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25 CENTS

Manion Unfit, Deans Charge

By Peter Csathy

William Rehnquist's hotly debated Senate confirmation as U.S. Chief Justice follows closely on the heels of a more controversial appointment to the federal judiciary — that of Danial Manion of Indiana to the Seventh Circuit Court of Appeals. Manion, a small-town Indiana lawyer with limited experience in federal litigation, was confirmed last summer by the Senate and will now serve on the appellate court in Chicago. Despite harsh attacks by lawyers and politicians on the nominee's qualifications and reputation, Senate Republicans were able to muster enough votes to check the success of campaigns waged to sway wavering senators against the appointment.

Among efforts condemning Manion as unqualified was a petition signed by deans of 46 law schools across the nation and sent to Senate Majority Leader Robert Dole (R-Kan.) and Minority Leader Robert Byrd (D-W.V.) on June 24. HLS Dean James Vorenberg, who signed the petition, was in a group of six to eight deans who formulated the petition seeking to persuade the Senate to reject Manion. Other deans who signed the petition include those heading the law schools of Yale, Michigan, Columbia and Cornell.

Calling his inclusion in the petition "a rare thing for the dean of this law school to do," Vorenberg stressed that Manion's inexperience

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Sal Casente

1Ls elected to Law School Council last week: l to r, front row, Dave Boyhan, Jack Sharman, Bill Sarraile; back row, Jon Vein, Natalie Hanlon, Pat Wood.

1L Council Seats Uncontested

By Hillary Richard

The Law School Council held elections for section and at-large representatives for the class of 1989 on Wednesday, Sept. 24. The newly-elected Council representatives are: Bill Sarraile (Sec. 1), David Boyhan (Sec. 2), Jack Sharman (Sec. 3), John Vein (Sec. 4), Natalie Hanlon and Pat Wood (at-large). Three of the four section seats were uncontested.

The council positions were advertised in the *Adviser* and through notices in 1L Hark boxes. In addition to the barrage of paper, Council members visited each section and gave a brief description of the Council.

The unusually low participation in the Council election comes at a time of heightened activity for the group. Members are participating in a faculty/student group that is studying the quality of life at HLS,

and the Council is currently making student appointments to other HLS committees.

Council member Ted Johnson, 2L, commented, "No question, it [the election] makes the Council look suspect. It's sort of ironic and just sad because it comes at a time when the Council has more in the works than it has in awhile."

Ambiguity may have also played an important role in the lack of 1L interest in the Council positions: first year students at HLS are barraged with information about the Board of Student Advisers, Dormitory and Student Affairs Council, legal methods instructors and the LSC without much guidance as to which group constitutes the actual student government.

Council member David Schwartzbaum, 3L, says he expects 1Ls will be more enthusiastic and participate in greater numbers in the spring.

Frequent Fliers: Which Gets You The Farthest?

By Holly House

It's that time of year again — when HLS students take to the skies in pursuit of summer jobs. But more than clerkships can result from these trips. Virtually every airline

offers the frequent flyer ticket discounts and a myriad of other travel-related bonuses in reward for steady patronage. Discounts on hotel accommodations and rental cars are standard bonuses. Occasionally, however, airlines entice in more

blatant ways: Continental's Youth "Flight Bank" promises a Porsche to the student who gets the most other students to sign onto their program.

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domestic

No Boycotts Planned For This Recruiting Season

By Jeff Gershowitz

This year's recruiting season, which will enter full swing Mon., Oct. 6, with the arrival of representatives of dozens of corporate firms, has seen no repeat of calls several students made last year for boycotts of a handful of firms. A study by the RECORD of last year's boycotts shows their results were mixed.

Twice last year student groups organized boycotts of recruiting visits by law firms representing clients they perceived as objectionable — one firm represented an airline owned by the South African government and several others represented companies allegedly engaging in union-busting.

Soon after the HLS Anti-Apartheid Committee called for a boycott against the Washington, D.C., firm of Covington & Burling, that firm dropped one of its clients, South African Airways. The firm denied that the boycott was a factor in their thinking, and indeed argued that the student protest hampered their effort to drop the client, because the firm did not want to appear to be surrendering to pressure.

The number of students interviewing with Covington & Burling dropped from 179 in 1984 to 155 in 1985, a decline of 13.4 percent. While other factors may clearly have been involved in this change, the boycott call might well have played a role in the decline.

