

HARVARD LAW RECORD

America's Oldest Law School Newspaper

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VOL. 73, NO. 9

DECEMBER 4, 1981

TWENTY-FIVE CENTS

Hark Pub to Open by January

By Erich Merrill

He took a long, slow draw on his beer, slid the mug back, and settled into his chair. The dim glow of the lights and quiet murmur of conversation conspired with the beer to set his mind lazily adrift. A friend strolled in, nodded at him and walked to the bar. After a moment she joined him. They sat, discussed solutions to the world's problems, and laughed at each other's stories of the day's adventures.

Who are these people?

By January, they could possibly be law students relaxing in a new pub in Harkness Commons. Part of a joint effort by the Dorm Council and the Harkness Committee to make the Hark into a student center, the pub was given a green light last Monday when the Council voted to allocate \$8000 for the purchase of basic bar equipment. Also, "Langdell mailboxes" will become "Harkness mailboxes" by January if the Dean approves proposals made last Tuesday by the Harkness Committee.

The Dorm Council voted to open a pub in the Hark after extensive discussion. The Council will purchase basic refrigerating, storage and serving equipment needed to sell beer, wine, soda, potato chips and pretzels. Beer will be sold for

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Ely to Leave HLS to Take Stanford Law Deanship

By Will Hunter

John Hart Ely, Ralph S. Tyler Jr. Professor of Constitutional Law, will leave Harvard at the end of the current academic year to become dean of Stanford Law School.

"I'm happy to be doing some-



John Morris

Prof. John Hart Ely

thing different," Ely said, admitting that, after more than 10 years of teaching at Harvard and Yale, "I've been getting restless."

Ely received word of his appointment last week, after about two months of discussion with Stanford faculty and administrators, including visits to the California campus. At Stanford, the choice of a new dean is made by the faculty, who then pass their choice on to the University president for his formal approval. Although it is rare for a top law school to reach outside its

own faculty in selecting a dean, the Stanford faculty unanimously chose Ely.

At Stanford, Ely hopes to teach at least one Constitutional Law course each year in addition to performing his administrative and fund-raising duties. At Harvard, he has taught courses in Conflict of Laws and the Constitution in addition to Criminal Law for first-year students. He has been a popular teacher, and student evaluations uniformly praise his sense of humor and relaxed teaching style. Some complain, however, that he has a tendency to mumble his jokes: "Some of his best one-liners are heard only by those in the first few rows," warns the Board of Student Advisers in its course evaluation guide.

Constitutional Scholar

Nationally, Ely is best known for his Constitutional scholarship. His *Democracy and Distrust: A Theory of Judicial Review*, published in 1980 by the Harvard University Press, was hailed as "the single most important contribution to the American theory of judicial review written in this century." Gerald Gunther of the Stanford faculty called it a "dazzling intellectual performance." Archibald Cox called the book an "original and attractive answer" to the question of how judicial power to strike down acts of Congress can be justified in a

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Students Face Three Exams in a Row

By Brad Hudson

December 17, 2:00 P.M., Corporate Finance. December 18, 9:00 A.M., International Taxation. December 18, 2:00 P.M., Securities Regulation. This schedule of final exams should not seem totally unfamiliar to many HLS students. For any of a number of reasons, these students will be faced with taking three consecutive final examinations.

The issue of consecutive final exams raises a number of questions: Is it a significant problem? How many students are affected? What causes the problem? What solutions are available?

Concerned Students

Jay Mann, 3L, and Doug Derwin, 2L, will be among the students taking three consecutive finals, and both are very concerned. They told similar stories.

Derwin related how he carefully

planned out his schedule last spring. "I knew the courses I had to take this semester and next semester." But, because the final exam schedule for fall semester is not available during spring pre-registration, he was not able to take his exam schedule into consideration. When Derwin arrived this fall, he had been scheduled into the classes he expected. Because he was taking "three basic 2L courses," Tax, Accounting and Evidence, he didn't expect the finals to be scheduled together, and so did not check the published exam schedule. Two weeks ago, he finally realized that he would be taking these three finals in a row.

Many concerns underlie the worries of Derwin, Mann and other students with similarly clustered exams. They worry about the impact of the physical and mental strain on their performance. They may also feel trapped by the dilemma of choosing classes they want or need, knowing that a tough exam

schedule may affect their final grade.

The magnitude of the problem is difficult to estimate. The number of complaints received by the registrar or dean of students has not been large, but complaints may not be a good measure of the number of students with consecutive exams. Many students feel the problem is more widespread. According to Mann, Prof. Surrey polled his International Taxation class to see how many students would also be taking Prof. Loss's Securities Regulation exam the same day. Between 20 and 30 students said that they would.

Exam Scheduling

The situation is partly a result of the exam schedule itself. HLS Registrar Sue Robinson sketched out the problems and complexities involved in scheduling examinations. Scheduling involves balancing

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Exam Policy: Is There Another Way?

Other law schools face many of the same constraints and concerns as does HLS when scheduling final exams. But some adopt solutions very different from those applied here.

Yale Law School has 350 second- and third-year students, and this semester must schedule 19 exams. The exam period occurs after Christmas, running from Jan. 4 to Jan. 20. According to Registrar Ruth Jencks, students never take two exams on the same day and can request a change if they have exams on three consecutive days. While faculty members vary in their willingness to give make-up exams, she finds that many are cooperative, and she is often able to change the schedules.

Jencks said that the reading period at Yale varies from year to year, but is commonly no more than one or two days. She often submits two different schedules

to the student representatives for their input.

Jencks explained the policy behind the more flexible approach: "We want the students to have the best chance they can, and that means time to study."

Flexible Exam System

The University of Virginia Law School adopts a radically different approach to final exams. The 785 2Ls and 3Ls use a flexible exam system. This system allows students to schedule their own exams during the exam period, which runs from Dec. 4 to Dec. 21.

Students can pick up any of their exams at a distribution center, where they "punch in" at a time clock. They then complete the exams, turning them in before the allotted time expires.

Registrar Virginia Haigh de-

scribed Virginia as an "honor school," which uses a student-run honor system. Students must sign a pledge stating that they will not give nor have they received any aid on the exam.

The flexible exam system has been used for 10 years, and according to Haigh, the only "breach of confidence" occurred last December. While the incident threatened the system's future use, she expects that Virginia will continue to use the system. When asked about the issue of cheating, she replied, "We feel [the system] is self-policing, if it needs any policing."

While second- and third-year students have no reading period, Haigh feels that the system compensates by recognizing that "each individual studies a different way," and the system allows them to do so.

B.H.



37 Exams Packed Into Six Day Period

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ing a multitude of conflicting goals and concerns: completing exams before winter break, allowing students enough time to travel home for Christmas, allowing for a substantial reading period, timing preferences of faculty members, offering a wide selection of courses and creating long summers for employment. In addition, the American Bar Association sets a minimum on the number of class days that must be held.

The result this semester is a six-day exam period, in which 37 finals are packed into nine different time slots. Dean of Students Mary Upton, who designed this semester's exam schedule, pointed out that she tried to take into account "heavy" exams, as well as courses often taken together, when planning the schedule. However, the latter is difficult because she has observed that there is no natural combination of classes that go together — students assemble their schedules in a variety of different ways. She does feel that scheduling the Loss and Surrey exams on the same day was "not great." But given the tightness of the exam period, it seems unlikely that juggling the schedule could completely avoid the clumping of exams.

Inflexible Policy

But the greatest source of frustration to students seems to be the inflexibility of the exam policy and the perceived lack of concern displayed when these students bring their problem to the administration. When Mann realized that he had three consecutive finals, he went to the Registrar's Office to see if his exam schedule could be changed. He was directed to see Mary Upton.

Mann's meeting with Upton was frustrating — he described it as "extremely unhelpful," feeling that she was "unwilling to acknowledge any problem." Upton did, however, alter Mann's schedule by "stretching" the gap between the two finals he has on the same day. He can start the second final late, provided

he starts it before the scheduled exam ends.

