get nowhere. She stresses that they are "not in business to put people out of business." Instead, she wishes to provide a community service by trying to resolve problems and help people deal with each other in their respective consumer and business roles. "Things

must be weighed carefully," she emphasizes, in the "media versus business" debate. She sees her role as keeping businesses and consumers "on their toes." She helps not only consumers, but business too, she believes, because "the most successful businesses are the most consumer conscious."

As Sharon Wright says, "Television can be powerful. When used responsibly, fairly and accurately, it can have tremendous clout for the consumer. Linked with a respected university like Harvard, this special intern program will provide a dynamic tool for both consumers and the community at large."



J.M.

Students line up in Langdell Hall entryway to receive copies of the Law School Directory from HLS receptionist Marion Pierce.

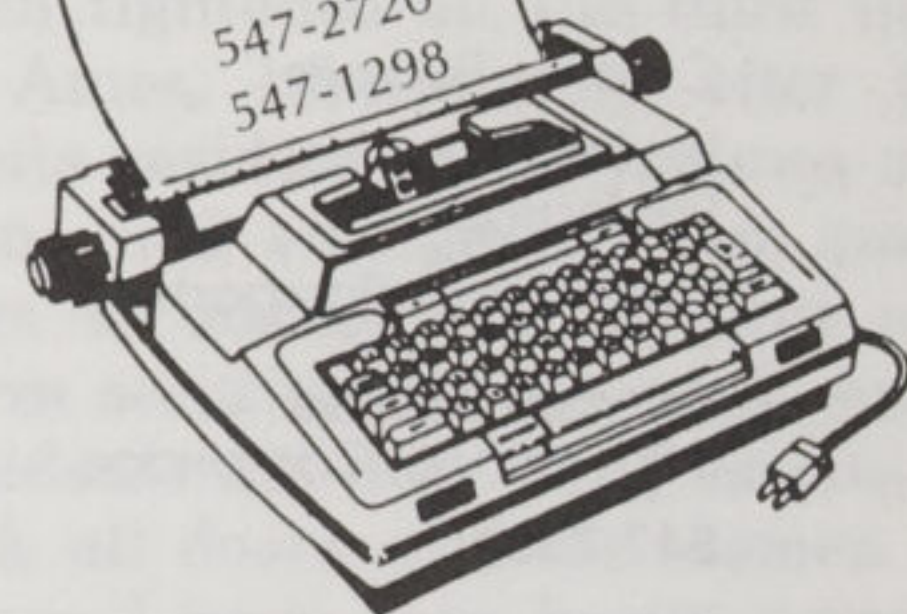
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SPORTS QUIZ

NOTE: This week's Sports Quiz is quite tasteful as it deals with athletes whose last names are the same as a well-known food or drink. Knowledgeable sports fans should eat this one up.

1. A former member of the San Diego Chargers, this defensive lineman was recently kicked off the Washington Redskins for being a disruptive influence. Who is this player?
2. A long-time fixture in left field in Fenway Park, this man is noted for his awesome power at the plate. Who is this well-known athlete?
3. One of the rising young stars on the PGA tour, this man has been one of the leading money winners over the past few years but has yet to win one of the major tournaments. Who is this linkster?
4. A journeyman catcher and reserve outfielder, this athlete spent last season toiling for Don Zimmer and the Texas Rangers. Who is this man whose batting average this past season hovered around .200?
5. Recently picked up by the New Orleans Saints, this man previously served as a back-up wide receiver for the Oakland Raiders. Who is this athlete whose status has not changed under Bum Phillips?

(Answers on Page 15)

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Ames Thief Takes Money and Jewelry

(Continued from Page 1)

joined Petersen in pursuit. The two students lost the intruder at Harvard Yard.

Mazzaferro said that a number of the women checked their rooms to see if things were missing because they had left their rooms unlocked while making trips to the

Dane kitchens and eating in the Ames lounge. Mazzaferro found that over \$400 worth of jewelry was missing from her room. Three other women lost a total of \$48. A few pieces of Mazzaferro's jewelry were later found in the Ames lounge, near where the man had been sitting.

In addition to leaving their rooms unlocked, the women of Ames 3 had also propped open one of the hall doors. "I guess [the thefts are] our fault, because we neglected to keep the doors shut," Mazzaferro said. She added that the incident was "strange," however, "because it was evening and everyone was on the floor. . . . [The intruder] seemed to really know what he was doing. He was really friendly — that's why no one suspected him. . . . He probably would have continued on down the hall, going into rooms, if somebody hadn't seen him."