The boycott of firms accused of anti-labor bias was far less successful in terms of numbers. Figures were available for the past two years for six of the seven firms that visited HLS to interview, and they show an increase in the number of students interviewing with the six firms. While 131 students interviewed with the firms (Andrews, Kurth, Campbell and Jones of Houston; Bond, Schoeneck and King of Syracuse; Littler, Mendelson, Falstaff and Tichy of San Francisco; Morgan, Lewis and Bockius of Philadelphia; Seyfarth, Shaw, Fairweather and Geraldson of Chicago; and Vedder, Price,



Sal Casente

Placement Director June Thompson has heard of no boycott attempts this season.

Kaufman and Kammholz of Chicago) in 1984, 151 interviewed in 1985, an increase of 15.3 percent.

HLS Placement Director June Thompson believes that boycotts have little effect on recruiting or firm policies.

"I don't ever remember it causing anything major," she said. As for last year's attempts, she noted that "some firms listed didn't even know they were listed, and some said that

Continued on Page 5

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Group Supports Search For Public Interest Jobs

By David Snouffer

HLS students who want to pursue public interest careers have a new opportunity to pool resources in their job searches through a recently formed support group, organizers of the Alliance for Public Interest Alternatives announced last week. And the organization's call last spring for HLS to subsidize public interest work has prompted top administrators to consider a plan that would enable the school to award grants to qualifying students.

Public interest employers include legal services agencies, public defenders, state and federal law enforcement agencies, other government offices, social action agencies and private firms that concentrate on public interest issues, the group's organizers said.

At an organizational meeting on Sept. 24 that drew about 30 students, three 2Ls who have spearheaded the group spelled out plans for a newsletter to better publicize public interest options, a systematic study of obstacles students face on the public service career path and a program to match interested first year students with 2Ls experienced in public interest job seeking. The initial meeting attracted over two dozen 2Ls and a handful of 1Ls, and the group's leaders said after-



Karen Russell

Leading members of Alliance for Public Interest Alternatives: l to r, front row, Janice Steinschneider, Gail Aidinoff, Pauline Kim; back row, Doug Curtis, Deborah Schachter, Joel Feldman.

ward that they planned to hold a second session for 1Ls last Wednesday.

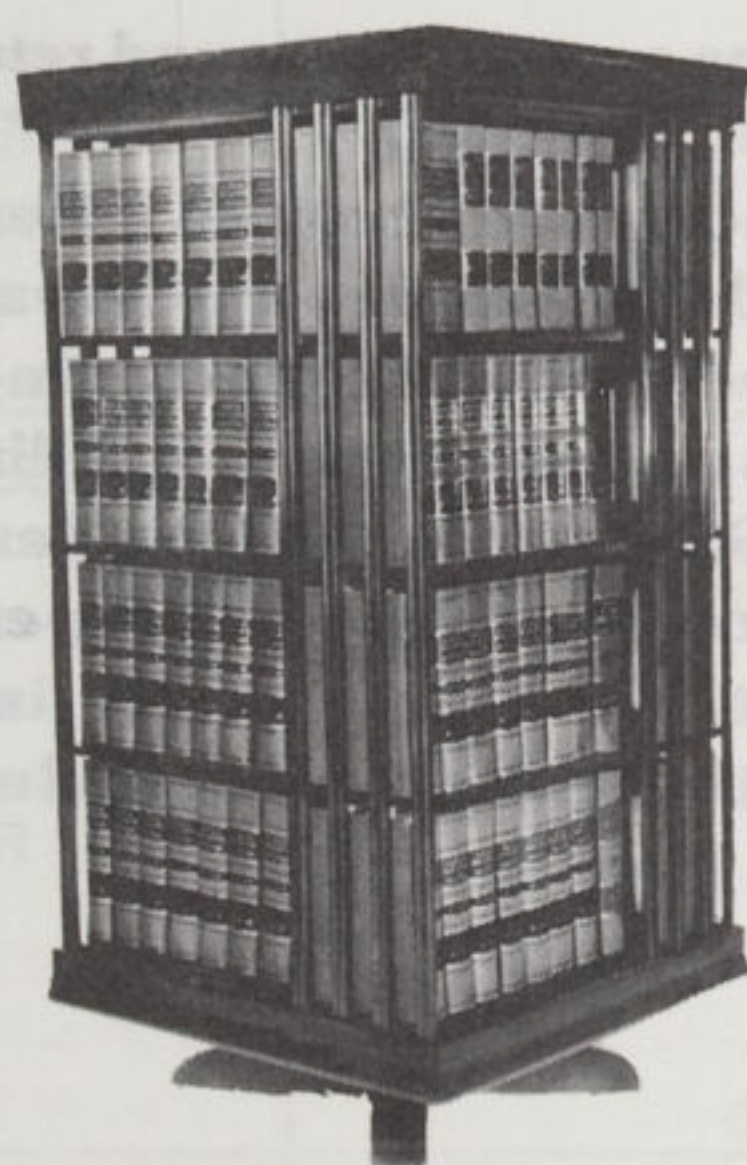
The organization's three founders, Doug Curtis, Joel Feldman and Pauline Kim, 2Ls, laid its groundwork last spring when they surveyed their fellow first year students in April and then presented their findings to HLS Dean James Vor- enberg '51 at a meeting in May.