Mann's frustration was a result of a head-on confrontation with a clear, but inflexible, exam policy: consecutive exams are not a sufficient basis for changing a student's exam schedule. According to Upton, final exams are administered by the HLS administration. Neither the faculty nor the registrar has the discretion to change a student's final. This policy is not uniform throughout Harvard University — the Business School registrar regularly changes the exam schedules of students who have four finals in two days.



Erich Merrill

Dean of Students Mary Upton

Any decision that Upton makes can be appealed to the Administrative Board, but both operate under the same consecutive exam policy. Exam schedules are available at the beginning of each semester, and students who don't want consecutive finals should use the add-drop period to adjust their schedules accordingly.

No Schedule in Spring

Mann was especially bothered by the fact that the fall exam schedule is not available in the spring, when students pre-register for classes. Upton, however, feels that any such schedule would be of minimal value. It would have to be changed many times, as professors alter their exam formats and sections are added and dropped. Also, many students re-

ceive classes other than those they pre-register for, reducing the usefulness of any advance schedule.

According to Upton, the exam policy emanates from the Administrative Board as a sort of common-law policy. It rests on a longstanding premise that at HLS examinations are only written up once and are given when scheduled. Part of this policy reflects a vote by the faculty not to write different exams for the same exam period.

Diversity a Problem?

The students facing consecutive exams uniformly express surprise at the lack of flexibility in re-scheduling them. Robinson suggested two factors that might contribute to this reaction. First, HLS students come from a diverse educational background and have had widely varying experiences with examination policies. Second, the 1L exam schedules are carefully arranged to allow time between finals. Students expecting the same treatment in their second year face a substantial shock.

When asked about the issue of flexibility, Upton pointed out that the exam policy is less rigid in other areas. When students have problems with examinations because of illness or other serious personal emergency, the administration is more flexible in adjusting exam schedules.

Concern with Cheating

Looming in the background behind the policies seems to be a substantial concern about cheating. "Honor systems," such as the one used at Virginia (see box) are not taken very seriously. Even the practice of "stretching" exams reflects this concern — the student must begin the exam before his classmates finish. Mann was also bothered by this aspect of the exam policy, feeling that it represents a "blatant mistrust of law students."

Administrative Board member Chris Caldwell, 3L, suggested an-

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Amnesty Aids Prisoners of Conscience

By Michael Medina

Former HLS student Lu Hsiu-lien, 37, is currently serving a 12-year sentence in her native Taiwan after being convicted of sedition by a military court in March of 1980. Ms. Lu and seven other defendants faced charges stemming from a December 1979 rally sponsored by the now defunct magazine *Formosa*, of which she was an editor.

At the Dec. 10 rally in Kaohsiung, Taiwan commemorating International Human Rights Day, the crowd, estimated at 30,000, clashed with riot police in an incident that led to the arrest of over 200, including virtually the entire staff of the magazine. *Formosa*, with a circulation of approximately 100,000, was published by a coalition of some of the few opposition leaders in the Nationalist Chinese legislature beginning in August, 1979. In addition, its staff organized discussion groups and rallies throughout Taiwan.

The Government charged the eight defendants in military court (Taiwan has been under martial law since 1949) with using the magazine as a front for an opposition party and advocating demonstrations and violence with the goal of overthrowing the Government. Amnesty International charges that the defendants were forced to confess and were denied access to legal counsel.

Coerced Confessions

At the trial, Ms. Lu testified that she had been subjected to approximately 400 hours of interrogation in 50 days of confinement. She charged that her questioners had threatened her family and advised

her that she should make a will in order to coerce her to copy and sign a prepared confession. The other defendants made similar charges but their confessions were admitted nevertheless.

Ms. Lu stated at trial that she had been forced to stand for long periods of time, deprived of food for one day and charged with being a member of a Taiwanese independence movement or the CIA. She said she was repeatedly shown a grotesque photo of an executed man and told to compose a will because she was about to meet the same fate. According to Amnesty International, the prosecution said at trial that they had tape recordings of Lu and the other defendants inciting the crowd to violence, but they refused to produce the tapes when challenged.

Chinese Response

In response to Amnesty's recommendation that Lu and the other defendants be released, the Nationalist government replied that the charges of ill-treatment had been investigated and found groundless and that the trials had been conducted strictly in accordance with their law. In their memo of May 13, 1981 the Government concluded:

It is presumptuous of Amnesty International to recommend that those convicted in the Kaohsiung riot case be released immediately and unconditionally. The Republic of China is a nation ruled by law. Any decision made by the courts in accordance with law is conclusive, has binding force, and should be executed accordingly. There can be no excep-

tion for those convicted in the Kaohsiung riot case. They were tried and convicted in keeping with due process. The recommendation of Amnesty International violates the spirit of the democratic system and the rule of law. It is a gross interference in the internal affairs of a state and could not be tolerated by any sovereign state.

Feminist Activist

Ms. Lu is a noted feminist, publisher and author ("*New Feminism*," "*The Amendment for Legalizing Abortion*" and "*The Past and Future of Taiwan*"), and attended HLS to earn her L.L.M. She previously earned a Master of Arts in comparative law from the University of Illinois.

Lu was featured in an article in the December issue of *Ms.* magazine, along with fellow feminist and defendant Chen Chu, 31, deputy director of *Formosa's* Kaohsiung office.

However, contrary to *Ms.*'s report Ms. Lu was not arrested for activities related to her feminist beliefs but for political activities, according to New York Amnesty member Jim Seymour. Lu was defeated in an election for the Taiwan Legislature in 1978 and her brother

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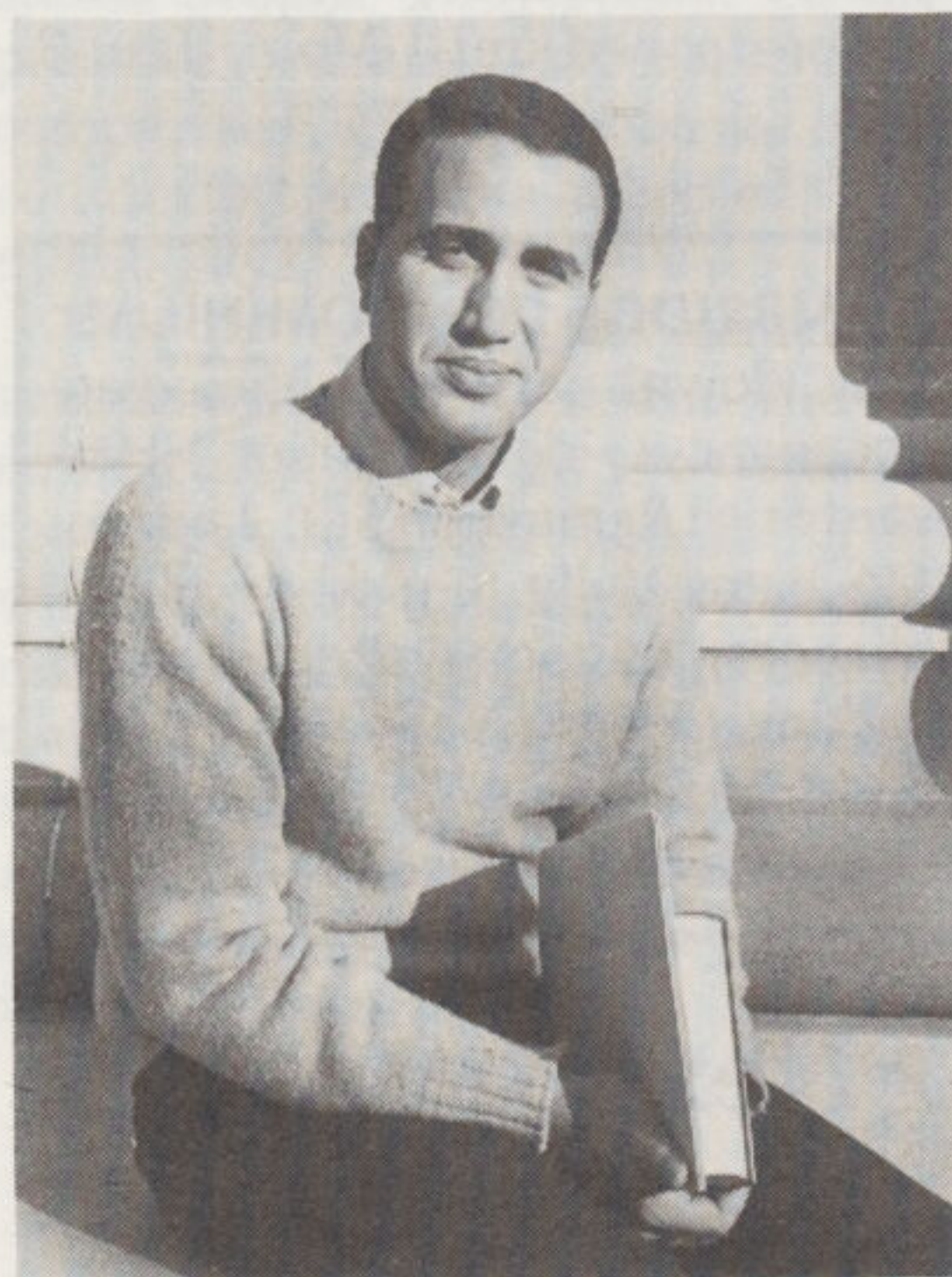
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Foreign Students Praise HLS Program