Sunday may not be the first time that an intruder has gone through rooms in Ames 3. According to Mazzaferro, about three weeks ago a man was seen leaving the room of a student who was not in; when asked by another resident what he was doing, he just said that the owner of the room was not in. The man also walked into another woman's room; upon seeing that the room was occupied, he said that he thought "someone else" lived there.

Tightened Security

Since the thefts, security has been tightened on the third floor of Ames. Immediately after the thefts residents of both Ames and Dane had emergency floor meetings to discuss the incident and dorm security, Gilbert said. Ames residents are now being careful to lock all doors, and the women on Ames 3 have even begun using a combination lock on the hall bathroom. "Everyone is really shook up," Mazzaferro said.

No one is sure how the intruder got into Ames Hall itself. Mazzaferro pointed out that the outside doors are almost always locked. Gilbert did mention that one of the Ames outside doors is defective and doesn't shut properly; he added, however, that the intruder could have easily waited until he saw a student entering the building, and then could have followed the student in.



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Hon. Benjamin Kaplan
Massachusetts Supreme Judicial Court, Retired
Royall Professor of Law, Emeritus, Harvard Law School

Wednesday, November 4, 1981 —

"The Legacy of Holmes Through English Eyes"

Professor Patrick Atiyah
Oxford University

Thursday, November 5, 1981 —

"The Evolution of Holmes: Holmes and Evolution"

Professor Jan Vetter
University of California School of Law, Berkeley

Estrich is Both Politician, Professor

(Continued from Page 4)

a call from a *Boston Globe* reporter eager to ask her what she and Mark Moore of the Kennedy School have learned while preparing a background paper for the National Institute of Justice Conference on Dangerous Crime to be held in January, 1982. The paper is not yet finished and Estrich does not have time to talk with him, yet talk she does because the same reporter covers the Dukakis campaign. She plays the news media like a pro.

Estrich is eager to discuss her paper, especially the conclusion that fear of crime is economically and socially more costly to society than crime itself. She is also eager to discuss employment discrimination directed at women. She mentions that between graduating Phi Beta Kappa from Wellesley and heading the *Law Review*, she

worked as a clerk for a vending company and as a bartender because those were the best jobs she could obtain.

Are these issues relevant to Estrich's experience in politics and government? At the state level, government should "provide the services people need in a manner that is both effective and efficient. . . . Government has an obligation to be efficient." On national government, she mentions foreign policy and the national economy, then quotes Kennedy by saying that "a strong economy is the most important social program we can have."

Academic Perspective

Estrich "enjoy[s] teaching and the opportunity to sit back a little bit and think about what's going on" and the "freedom to get in-

volved in writing." Teaching is "something I enjoy and want to keep doing . . . but I haven't left government for good," Estrich adds.

Will she seek elective office? "Who knows?" she responds. Appointive office? An administrative position? "Who knows?"

Time has come for Estrich to dash to her first meeting as a member of the Advisory Board of the Civil Liberties Union of Massachusetts. She is not sure what her duties as a member of the board will be, but she ran because she wanted to "get involved with campaigns and campaign organizations and to get involved in issues I care about."

Students Missing at HLS

(Continued from Page 5)

is the student who has difficulty adjusting to the Law School, the individual who falls behind and then retreats into a shell of non-attendance," he said. Byse added that, in his view, there are few such students at HLS.

Another type of class-cutter may be the student who only boycotts a particular class for one reason or another. "On two occasions students who were skipping my class came to me and indicated that I was affecting them in such a way that they did not feel comfortable attending the class," Byse said. On both of those occasions the problems were resolved and the students resumed attending.

A third type of phantom student identified by Byse is the person who is so gifted that he may actually be able to learn the law more effectively on his own than in a class setting. Byse speculated that these are "rare" students. The description may well apply, however, to a current member of the *Law Review*. This student says that (s)he attended a total of only 12 class

meetings of the four required courses during the spring term of the 1L year. The student received an A in one course that (s)he only dropped in on three times. The secret? The student read the professor's own book on the subject before taking the final exam.

Findings of Fact

There is no way to ascertain the extent of extreme truancy at HLS, due to students' reluctance to talk about the phenomenon. Most of those interviewed believed that the number of serious class-cutters — especially those who leave the campus environs altogether — is very small. Absenteeism does not appear to be related to a particular semester or time of year: several years ago the administration took a survey and found little difference in attendance rates between the first and second semesters. Phantom students at HLS, in short, remain an obscure and little understood species, but they survive.