The trio had been "very frustrated" with how much more trouble they had finding jobs than had classmates who had accepted po-

sitions with private law firms, Curtis told students at last week's meeting. The three also disliked what they perceived as a "lack of support" for public interest alternatives from students and administrators, said Curtis, who worked last summer in a Boston legal services agency, the Massachusetts Law Reform Institute.

But Curtis said the survey, which the Law School Council funded, encouraged the organizers. As the poll

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Human Rights Group Fights Discrimination

By Julia Loewy

The Cambridge Human Rights Commission began work last February to restore and preserve human rights at the local level by enforcing a Cambridge ordinance which prohibits discrimination on the basis of race, color, sex, age, religion, disability, national origin, sexual orientation, marital or family status, military status or source of income. The nondiscrimination ordinance, which was passed in 1984, applies to housing, public accommodations, employment, education, credit, insurance and the provision of city services.

Executive Director Sara Wunsch says that "it is exciting to have a local agency that can respond quickly to discrimination problems." Wunsch noted that the inclusion of sexual orientation and disability is particularly important as discrimination on the basis of either factor is not covered by state or federal statute. She also said that students should be aware that the University and the housing office are covered by the ordinance.

One of the Commission's primary functions is handling complaints about possible violations of the ordinance. When a complaint is made, an initial investigation is mounted to determine whether probable cause exists.

The investigator may be able to remedy some problems at this stage by acting as a mediator. Two HLS students, Susan Brune, 2L, and Tom Merriman, 2L, worked with the Commission last spring investigating complaints and taking statements. In one case, the investigator helped a black woman living in the housing projects in predominantly white East Cambridge get assistance from the Cambridge Housing Authority and civil rights officials.

If probable cause is established, the case proceeds to a formal hearing before the Commission. Although the eleven appointed volunteer citizens who compose the Commission are not lawyers, they do have authority to make certain legalistic determinations.

According to Wunsch, although no cases have gone through the entire complaint procedure thus far, satisfactory agreements between parties have been reached in a number of individual cases. Two students, Elizabeth Dobell, 2L, and Stuart Lichten, 3L, are currently doing policy research to help the Commission establish appropriate administrative procedures.

Workshops Planned

In addition to assisting those who feel their rights under the ordinance have been violated, the Commission is planning workshops and educational programs. Wunsch said that "a lot is up in the air right now because [the organization] is new. We hope to do more community work."

The Commission is also taking an active role in local policy decisions. A proposed AIDS policy which appeared to discriminate on the basis of disability was withdrawn by the city manager at the Commission's prompting, and joint efforts are currently being made to revise the policy. In addition, Professor Martha Minow is currently researching the effect of city zoning on the disabled.

Wunsch said she appreciates the help she has gotten from the HLS community and would welcome more volunteers. "If students do volunteer, they can make a difference. This is not a theoretical thing they're going to do that's going to collect dust somewhere."

Alternative To Boycott Exists

Continued from Page 3

they were incorrectly listed. One firm called and said they shouldn't have been on the list, but they weren't particularly worried. There was very little response."

The boycott of Covington & Burling had a little more impact. The firm called Thompson and "told us to distribute information for students to see" refuting the boycott claims. But Thompson said this was "no more problem than what other firms have us do."

According to Thompson, the placement office has no position on boycotts. "The first we hear of them is when pamphlets appear someplace. We try to remain neutral —

no one asked us not to be. As long as the students don't disrupt [the visits], they're perfectly welcome to do it."

Alternatives to Boycotts

Thompson also pointed out that there is an alternative to a boycott. Students can approach her "if they think there is some reason an employer shouldn't appear," and then that complaint can be taken before the placement committee. However, Thompson said, no one has ever taken this option. "It's kind of taken care of itself," she said.

Thompson noted further that she had not heard of any recruitment boycotts planned for this year.

Manion Falls Below Standards

Continued from Page 1

with federal litigation, combined with his casual way of treating Supreme Court precedent, make the Indiana lawyer an unusually poor appointment. Far from being a bandwagon response to the wide-

spread attacks on Manion's qualifications, the petition was motivated purely by professional rather than political reasons and was meant to accentuate the deans' collective concern that Manion fell below the lowest standards of judicial capability, Vorenberg said.