By Mark Pogue

Tarek Fouad Abdul Moneim Riad has heard about good graduate legal studies programs and he's heard about mediocre ones. But the Egyptian does not hesitate when he's asked to name the best: "Based on my friends' reports and my own experience, Harvard has the best program. The whole operation here is very flexible and the people who run it seem to genuinely enjoy their work. I'm enjoying it very much."

The Harvard Law School Graduate Program, of which Riad is a member, is the collective name for five different types of graduate legal studies administered by the Law School. These include a Master of Law (LL.M.) Program, a Doctor of Juridical Science (S.J.D.) Program, an International Tax Program, a Visiting Scholar Program and a Special Student Program. The Graduate Program is designed to provide persons already holding a law degree with opportunities for specialized research and study. Since World War II an increasing percentage of the participants have been foreign students. This year, 165 foreign lawyers from 59 different countries are participating in the program, together with 31 American graduate students and visiting scholars.



Erich Merrill

Tarek Riad

Students in the Program are able to take any course in the Law School and, for the LL.M. degree, they must accumulate a total of 16 credit hours during the year and write a substantial paper. When they aren't studying, program members are free to drop in on what Assistant Dean David Smith calls a "head-spinning array of extracurricular events" designed to introduce the students to the Harvard community and make them feel at home. Some of these events are social; some are informal discussions and colloquia on subjects not covered in classwork.

Nobody Does It Better

Tarek Riad's enthusiasm for the Graduate Program is shared by both administrators and other participants. In a recent study of the experiences of foreign students at Harvard, Kennedy School Prof. Robert Klitgaard reviewed the Law School's Graduate Program and concluded that "the Law School seems to have much to teach [the other schools in the University]." As a result of the Klitgaard study, Assistant Dean Smith has been asked to prepare a statement that explains how and why the Program works. His response is unlikely to astound anyone.

"The most important factor in our success is the generally positive attitude that members of my staff and many of the faculty have toward the students," says Smith. "We try to create a warm atmosphere where the students feel welcomed, and it seems to pay off. Each summer we receive a substantial number of cards and letters suggesting that the previous academic year was 'the best one of my life'."

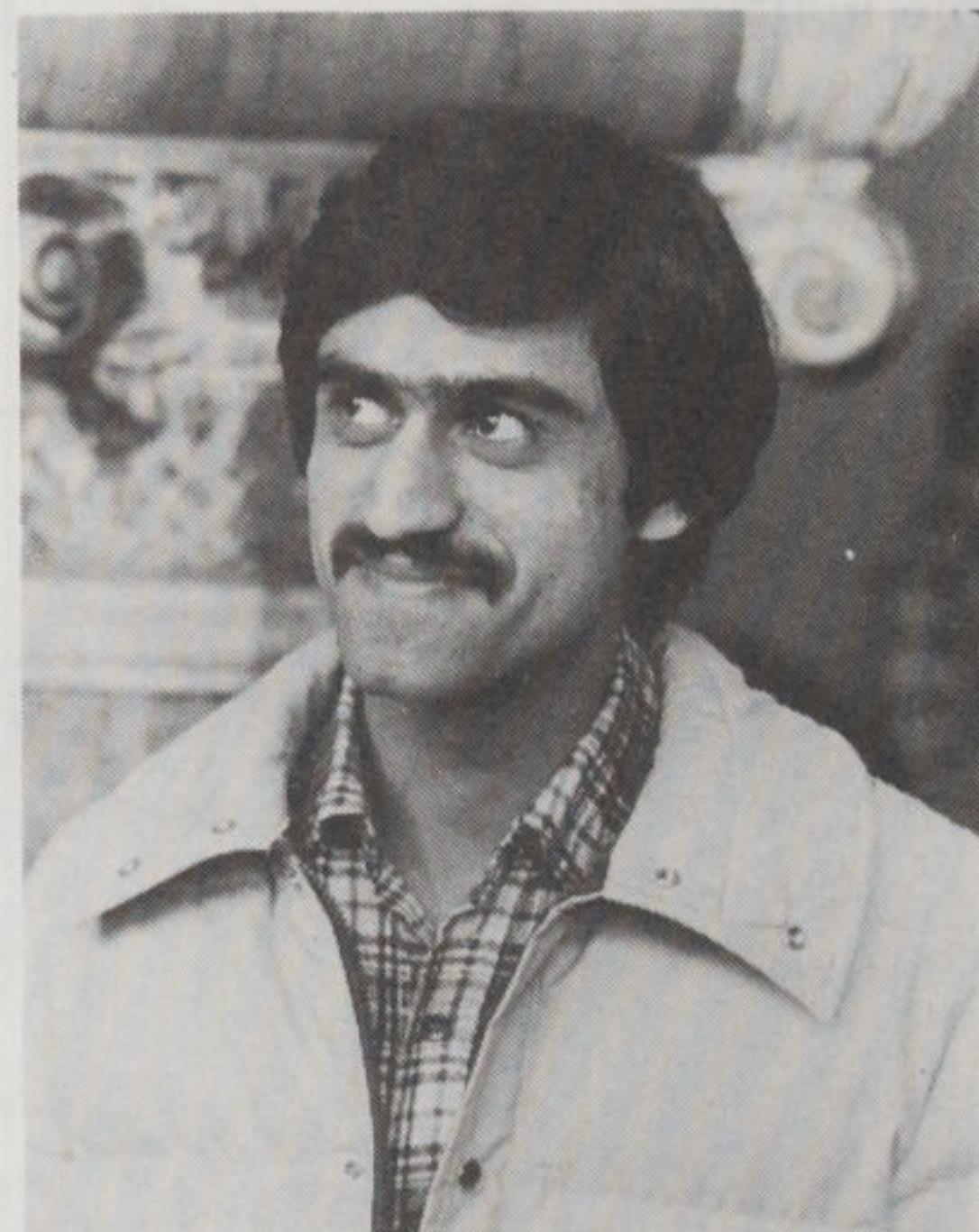
"Fairy Tale Come True"

In addition to the friendly atmosphere created by Smith and company, simply having the opportunity to meet interesting people from all over the world helps make the program enjoyable. "Getting to meet people from various backgrounds and cultures is an in-

valuable experience in itself," says Tariq Rafiq, an LL.M. candidate from Pakistan. "This opportunity is something you read about in fairy tales, and here the fairy tale has in fact come true."

Library Resources

Gudmundur Alfredsson, an S.J.D. candidate who plans to teach law eventually in his native Iceland, cites another advantage of the program: Harvard's extensive library. "My dissertation concerns Greenland and its right to self-determination, and has required research in Danish and Scandinavian law," Alfredsson said. "I was happy to find that the Harvard library had almost everything I needed."