Corrections and Follow-Up

The RECORD's story on the Ames Moot Court Competition in the last issue (v. 73, n. 4, Oct. 16, 1981, p. 1) contained two errors. Judge Henry Friendly sits on the Second Circuit Court of Appeals, of course, not the First. In addition, the Dean of N.Y.U.'s Law School was identified as Dean Redland; his name is Redlich.

After the issue was printed, the RECORD learned that Justice White will judge five moot court competitions this year. He will attend those at the University of Pennsylvania, University of Chicago and the University of Texas. In addition, he will sit at the National Moot Court Competition at Southern California and the New York City Bar Association Moot Court Competition.

In last week's I.M. football article, the Black Plague was referred to as the perennial champion. It should be noted that in last year's title game, the Mean Machine defeated the Black Plague for the title. Apologies are extended to all those inconvenienced by this omission.

HLS Drama Debut: 12 Angry Jurors

— Carl Oppedahl

For the second time in its 22 year history, the HLS Drama Society has presented a serious play, and with great success. "12 Angry Jurors," an adaptation of Reginald Rose's critically acclaimed 1957 movie, "12 Angry Men," was performed convincingly, with some very striking characterizations. Following what is by now the Society's well-established pattern, the set was a raised, nearly bare stage with minimal use of props and scenery. This left the attention of the audience directed toward the actors themselves, and they did a good job of delivering the lines of Rose's well-written script.

As the show opens, the viewer feels a certain excitement as an unseen observer in a small world that is normally forbidden — the jury room of a murder trial. The discussions of the jurors, each of whom is drawn one way, then another, until the verdict is reached, are the entire dialogue of the play. That formula, which worked so well on the screen, is effective on the stage as well.

During the first act we are introduced to the jurors, and all the stereotypes are there, such as the common slob (David Burkett, 1L), the preoccupied businesswoman (Bonnie Jacobsen, 1L), the nerd with horn-rimmed eyeglasses and narrow necktie (John Packman, 2L), the well-dressed rationalist (Peter Bain, 1L), and the immigrant awed by the responsibility of sitting as a juror (Amy Schwartz, 1L). Perhaps the most striking performance is that of Jon Weber, 1L, as the ultraconservative macho man, who uses hate, anger, and intimidation to try to sway the other jurors to join him in a guilty verdict.

As the deliberations continue, the audience is given food for thought in areas of evidence and criminal law. How can we balance the risk of punishing an innocent

man with that of freeing a guilty man? How can we find the truth when faced with conflicting eyewitness testimony? What may we infer from the demeanor and appearance of a defendant? Such questions, which can be trite if badly played, were seriously developed, which is to the credit of director Gary Courtiss, a Harvard College junior, and of the generally appreciative audience.

There are also lighter moments — at one point, the 12-member jury, faced with a six-six split, votes repeatedly on whether it is hung. The humor, and generally good pacing, keep the show moving through wild swings of consensus of "guilty" and "innocent" to its end, a unanimous verdict.

Producer Fred Landau, 2L, explained that the first serious work by the HLS Drama Society, pre-

sented in November of 1979, was Brecht's "Caucasian Chalk Circle." The drama, produced by David Fleischer, '80, and directed by Tom Seoh, '81, also had special relevance to law school, since its climax involved a courtroom scene in which rather unconventional justice was dispensed by an unconventional judge. (See "Drama Society Sets First Fall Play Ever," *RECORD*, v. 69, n. 5, Oct. 26, 1979, p. 2; and "Circular Justice," *RECORD*, v. 69, n. 9, Dec. 7, 1979, p. 16).

The next Society offerings are "Film Flam," a revue, on November 12-14; and the twenty-second annual spring Law School Show, opening February 25.

Carl Oppedahl, '81, was a Senior Editor of the RECORD and was once President of the Drama Society.