New Planters Ease Harkness Crush

By Michael Reilly

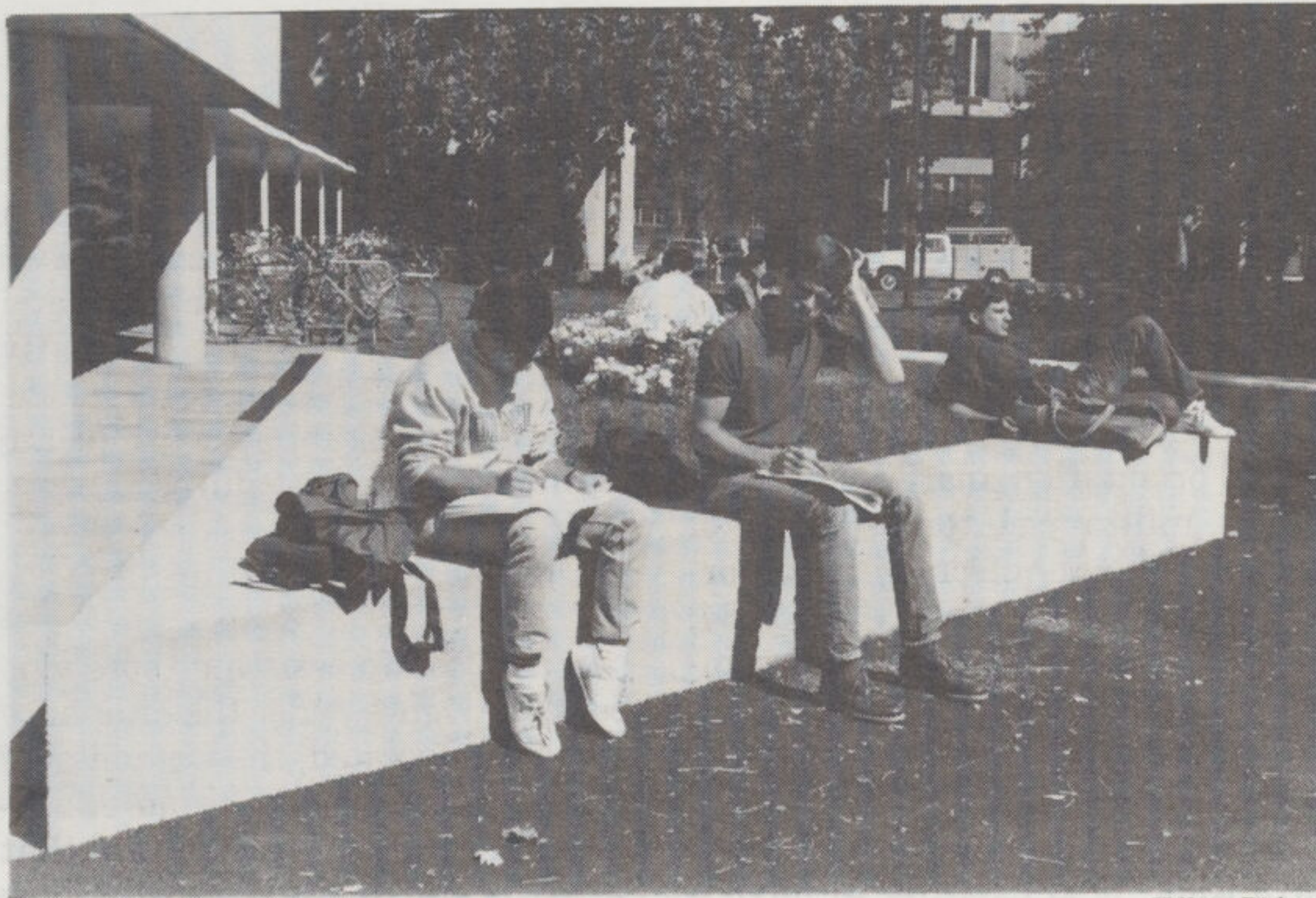
Preliminary reactions to the new flower planters located in the plaza between the Harkness Commons and Langdell Hall have been positive, according to Paul Upson, HLS assistant dean for finance. Four triangular concrete structures, containing mounds of grass and topped with blooming flowers, replaced a large oval fieldstone planter which was poorly maintained and had long blocked easy access from Harkness to Pound and Langdell. During the unusually sunny and warm days at the start of this semester, dozens of students lounged on these new additions to the HLS landscape.

Designed by Cambridge landscape architect William Pressley, the planters were one of several proposals for beautifying this heavily-trafficked spot. HLS officials rejected suggestions calling for chairs, tables and other non-permanent fixtures. Upson called the planters an initial effort by HLS to enhance the Harkness entryway and to encourage student use of Holmes Grove, the yard in front of Langdell.