John Morris

Tariq Rafiq

Another item frequently mentioned as a "plus" of the program is its relatively light workload. The amount of free time available to each student varies, of course, depending on his particular program and the degree to which the Harvard system of instruction is unfamiliar. But few of the students said they were overburdened and several noted that they had worked harder in their home law schools. Tanzania's Manento Koshuma, however, said that the emphasis on class discussion at Harvard required more preparation than did the University of Dar-es-Salaam.

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Fieldwork and Clinical Programs on

By John Morris

The Committee on Educational Planning and Development is focussing faculty discussion on the role of clinical education and field work this month. The Committee, better known as the Michelman Committee, has made no recommendations, but Committee Chairman Prof. Frank Michelman circulated a set of memoranda to the faculty this week outlining the issues and including several proposals by particular faculty members. Michelman says his Committee hopes to report back to the whole faculty sometime in January after it has sounded out the faculty on the matter.

The most far-reaching proposal before the faculty is one to establish a Practicing Law Center. The

institution, originally proposed in October by Gary Bellow and Jean Charn of the Legal Services Institute (LSI), would provide an opportunity for research and education. The new institution would also take up some of the work of the LSI, which is losing its federal funding. Profs. Bartholet, Dershowitz, Edley, Kennedy and Tribe joined Bellow and Charn in submitting the summary of the proposal provided in this week's set of memos.

No Recommendations Yet

The Michelman Committee's cover memo took no position on what form clinical and field work should take at the School. It did, however, set out a tripartite state-

ment of purpose of the Law School which it believes will receive faculty approval. Graduates "should be equipped to give effective and responsible service to those who will rely directly on them for legal counseling and representation"; "graduates should be prepared to contribute beneficially to the quality and utility of the legal profession and legal institutions generally"; and they "should be endowed with the means of informed understanding of the values, purposes, rewards, and consequences of the work they may do and the choices they may make in the course of their career."

Beyond this, it may be harder to reach a consensus. The memo sketches several problems that some faculty members see for field work. Some feel that advocacy, particu-



John Morris

Baker House (formerly known as Dow House) shows off new paint to passers-by on Mass. Ave. as work nears completion on the new home for the Law School Association. Wes Bevins, of the Association, said he hopes the work will be complete soon so the Association can move in sometime in January.

The Association's move will clear

the way for the School's journals to move into the present Association offices in the basement of Hastings Hall. Dean of Students Mary Upton said no renovations will be made in Hastings for six months or so. "We're not going to do anything right away. We're going to see how the students use the space."



Law Review Postpones Discussion

The meeting planned by the *Law Review* for Wednesday to discuss specific affirmative action plans was postponed until Mon., Jan. 3.



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Next RECORD: January 22

Agenda

larly in such matters as institutional reform cases, could jeopardize the School's political independence. The cost of administering a large field program is a concern to others. Compounding these reservations is a lack of knowledge about the effectiveness of the field training. The LSI's experience has been too short to be sure, the memo says.

Effectiveness Questioned

Some faculty members feel that field programs are not as effective in teaching lawyering skills as are the courses based on simulations. That is the position taken by Prof. Charles Nesson in one of the memos attached to the Committee's cover memo. Nesson, however, is a strong defender of the field program on the grounds that it is a better means of teaching students about professional responsibility. Based on the papers written for the Criminal Lawyering Process course he has taught, Nesson is very enthusiastic about field education for this purpose. "The student papers . . . reveal the students confronting important formative personal issues about their roles as professional people. They reflect an impressive learning experience. By comparison, exam bluebooks seem counterfeit and disembodied," his memo says.

It is too early to tell what consensus will develop within the entire faculty, although the Committee hopes to glean something on which to base its January recommendations. Students who are interested may sit in on the meetings on Dec. 9 and 16 by notifying Assistant Dean Bernardi's secretary before noon the day preceding each meeting.



Amnesty Aids Prisoners

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was recently defeated in local elections there.

Amnesty at HLS

A recently organized HLS chapter of Amnesty is currently conducting a letter-writing campaign to help Lu and other "prisoners of conscience," as Amnesty calls its "adopted" prisoners world-wide. HLS Amnesty organizer Diane Archer, 1L, said the organization is currently working through the International Law Society but "hopes that [it] can generate enough interest to start an official chapter

in the spring."

Amnesty defines itself as "a world-wide movement which is independent of any government, political grouping, ideology, economic interest or religious creed" and "seeks the release of men and women detained anywhere for their beliefs, colour, sex, ethnic origin, language or religion, provided they have not advocated violence." Those interested in Ms. Lu's case, or other Amnesty projects, should contact Diane Archer c/o the International Law Society office or attend the Amnesty meeting on Friday, Dec. 4 in the Mallory-Smith Room in the Harkness Commons. ☛

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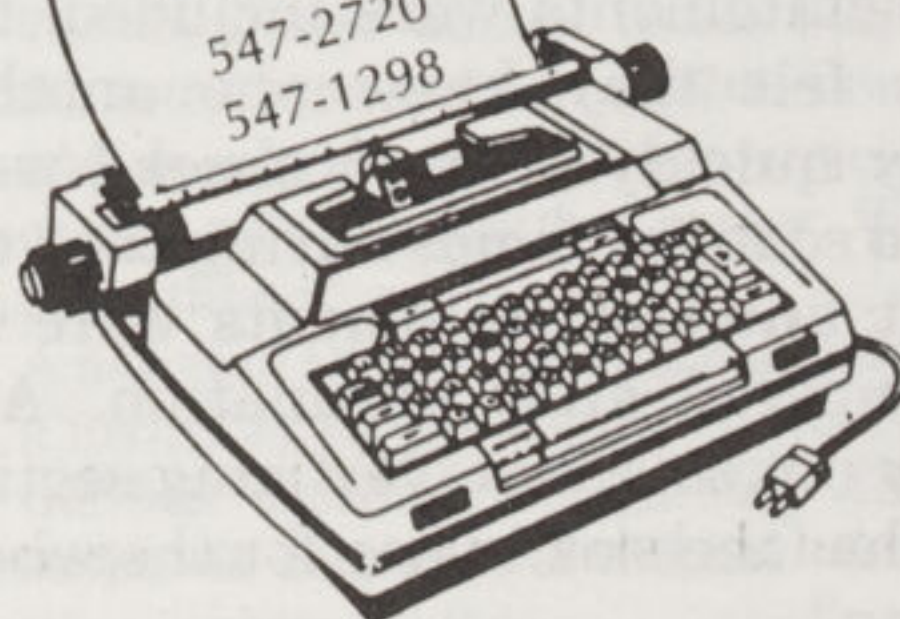
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Fourteen Steps to a Better HLS

—Dave Quinto

Do you think there are things Harvard could do for little or no cost to improve the quality of life at HLS? I do. The following are my suggestions, but I would like to hear yours as well:

- (1) Include home addresses in the student telephone directories;
- (2) Include short, personal statements with the photographs in the 1L facebook;
- (3) Light the Placement Office;
- (4) Install the long-planned security system in the Everett Street parking garage and have police security checks made there at irregular intervals;
- (5) Make sure the Coop has enough coursebooks, especially supplements, for all students;
- (6) Keep the door connecting the Hark with the tunnels open on weekends;
- (7) Convert the badminton courts in Hemenway to volleyball courts;
- (8) Give 1Ls their dorm room phone numbers along with their addresses during the summer before they arrive;
- (9) Give Hastings residents their mailing addresses and phone numbers before they arrive;
- (10) Give Wyeth residents their mailbox combinations before the third week of school;
- (11) List law students with the Harvard University Information Service in two weeks rather than

the usual four weeks or this year's six weeks;

(12) Offer more sections of prerequisite courses (such as Tax and Evidence in the fall);

(13) Provide a place in the center of campus to lock bicycles with Kryptonite-type locks; and

(14) Make more seats in the Ames Moot Courtroom available to law students at Law School events.