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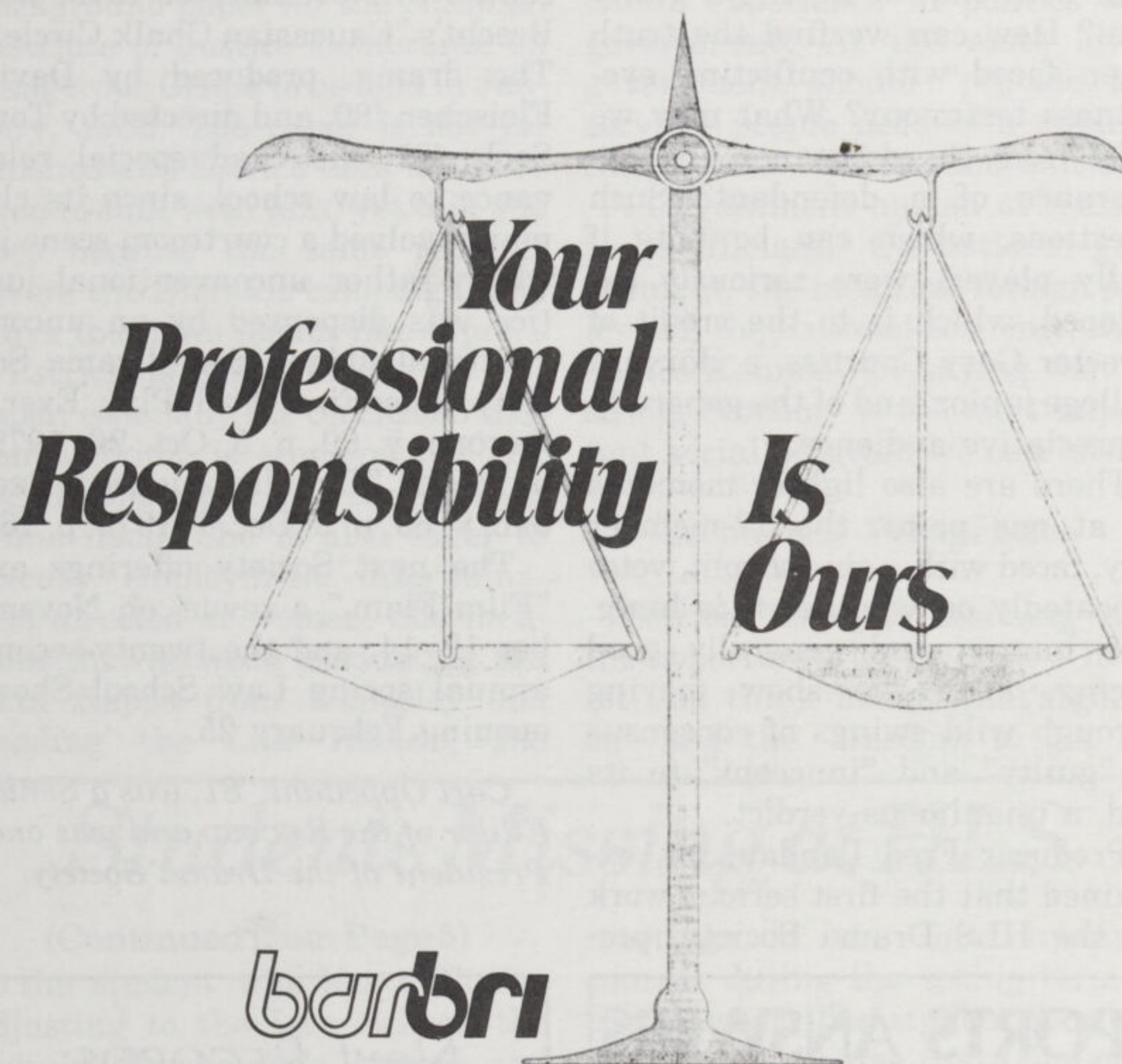
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A Hark Pub?

(Continued from Page 3)

Another pub proposal was put forth by dākā, the Hark food service. The \$40,000 plan called for the opening of a pub from 11 A.M. to 8 P.M.; both food and drinks were to be served. No one liked the dākā proposal, Sinapi said. Lowell thought the problems were a result of the way the plan was developed. "You can see what happens with no student input. Students here study hard. They would not be in a pub drinking heavily at 1 P.M. in the afternoon," she said. Lowell added that dākā prices were "competitive with those of local bars, but it is necessary that a (HLS) pub be run with prices less than any of the local establishments. That's one of our major drawing cards."

Is the current pub planning just more talk? Sinapi thinks not. "We've got the Law School Council and the Dorm Council behind it, and students are excited and interested in it." Will Hunter, 2L and president of the Law School Council, is also optimistic: "There really is some movement. . . . I think something will happen."



Class of '81

Due to a broken keypunch machine, the Alumni Office was unable to add the names of members of the Class of '81 to the RECORD's subscription list until issue no. 4. Unfortunately, there are not sufficient copies of the first three issues to mail to new graduates and so these readers will receive only seven issues this term.

Alumni: Send address changes to Alumni Association.

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