The prior arrangement was "a very congested space," not offering any relief from the "cavelike" entrance to Harkness, Upson said. In addition to allowing easier passage to and from Harkness, the new planters provide students with a place to socialize out-of-doors. Should the planters prove popular, HLS will consider further landscaping improvements in the area near Child Hall and in Holmes Grove, Upson noted.

The design of the new planters germinated last semester in response to suggestions for a better outdoor sitting area. After choosing the actual project, HLS officials authorized construction of the \$50,000 flower pots. Due to a late start, contractors did not complete the landscaping until the eve of the University's 350th Anniversary celebrations.

Besides the major renovation of Hastings Hall scheduled for this spring and summer, the next sub-



Hillary Richard

stantial facilities upgrading will be a redesigning of the central corridor of Harkness, Upson said. Due to the Harkness Commons' status as an architectural landmark, many interior details must be left untouched. Upson said, however, that

a possible rearrangement of the mailboxes and seating, as well as improvements to the ceiling and lighting are being reviewed. However, any large-scale facelift could only be performed during the summer vacation.

Low Pay Limits Job Interest

Continued from Page 4

showed, he said, "there are a lot of people at Harvard Law School who are interested in public interest law."

While only 62 of the survey's 380 respondents, who comprised about two-thirds of last year's 1L class, said they would work in public interest last summer, an additional 236, or 62 percent, said they were "interested in public interest law."

Of those not doing public interest work last summer but interested in the field, 54 percent reported that they probably would not work in public interest jobs next summer either. But 80 percent said chances were at least 50-50 that they will do public interest work some time after they graduate.

Asked which factors were most relevant in their decision not to do public interest work, respondents most often cited such jobs' relatively low pay, the "perceived unavaila-

bility of funding" for them and the "difficulty of making contact ... with public interest groups."

Susan Haire, 2L, who worked in New York last summer for a criminal defense firm, said during last week's meeting that while large cities like New York offer numerous small firms and agencies with public interest work available, many of the organizations don't have enough money to pay students without at least some outside funding.

"At the moment," Curtis, Feldman and Kim told Vorenberg in a letter last May, "students are limited financially to either a Student Funded Fellowship, which is solely funded by students and must turn away needy applicants, or a Human Rights Fellowship, which requires work in a particular area of the law." They called on HLS to directly fund students' public interest work.

"Harvard has currently allocated

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Missing Map Illustrates Phone Problems

By Susan Povich

Emergency phones, which immediately connect the caller with the University Police, exist at various points on the campus. Unfortunately, due to a printing delay, most Harvard students did not receive a map of the emergency phones with their registration materials. Instead, students must rely on the blue lights on each phone box to indicate their locations. On the HLS campus, however, there is no emergency phone between Harkness and Hastings, with the exception of one in the basement of Langdell.

The present emergency phone system has been in operation for ten years. The number of phones have increased by five in this time, bringing the total number to 73. One of the new additions was the phone in the basement of Langdell "due to heavy traffic in the area," according to Sergeant Lawrence Fennelly of the Harvard University Police.

Sergeant Fennelly also believes that the phone system is working satisfactorily due to the strategic placement of the phones. In addition, the number of campus crimes, specifically reported rape, is very low.

Since the installation of the phones, the number of women students at HLS has increased by 23 percent, while there has only been one additional phone installed. The present location of the phones on the Law School campus are as follows: Shaw Hall, Pound Building across from Harkness, basement of Langdell, Perkins Hall and the Littauer Building near Gannet House. In addition there are phones on the opposite side of the quad at Jefferson Lab and Pierce Hall.

Other Safety Measures

One possible reason for the small increase in additional phones is the availability of the shuttle bus and the escort service, both of which are described in the book "Play It Safe" which was distributed with regis-

tration packets. According to Dean of Students, Mary Upton, whereas women are more likely than men to be assaulted on university campuses, most of the attacks on the HLS campus have been on men, and the number is low. Dean Upton has not ruled out the possibility of installing new phones and is open to input from students regarding the issue.

Harvard police usually receive about one call a day on the phones for reasons ranging from the reporting of stolen property to medical assistance to assault. The police recommend that students should feel free to use the phones whenever

they have a serious feeling that they or one of their companions are in danger. The phones provide instant communication with the police headquarters and should be exploited to their fullest potential.

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Life, Death, And The Courts

Fenno

The Supreme Judicial Court of Massachusetts this week refused to reconsider its landmark decision allowing the family of a comatose man to remove the feeding tubes that have kept him alive since 1983. Once again, the so-called "right-to-die" has been thrust to the front of our social agenda. That is exactly where it belongs, since it involves questions essential to our civilization: questions of human dignity, human worth, and human life.