Solutions

Because the student directories last many years (unlike the stapled summer placement directories) and because they include all students (not just one class), they should include home addresses. This would allow students to communicate with one another during breaks, summer vacations, and after graduation. If the Harvard University operators were given our listings sooner, we would not mind waiting a little longer for the directories. The galleys could be posted, as before, in the Hark to allow people to correct inaccuracies before the directory went to press. Interestingly, the 1979-80 directory, which contained home addresses, had fewer pages than this year's directory and was entirely financed by advertising.

All Harvard University students get a facebook their first year. HLS's is already the least costly, partly because it no longer includes the short, personal statements where students described their interests, advertised for squash partners, and displayed their wit. In years when the statements were included, the 1Ls felt they knew one another very quickly. The facebookes were read so many times during the year that unusual statements were remembered after graduation. And why not sell an advertising section in the facebook to pay for the whole thing?

If many people have a dim view

of the placement process, that may be because there is virtually no light in the Placement Center in Pound. A few more lightbulbs, some electrical cord, and a switch would dispel the gloomy atmosphere.

Alarming Nighttime Noises

Story residents are frequently distracted or awakened by the sound of automobile alarms triggered by thieves breaking into cars in the Everett Street garage. While most victims lose only tape decks or other small items, every year 35-40 students actually lose their cars. These thefts occur even though the University Police patrol the garage every hour like clockwork. If the long-planned card-operated garage door were installed and if the patrols were performed randomly, the problem might be reduced.

One purpose of pre-registration is to let the Coop know how many books to order. Nonetheless, course books, especially supplements, (which change every year and thus cannot be recycled through the Thrift Shop), often sell out before every student has purchased the ones he or she needs.

This happens for several reasons: (1) More students can take a course than have pre-registered. (The Law School gives post-registration figures to the Coop only when the Coop takes the initiative to ask, which in turn occurs, if at all, sometime after the Coop notices that a particular book has sold out.) (2) Reality can intrude on course scheduling after pre-registration. (E.g., this year, HLS agreed to allow more than the planned 300 students to take Legal Profession, a course required of all 550 students in a class.) (3) Non-HLS students can buy HLS course books. Post-registration enrollment figures should be given to the Coop immediately and more course books

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A List of Low-Cost Improvements

(Continued from Previous Page) should be sold through the Law School Coop.

The four-year campaign to open the door connecting the tunnels with the Hark on weekends (thereby allowing students to walk from five of the seven dorms and the Hark to the libraries and back without exposure to the elements) has had some success recently. Since Oct. 5 the door has been officially open and on three weekends it actually was. Cynics note that it was open briefly two years ago. HLS should hire a student to lock and unlock the door and the amount of his salary should be deducted from our contribution to the University Police (whose job it is to operate the door).

Invented in Massachusetts

Volleyball is one of two Olympic sports invented in Massachusetts. HLS has an intramural volleyball league. Who here plays badminton? HLS should insist that the University Athletic Department paint over the badminton lines in Hemenway and paint in volleyball lines.

Almost half of all Hastings residents are given incorrect mailing addresses each year. Each resident has a personal mailbox yet most share double rooms. Thus two students will be told their address is 141 Hastings, for example. When they arrive in the fall, one will discover that his address is 141-A and that his mail is in his roommate's box. As the boxes can be opened only with a key, he must depend on his roommate for his mail until he can advise his correspondents of his correct address.

HLS will probably hang signs again requesting that bicycles not be chained to the railings by the ramp at Pound. Then the Law School will probably threaten to have the police ticket such bicycles.

A better solution is to provide racks somewhere in the area for bicycles with Kryptonite-type locks.

Seat Early-Birds

The number of seats in the Ames Moot Courtroom has been greatly reduced. Now very few students will be able to see the Ames final (or other events there) because so many of the remaining seats are reserved for dignitaries. This problem can be overcome by classifying all members of the student body as honorary dignitaries and awarding seats pursuant to an equitable first-come, first-served policy.

In recent years the Harvard University operators have received the address and telephone listings of law students about a month after the beginning of the first semester. This year it took six weeks to get the 2L and 3L listings to the operators, and longer for the 1L listings. HLS was the last of Harvard's grad schools to get that information in. The B school, which is approximately the same size as the Law School, takes two weeks to get all its students listed.

It is true that Marion Pierce, the

Langdell receptionist, had phone numbers and addresses early in the semester. On the other hand, Harvard University Information frequently failed to advise callers of that fact and people whose friends were too cheap to make long distance calls at day rates were out of luck altogether. Celerity in getting the listings to the University operator is required.

Explanations

I have spoken with most of the people whose job it is to prevent or ameliorate the problems described above. They have said that computer malfunctions or other unplanned events this year aggravated some of these difficulties. They have also said that many of these problems will not exist next year.

While I do not doubt the sincerity of the officials, I also note that, with the exception of the recent deterioration in facebooks, student directories, and Ames seating, these problems have existed since before any of us were students here.



SPORTS QUIZ

NOTE: This week's Sports Quiz should be fairly simple to answer correctly, especially in light of the approaching exam period, as it deals with athletes whose last names are the same as certain basic elements of our legal system.

1. The dominant woman tennis player in the late 1960s and early 1970s, this Australian won all of the major tennis titles at one point during her career. Who is this athlete?
2. A native of Oklahoma, this man has been a mainstay for the Cincinnati Reds over the last decade while gaining All-Star status as a catcher a number of times. Who is this man?
3. Known for fleetness of foot and strong fielding, this young centerfielder for the Los Angeles Dodgers is considered one of the bright hopes for the team's continued success. Who is this man?
4. A member of the Australian Davis Cup team, this man is deemed by experts to be one of the most consistent doubles players in the entire world. Who is this athlete?
5. One of the best running backs in college football during the war years of the 1940s, this man probably would have won the Heisman Trophy in 1945 if he had not been injured in the season's penultimate game. Who is this University of North Carolina star?

(Answers on Page 16)

Uncrowding Exams

With a large number of exams to be given in a short period of time, it is inevitable that some of them will be bunched up, allowing little time for students to prepare or to catch their breaths in between. But the Law School has not systematically tried to reduce the "bunching" of exams and we think this should be given a high priority for next year.

The administrators claim that students should avoid exam conflicts and tight exam schedules by choosing their courses on the basis of the exam schedule. But that is no way to plan one's education. Students should be able to choose their courses on the basis of their interest in the subject matter and on the basis of the potential value of the courses to them in their work after graduation. What is more, some courses are offered only in the fall and require second-year electives. These courses must be taken in the fall of third year or not at all.

Part of the problem is that the administration is only aware of the students who come forward and complain. We urge students with "bunched" schedules to speak up so that pressure will be brought to bear on the people who can improve the schedule.

A Case that Hits Home

Will Amnesty International get support from HLS students? In this school of would-be movers and shakers, that should hardly be a question. Few organizations have more noble aims than does Amnesty International. Independent of any governmental or political affiliation, Amnesty International aims to work for the release of prisoners of conscience throughout the world who have been denied due process.

During the next weeks, members of the new HLS chapter of Amnesty International will be asking other students to sign letters calling for the release of prisoners of conscience in Taiwan and mainland China. Unfortunately, apathy is a most natural reaction of students to the issues that Amnesty International asks us to confront. We may know that torture and imprisonment without due process occur throughout the world, but somehow another's problems, no matter how extreme, seem less than relevant when they occur in another culture thousands of miles away. The fact that one prisoner of conscience that Amnesty represents, Lu Hsiu-lien, was recently an L.L.M. at this law school should bring the problem closer to home.

The world is small enough that closing our eyes and maintaining an isolationist perspective no longer is a viable alternative. Use your HLS credentials for something more than getting a Wall Street job. Write a letter for Amnesty International.

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Fenno

"Loneliness!" Fenno muttered. "It's the worst. There's no one around, and it's only three days after Thanksgiving." Nobody in the Hark game room — Fenno had had the Missile Command machine to himself all morning.

At one o'clock, Fenno decided to walk over to Holmes to join the soap opera observation set. This hard-core group of fanatics generally spent about three hours a day glued to the adventures of little Ryan Fenelli, Erica Kane and Chuck Tyler, not to mention Luke, Laura and Liz. Comfy chairs were usually at a premium outside the Wheeler Room; one had to arrive by noon to avoid having to sit on the floor. Fenno was humming the "All My Children" theme when he reached Holmes.

No one was there. Fenno figured that the TV was broken again. He turned it on, and saw Brooke slugging it out with Sean, who had just plead guilty to the murder of Sybil and had been laying the Catholic guilt-trip on Brooke's husband, Tom, who was Sean's brother. Sean was about to go up the river. Fenno turned off the set.

Fenno gave up. He decided to go to Langdell and read the latest issue of *Punch*. He skipped off the elevator and turned right at the circulation desk.

He looked around, and couldn't believe his eyes. *Every* seat was occupied, and the sound of millions of little pages turning in Corp Fin casebooks filled the air.

Fenno looked at his calendar-watch. "December 2d. That's what I thought. What in the world are all of these people doing here?" He decided to ask one of the page-turners.

"Excuse me," he said softly, "but why are all of you in here?"

"Exams!" was the gruff reply. "None of us has been to class all semester and now we're scared. We'll be here 'till Christmas. You'd better grab yourself a carrell before they're all gone."

"No thanks," said Fenno, who beat a hasty retreat.

"I can't stay around here," he thought to himself. "I have no intention of taking exams, so there's certainly no point in studying. I never bought any books, anyway."

Fenno remembered that he still had a couple of fly-out offers left. As he ran to the travel agency, he realized that if he took two more trips to the West Coast, he'd accumulate enough air mileage to get a free ticket to Europe.

"I knew that struggling through all those interviews would pay off eventually," he exulted. "London for Christmas — it sure beats Langdell!"

Letters to the Editor of the RECORD

Explanation for Delayed RECORDS

To the Editor:

This letter concerns the horrible delays which occurred in my receipt through the mail of the last three issues of the HARVARD LAW RECORD. The facts are:

Issue of	Date Received
Oct. 9, 1981	Nov. 17, 1981
Oct. 16, 1981	Nov. 16, 1981
Oct. 30, 1981	Nov. 19, 1981

I recognize the problems and delays which occur in our postal service, but the above delay still doesn't make sense to me. Does each issue go into the mail at your end on its printed date? If it does, I can understand even less the delays in my receipt thereof. I base this on my experience with receipt of other dated material which is sent by second class mail, as is the HARVARD LAW RECORD.

I am sure that other subscribers probably have the same problem as I do. Some of them may even have written to you about it. I know that I wrote to you early this year but I didn't even receive the courtesy of a reply.

Please print this letter and your editor's reply in the next issue of the HARVARD LAW RECORD. I am sure it is a matter of widespread interest. I recognize your editorial discretion but do believe that this letter — together with your response thereto — merits printing for all to read.

In any event I would appreciate a prompt and direct reply by letter. It will probably be another five or six weeks or so — based on past performance — before I can read it in "Letters to the Editor".

My gripe ends here. You are doing a good job with the RECORD.

Morton J. Simon, '35
Jenkintown, Penn.

We have received several inquiries this fall regarding delays in the delivery of the RECORD.

The copies of the RECORD which are mailed out are printed the Monday or Tuesday after the Friday when the paper is distributed at the Law School. The papers are then sent by the printer to the mailing house which attaches the mailing labels and sorts the

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.

Letters must be typed and received by 6:00 P.M. the Tuesday before each issue. We prefer letters of no more than 700 words.

copies by zip codes. This is usually done by the end of that week. A week of the delay is thus accounted for by our production and distribution process. After that, the papers are in the hands of the post office which provides rather inconsistent service for second-class mail.

Mr. Simon's earlier letter was not received by the RECORD. A direct response to this letter was sent first-class mail. —Ed.

A New Type of Mistake

To the Editor:

May I edit slightly your November 6, 1981 edition?

History Lives in the Treasure Room
[and Dies in the Law Record].

"The Treasure Room's oldest printed book, a treatise on mercantile contracts, dates back to 1648 — less than 20 years after the invention of moveable type" [and only 193 years after what's-his-name finished his first Bible, using the same].

Here's for accuracy — even in trivia. Probably by 1648 printing with moveable type was being done in the American colonies.

Judge Richard Merrick, '43
U.S. Bankruptcy Court
Chicago, Ill.

The author mistakenly transposed the digits of the correct date, 1468. We don't know whether this excuse would wash in Judge Merrick's court. —Ed.

More on Snepp

To the Editor:

Perhaps it is an unavoidable disease of writers to want to add things after they have sent off their copy. Be that as it may, I wanted to bring to the attention of the readers of the RECORD some facts regarding the Snepp case that I did not know when I discussed it in my review of Archibald Cox's *Freedom of Expression* (RECORD, v. 73, n. 8, Nov. 24, 1981).

Snepp resigned from the CIA after repeated attempts to get the Agency to investigate charges that the CIA had behaved corruptly in Vietnam before the end of the Vietnam War, that the CIA's reporting from Vietnam was filled with distortions and untruths, and that the CIA left behind Vietnamese employees and their families when the Americans evacuated in April of 1975. Frustrated by the Agency's refusal to investigate these allegations, Snepp decided to write his own investigation; it was this account that was later published as *Decent Interval*.

Much the best and fullest account of the travails of Snepp and other former CIA

agents who have attempted to publish books critical of the Agency is a Comment, "Snepp v. United States: The CIA Secrecy Agreement and the First Amendment," 81 *Columbia Law Review* 662-706 (1981); this comment also contains the fullest analysis I have seen of the First Amendment issues raised by the CIA's requirement of prior clearance. Among other things, the author of the comment notes that the clearance procedure has been used only against those former agents whose books were critical of the Agency and that the CIA has taken no action against former agents who published favorable accounts of the CIA without first clearing their books with the Agency.

Richard B. Bernstein, '80
New York, N.Y.

Happy Birthday Telsa

To the Editor:

I would like to take this time to express best wishes, as well as Happy Birthday, to a woman who made a difference to many of us at HLS over the past year.

Telsa Hocutt, who recently left her job at the Harkness dining service to proceed with her own education at Northeastern, was a counselor, social organizer and friend to many who passed her way at the deli counter during lunchtime. She shared the happy as well as sad times of students experiencing joy and agony throughout the year, by listening sympathetically and often giving sound personal advice.

Telsa came to know many students last year, and this year she introduced a number of 1Ls to 2Ls and 3Ls in order to help integrate them into the Law School community. Often, she brought in articles about interesting cases and discussed the issues with her customers, us students.

It says good things about the students here, too, that their interest in sharing with Telsa encouraged her to pursue her own educational goals. In fact, she mentioned that a number of students specifically supported her decision.

One thing she taught or reminded many of us is that one needn't be a student here at a prestigious national law school in order to understand and care about the people involved in or affected by the law. Thanks, Telsa — we needed that!

From time to time, as Telsa once told me, she found it necessary to remind people that "this woman behind the counter is a person; I have feelings and ideas, too." She also pointed out to me that she took pride in her work, whatever it might be, and expected that others would feel the same way — about her work, and about their own.

One of Telsa's favorite jokes is that "any-
(Continued on Next Page)

Letters to the Editor of the RECORD

(Continued from Previous Page)

one who likes tuna fish can't be all bad; it's brain food." (She also passed along to me the inside word that, yes, even Professor Arthur Miller likes tuna fish!) Today, Dec. 4, is her birthday. She gave herself the birthday present of going to school. Today in salute to her, I think I'll have a tuna fish sandwich for lunch!

Oh yes — Telsa also said that she loves people. I find that a fine reflection on her, and on my compatriots here who evidently did not dissuade her of that sentiment.

The best to you, "T"!

Tiane Sommer, 2L

McCarthy Changed?