The SJC's 4-3 decision allowed the man's family to move him from the hospital in which he had been placed and thus honor his earlier stated wishes that he not be kept alive as a "vegetable." The man's court-appointed attorney charged that the court "has sanctioned the taking of a human life through a cruel and violent means." Surely this overstates the case. But at the same time, the statement touches a chord deep within our very psyches that makes us uncomfortable with any decision allowing any group of people to withhold food from another human being.

There is a difference, is there not, between turning off a respirator that keeps a brain-dead patient alive, and withholding food, a fundamental source of life? Yet there is also a difference between "pulling the plug" on a patient who earlier stated, informally or through a will, that he or she would not want to be kept alive as a vegetable, and one whose wishes are unknown. Doesn't each human being, after all, have a right to try to control as much as possible the basic facts of his or her existence? And if one decides, either now, or at some earlier time, that a half-life is not worth living; that interminable existence in a coma cheapens the very notion of human life, doesn't that person have a right to end his or her existence? Surely the courts should not attempt to meddle in this most personal, painful, and fateful choice.

The problem of course, arises when the patient has not let his will be known. The SJC's decision did not have to reach this issue. Certainly that was a relief for the court. Yet it simply deferred a choice that will need to be made quite soon. Can we trust *anyone* to decide for another a matter so final, a matter so weighty? Before we answer that question, perhaps we should ask ourselves if there is anyone in the world we would allow to make such a decision for us. Our answer may well supply a response to the larger question.

— G.M.B.
— R.J.P.

HARVARD LAW RECORD

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PHOTO STAFF: Sal Casente, Adele Hendrix, George L. Martinet, Hillary Richard, Karen Russell
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Fenno was bored. It was Saturday night and the pub was having a "Brat Pack" film festival. All that was left in the cooler was Coors beer, and Fenno, although he rarely noticed political controversy, just didn't like the taste of Coors. The graduate student lounge TV was showing reruns of *Miller's Court* and the Committee for a Moral Legal Philosophy had taken over the "Aces."

Fenno decided to take the long hike to Harvard Square. On the way to one of his favorite dive bars, he suddenly noticed that the square was overrun with smallish pug-nosed creatures sporting striped shirts resembling those worn by European sports figures. Fenno wondered whether they received them free in boxes of Breeze. Retreating to a grassy area, Fenno was distracted by an all too familiar smell — stale beer!

In the distance, Fenno heard a wailing sound. It was a stereo war between the Dire Straits and The Big Chill Soundtrack. Above his head loomed a large clock which bore the inscription "Donald Trump House." A tall muscular jock came up and handed him a glass of scotch. "Welcome back, Biff! Your summer as a sherpa in the hills of Nepal has perfected your tan."

Never missing an opportunity to imbibe free alcohol while abusing an undergrad, Fenno inquired as to the availability of a Meister Brau.

"No can do, Biff. You can sample this year's supply of Glenlivet, Glenfiddich and Chivas, though."

"Sorry, my Life as the seventh adopted son of the Dalai Lama has made me see the false value of any alcohol you can't buy in a six pack."

The jock whistled in awe, and beckoned to friends, "Buffy, Chip, come here. I believe our Biff has come up with a new attitude that's sure to win him a Rhodes Scholarship next year. This could even beat Skip's attempt to teach Latin to restaurant chefs in Antarctica."

Buffy, sporting the latest in pink and green from Talbots, chimed in, "Oh Biff, your social commentary has improved, too. Who else but you could have the gall to wear a Liberty University sweatshirt at Harvard?"

Fenno responded, "Like sands through an hourglass, so are the days of our lives."

"Goodness, you can quote Nietzsche, too! Do you have a date for the Fall Formal at the Ruptured Duck Finals Club?"

Before Fenno could venture a reply, a nasal voice whined across the lawn, "Yo, Buffy — great to see you again." Turning around, Fenno noticed a figure with a "Ski Nepal" T-shirt prancing towards him. Muttering "The party's over," Fenno leaped the wrought iron fence in retreat.