To the Editor:

Your report (Nov. 24 [v. 73, n. 8]) of former Senator Eugene McCarthy's condemnation of the IRS is consistent with

other recent statements he has made about that agency. He is so free and easy with the facts, so sweeping in his charges, so unbalanced in his judgment, so unknowing and uncaring about the problems of tax audit and collection, that one wonders how he could have changed so much in a little over a decade or how dense we supporters of Presidential aspirant McCarthy could have been in 1968. I say the latter by way of confession. During his campaign for the Democratic Presidential nomination, I chaired his Task Force on Tax Policy. I am confident that none of the members of that group would have served if they had known their support was for a man who held the views you reported in the RECORD.

Prof. Bernard Wolfman



John Morris

Telsa Hocutt, right, with her boss, Hark manager John Lojko. See letter beginning on page 11.

The RECORD staff wishes
everyone a Merry Christmas,
a Happy Chanukah and
the best of luck with exams.

Praise from Grad Students

(Continued from Page 5)

Are there no problems in Harvard's Graduate Program? Riad identified three areas of possible improvement. "Good as the program is, we could use some more interaction with the American law students," he commented. "And the food at the Hark — is that really American food they serve? Sometimes we aren't positive what it is." Riad also pointed out that students coming from civil law countries may have difficulty adjusting to the operation of America's common-law jurisprudence.

Hamburgers, Hamburgers

Sri Lanka's Radhika Coomaraswamy says she has heard of a few students who were disappointed that Harvard does not seem to provide them with the "high-powered push" into teaching or other jobs they apparently expected. For her part, though, Coomaraswamy finds the program "interesting" and says that it "lets you see a more intellectual side of the law."

Asked to name his pet peeve about the program, Hong Kong's Albert Chen noted the lack of interaction with American students. Chen also mentioned that he has seen little of the United States beyond the Harvard campus so far. Asked whether he has done anything particularly American since arriving, Chen said "Nothing especially noteworthy." Has he had a hamburger yet? "Hong Kong is Westernized and so we eat them over there," Chen said with a smile. "Always hamburgers." ❧

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OF EILEEN BROWNELL, 3L.

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

Harkness Pub to Open by January

(Continued from Page 1)

\$.75 and wine for \$1.00. The pub will be open week nights from 9 P.M. to 1 A.M.

Profit on Tap

The discussion among Council members last Monday centered on whether a pub in the Swain Room could succeed. Steve Mayer, 1L, and Dick Sinapi, 2L, who had studied the feasibility of a Hark pub, assured the Council that it could. Mayer analyzed the expected revenues and cost of paying students to run the pub: "We'll make \$75 on each keg that we sell, and we should have no trouble going through 15 to 20 kegs each month. It would be real hard to lose money from an operational standpoint, though it might take a while to get back our original investment [in bar equipment]."

Sinapi responded to questions about the atmosphere of the Swain Room. "It will be dark, very dark. The windows [which make up an entire wall of the Swain Room] will be hidden with curtains," he said.

Dorm Council President Mandy Lowell, 3L, interrupted, saying "The Hark Committee is planning to take out that railing by the wheelchair ramp and replace it with slats running from floor to ceiling, like the ones in Pound where you get coffee in the mornings." She pointed out that such a partition would make what is now an exposed area into an enclosed room.

Sinapi said candles might be placed on tables for lighting. The large-screen TV already in the room will become a focal point in one corner. Plants will be added to the room and art will be hung on the walls. "With a few plants in, some things up on the wall and a few people milling around, you'll get a completely different atmosphere," he said.

Faculty Subsidized

According to Mayer, many activities will center around the new pub. He spoke of plans to invite

musicians to play from time to time and said dances might also be held there. In addition, the Council will sponsor faculty nights, during which drinks will be offered to the faculty at half-price, and special "football nights."

Mayer also said the Council might sell pub memberships entitling students to keep their own mugs behind the bar for their use. Members would also be admitted at no charge to those pub events for which non-members would have to pay.

Several members of the Council said they thought some strong publicity would be needed to attract students to the pub initially. Mayer responded that he hoped the Council would hold a grand opening night, complete with T-shirts and other door prizes. He also mentioned the possibility of opening on a Thursday night, and inviting the SBR to hold their weekly meeting in the pub that night.

After the Council had voted overwhelmingly to fund the project, Mayer said he was "very enthusiastic" about opening the pub. "The more research I do on it, the more I think it's highly feasible," he said.

Pub Only Part of the Plan

Other proposals for Hark changes were sent to the Dean by the Harkness Committee on Tuesday. According to Committee member Mary Upton, the committee drew up plans for changes to be implemented during Christmas vacation and throughout the spring. Upton indicated that she expected Dean Vorenberg to approve the changes.

Foremost among the changes will be a relocation of student mailboxes now in the Langdell tunnel. Over Christmas break, the boxes will be put on the first floor of the Hark, where the bulletin boards by the Law School Coop currently stand. Upton explained that the move is calculated to "get people into the building, to get them into the habit of using it."

Several of the rooms in the Hark will be redecorated and their con-

tents rearranged. The Swain Room will get carpeting, new lighting, plants and works of art. To give pub users a wide choice of activities, the door connecting the Swain Room and the game room will be opened. A partition will be put in the game room to enclose the video games; one ping-pong and one pool table will be moved out of the room to Holmes.

Upton indicated that moveable partitions, similar to those in the Pound cafeteria, will be placed upstairs in the south dining room. A permanent wall will replace the moveable one which now separates that room from the Mallory-Smith Room. The Law School will repaint the upstairs rooms and cover the walls with new art work, she added.

Hark Coffee

"This is the part you won't like," Upton cautioned, "but it's only an experiment. We're going to move the free coffee from Pound into the Hark for the winter term." And because new furniture is being purchased for Pound, the furniture that is there now will move to the Hark with the coffee.

While detailing the planned changes, Dean Upton emphasized several times that "nothing is set in granite. This is all experimental. The Dean wanted us to try something right away, so we'll see what works and what doesn't."

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The 12 Days of a Legal Christmas

Adapted by Thomas Isenberg

I

On the first day of Christmas, my client gave to me,
A heartburn with a big fee.

II

On the second day of Christmas, my client gave to me,
Two Celtics tickets, and a heartburn with a big fee.

III

On the third day of Christmas, my client gave to me,
Three new clients, two Celtics tickets, and a heartburn with a big fee.

IV

On the fourth day of Christmas, my client gave to me,
Four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

V

On the fifth day of Christmas, my client gave to me,
Five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

VI

On the sixth day of Christmas, my client gave to me,
Six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

VII

On the seventh day of Christmas, my client gave to me,
Seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

VIII

On the eighth day of Christmas, my client gave to me,
Eight estates a vesting, seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

IX

On the ninth day of Christmas, my client gave to me,
Nine bonds maturing, eight estates a vesting, seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

X

On the tenth day of Christmas, my client gave to me,
Ten deals a closing, nine bonds maturing, eight estates a vesting, seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

XI

On the eleventh day of Christmas, my client gave to me,
Eleven mergers effecting, ten deals a closing, nine bonds maturing, eight estates a vesting, seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.

XII

On the twelfth day of Christmas, my client gave to me,
Twelve jurors acquitting, eleven mergers effecting, ten deals a closing, nine bonds maturing, eight estates a vesting, seven pleas a copping, six stocks a rising, five partial judges, four expensive lunches, three new clients, two Celtics tickets, and a heartburn with a big fee.



Prof. Ely to Become Stanford Law Dean

(Continued from Page 1)

representative democracy, and predicted that the book "will have a wide influence for a long time."

Ely describes his theory of judicial review as one that "bounds review under the Constitution's open-ended provisions by insisting that it can appropriately concern itself only with questions of participation, and not with the substantive merits of the political choice under attack."

Defending Warren

This theory justifies many of the controversial decisions of the Warren Court while at the same time defending against charges that those rulings were "activist" in the same way as those of the *Lochner* era, when the Court struck down child labor laws and other progressive reforms. The theory also rejects the Court's abortion decision in *Roe v. Wade* as "bad Constitutional law."

Ely played an important role in the Warren Court, first as a law student working on one of the Court's landmark decisions, and later as law clerk to Chief Justice Earl Warren in 1964-65. His book is dedicated to Warren, with the simple comment, "You don't need many heroes if you choose carefully."

Destined for Academia

The case Ely worked on was *Gideon v. Wainwright*, decided in 1963, which established the right to free legal representation for indigent criminal defendants. Ely was a summer associate at the Washington law firm of Arnold, Fortas & Porter, which represented the plaintiff Clarence Earl Gideon *pro bono*. Ely spent most of the summer between his second and third years at Yale Law School working on the case. Since he was not a member of the bar at the time, he was not able to sign the brief that was filed in the U.S. Supreme Court, but his "valuable assistance" was acknowledged in a footnote.

New York Times columnist and HLS Lecturer Anthony Lewis, who recounted the history of the case in his book *Gideon's Trumpet*, remembers Ely as "a terrific, very thoughtful, skeptical, creative mind" destined for an academic career. "He was younger and probably less world-weary in those days, but he had a gleam in the eye even then," Lewis recalled.

A Stint in the Army

At the time, however, Ely did not plan to become a professor. He decided at Yale he wanted to be a public defender, and after a stint in the Army as an M.P. ("good training for being a dean," he quips), six months as a staffer on the Warren Commission, his clerkship with Warren, and a year in England as a Fulbright Scholar, Ely took a job with Defenders, Inc. in San Diego.

"Before I left Yale, though, they asked me to come back to teach. I didn't want to do it then, but that put the idea in my head. I guess from that moment on, I figured I'd do it at some point," Ely said.

On To Yale

After two years as a defender, Ely was ready to try teaching. "I loved being a public defender, but it was clear to me that I didn't want to do it for the rest of my life," he explained. The work was stimulating, and Ely enjoyed jury trials, but "there was lots of dead time as well."

Ely began his teaching career at Yale Law School in 1968 and stayed

on the faculty there until 1972 when he came to Harvard. He has been here since then, except for two years spent in Washington. The first was 1975-76, when Ely served as General Counsel to the Department of Transportation. While there, he argued successfully before the District of Columbia Circuit for the government in its effort to secure landing rights for the Concorde SST.

Ely's other time away from HLS came in 1978-79 when, as a fellow at the Woodrow Wilson International Center for Scholars at the Smithsonian Institution, he worked on *Democracy and Distrust*.

A "Cerebral" Place

Stanford is a "cerebral kind of place," Ely said, and he is looking forward to his arrival there. He cited its small size, relaxed academic style (including pass-fail grading) and innovative teaching methods as particularly attractive. After his time as dean, Ely expects to stay on to teach full time. He is not interested in ever moving on to work in a law firm. "Most law work isn't that interesting, and big firms are very regimented. I'd rather work for myself and be able to design my own projects," he explained.

"We're all very sorry to see him go," commented HLS Dean James Vorenberg, after announcing Ely's departure in a memo to the faculty. "He's been a strong and important member of this faculty, one of whose work we've been very proud."

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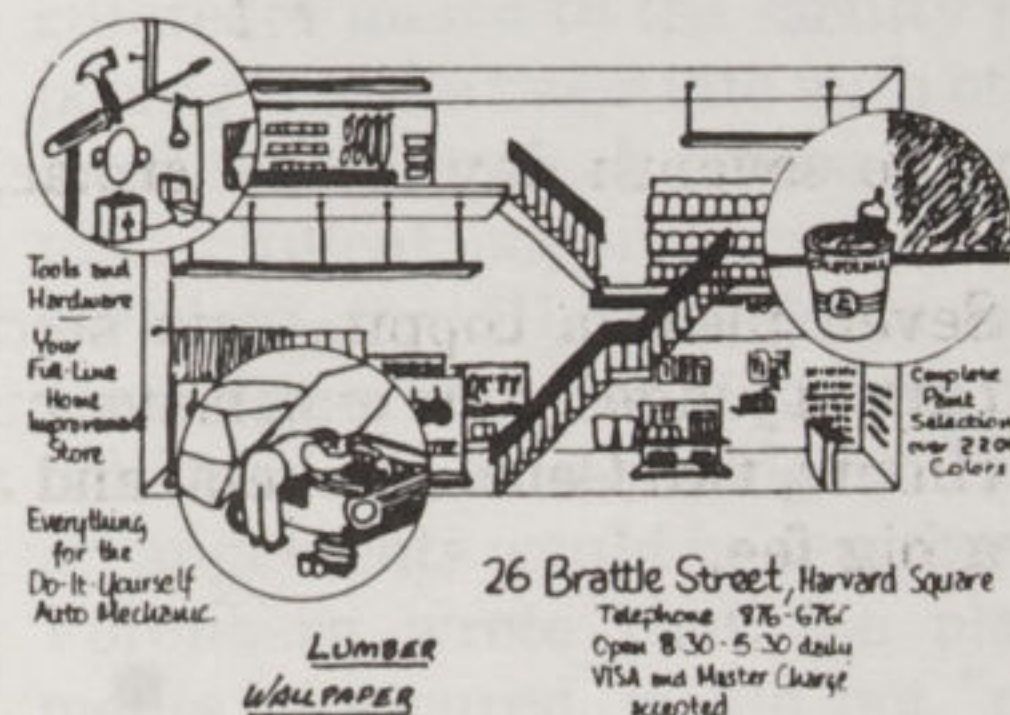
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Students Face Exam Schedule Problems

(Continued from Page 3)

other possible reason behind the exam policy. He observed that "There is also a virtue to a bright-line policy," and that the Board finds it "nice to have an easily applied rule." However, Caldwell does feel that the policy could be more flexible.

Worst Case Scenario?

The adverse effects of such an inflexible policy can be illustrated by the experience of Gretchen Rule, 3L. Rule wanted to take Patent Law, but the course was not offered in either her 2L or 3L year. She, along with another student, petitioned the Administrative Board to be allowed to take the course concurrently at Boston University this year.

Rule was notified over the summer that her petition had been granted. However, because the B.U. class started on Aug. 24, she had to pay the \$417 tuition to enroll at B.U. before she knew what her HLS exam schedule would be.

When she began her HLS classes this fall, Rule said she "simply wasn't thinking about exams." While she noticed that two of her HLS exams would be on the same day, she did not realize until mid-October that her B.U. exam directly conflicted with one of those two exams.

Rule first tried to change the B.U. final. But while the professor agreed to administer a make-up

exam, the B.U. registrar told Rule that she must first exhaust all possible avenues of appeal at Harvard. Rule then went to the HLS registrar, who told her that the policy was fairly inflexible, but that she would try to work out the problem with the B.U. registrar.

Administrative Problem

Rule heard nothing more until mid-November, when she received a letter from Prof. Sander, chairman of the Administrative Board. The letter, which Rule described as "obviously antagonistic," sharply reprimanded her for "creating this administrative problem." A few days later, she received a letter from the HLS registrar, notifying her that the conflicting HLS exam had been moved to the next morning.

While Rule acknowledged that the problem was not the administration's fault, she does feel that it was handled very poorly. "It was an oversight — not a major catastrophe that someone should be blamed for," she said. "I didn't go out of my way to create the problem, and I certainly didn't expect such an extreme reaction from a member of the Ad. Board."

Room for Change

Upton, who has "stretched" the exam schedules of perhaps seven or eight students this semester, said she hasn't really seen consec-

utive exams as a major problem. If the students are concerned, she feels they should get together and propose the changes that they believe are needed.

Upton believes that, unless the faculty and administration perceive consecutive exams as a real problem, no change in policy will be forthcoming. She stressed that the Administrative Board is receptive to proposals for policy change, but without any such proposals, change is unlikely.

Certainly, the worries and anxieties of those students facing three consecutive finals are very real. But whether those concerns will coalesce into the dynamic force needed to effect a change in the exam policy remains to be seen.



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