Heading back to Somerville, Fenno thought to himself: "What a riot, Maybe next week I'll try Adams House." ☞

TOM THE DANCING BUG

BY
RUBEN BOLLING

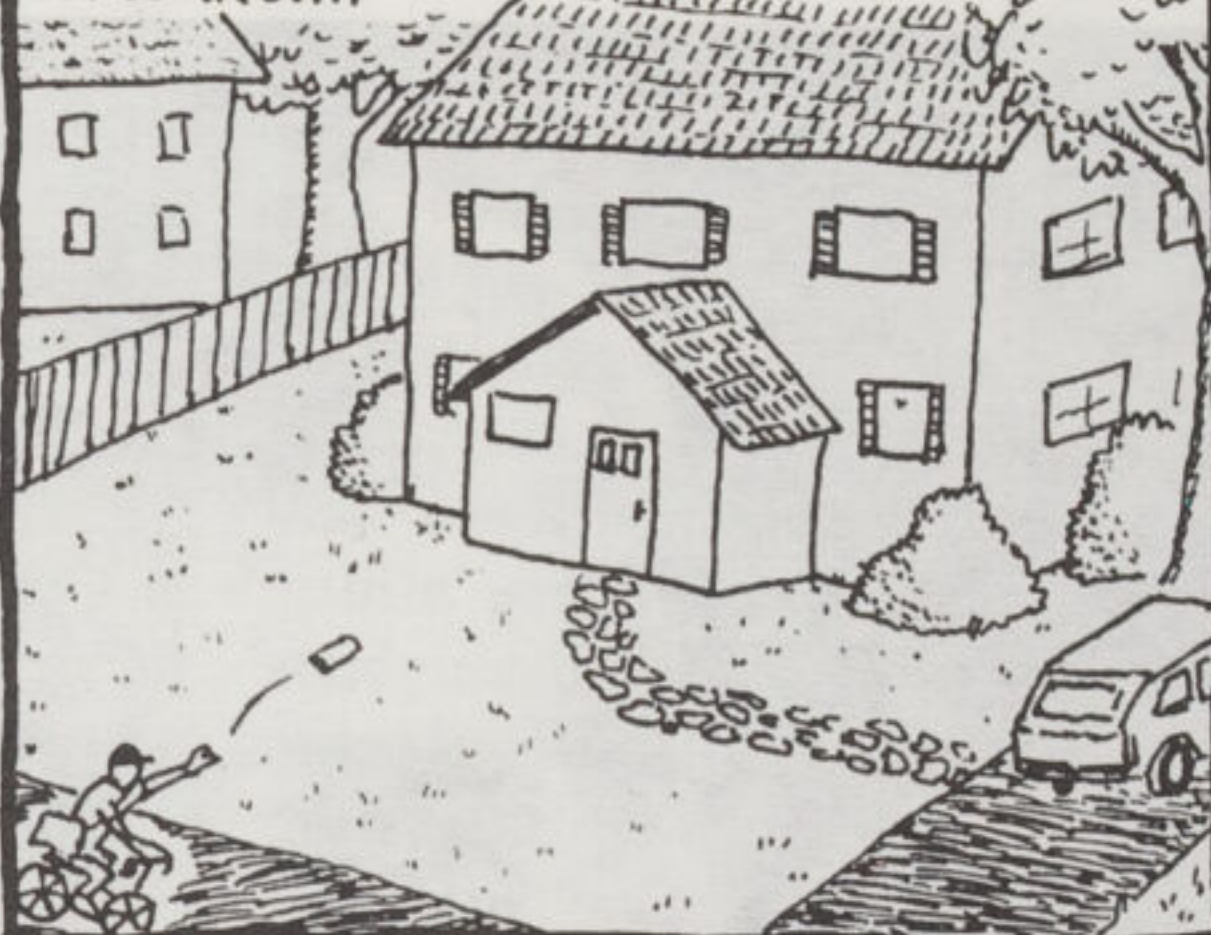
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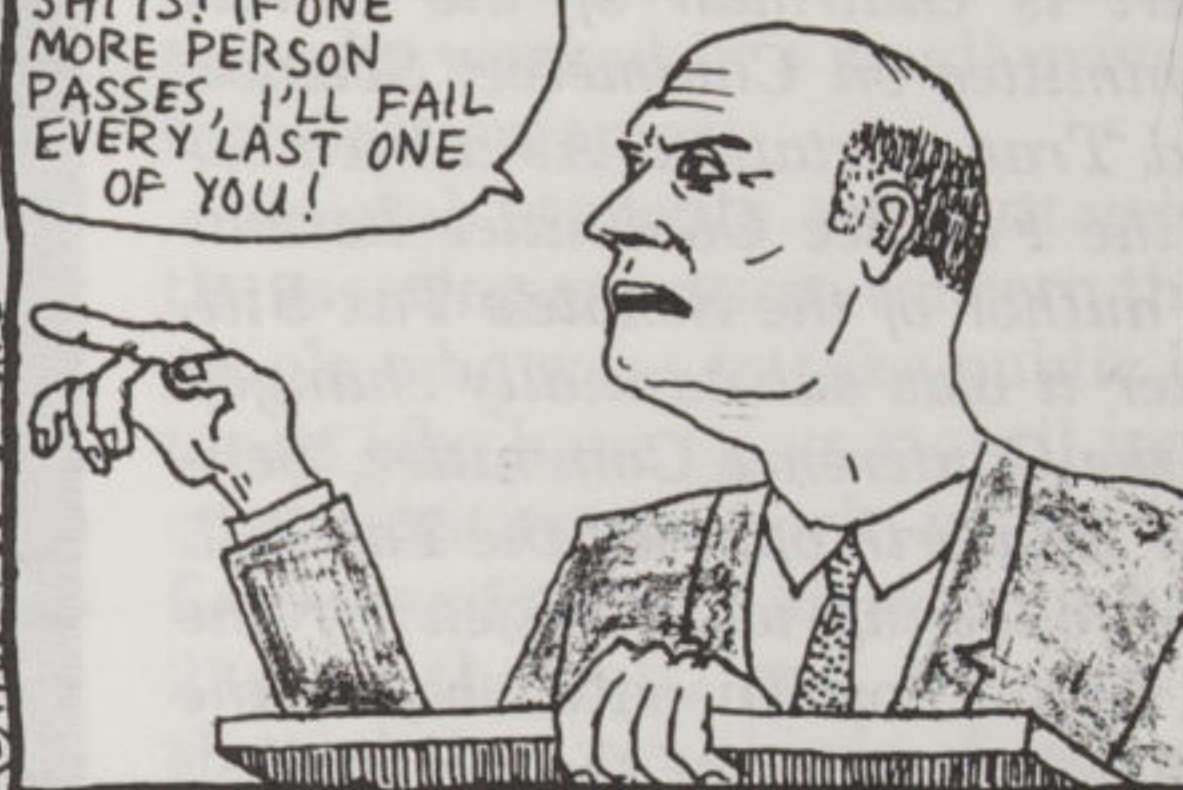
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YEAH, YOU'RE RIGHT! NEVER MIND!



WHY ARE YOU STILL READING? THE COMIC STRIP IS OVER... TURN THE PAGE!!



Letters to the Editor of the Record

To the Editor:

I was disappointed to read the misleading article you ran by Susan Povich, "Tribe Quits Faculty Journal," in your September 19 issue. Ms. Povich interviewed me to learn if there was any basis for what she candidly described as pure "speculation" by various students to the effect that my reasons for resigning as editor of the new faculty law journal were different from those I had given publicly. I had heard some of the speculation myself, and I hoped that giving an interview to the RECORD would be the best way to let the HLS community know that the speculation was false. I was apparently mistaken.

As I explained in some detail to Ms. Povich, all my reasons for deciding that I could not do justice to the journal related to the burdens of scholarly work that I had decided to undertake, and of lectures that I had been invited to deliver. In particular, I am now in the midst of two quite massive undertakings — a second edition of *American Constitutional Law*, scheduled for publication in September 1987, and another book, entitled *On Reading the Constitution*, also scheduled for 1987 publication. At the same time, I am engaged in completing at least half a

dozen other less ambitious works: three public lectures, several law review articles, and a lengthy essay for a popular journal.

I would have thought it fairly obvious that, having decided to undertake so arduous a program of publication and lecturing, I could not hope to fulfill a major commitment to a serious new journal. To publish the unfounded description of "student speculation" in the face of all this information seems quite irresponsible and suggests a lack of concern with the facts.

Laurence H. Tribe

To the Editor:

I was struck (once again) by the comments of Michael Christian, 3L, appearing in the September 26th issue of the RECORD. Mr. Christian is virtually unique among the students at HLS in that he is unafraid to express, either orally or in writing, his misgivings both with HLS as an institution and the students who attend it. I applaud him.

To some extent I also was "hoodwinked by the Harvard myth." This may or may not be related to the fact that Mr. Christian and I attended the same undergraduate in-

stitution.

I count myself among those "grossly disappointed" with their experience at HLS. This is not so much due to the institution as such, but due rather to the intolerant

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Letters Policy

All letters submitted to the RECORD are read by the RECORD's staff. Many of them appear on our pages, subject only to editorial discretion. We encourage letters on any subject, particularly those subjects which have been covered in the RECORD. Short letters are more likely to be printed.

Letters must be received by 2:00 P.M. on the Tuesday before the issue. Letters should be addressed to the RECORD rather than to third parties. In no event will the RECORD publish letters by writers who have not identified themselves to the RECORD. Organizations should identify the specific individual(s) responsible for approving the letter. All letters submitted become the property of the HARVARD LAW RECORD Corporation.

Danforth Asserts Tax Bill Grossly Unfair

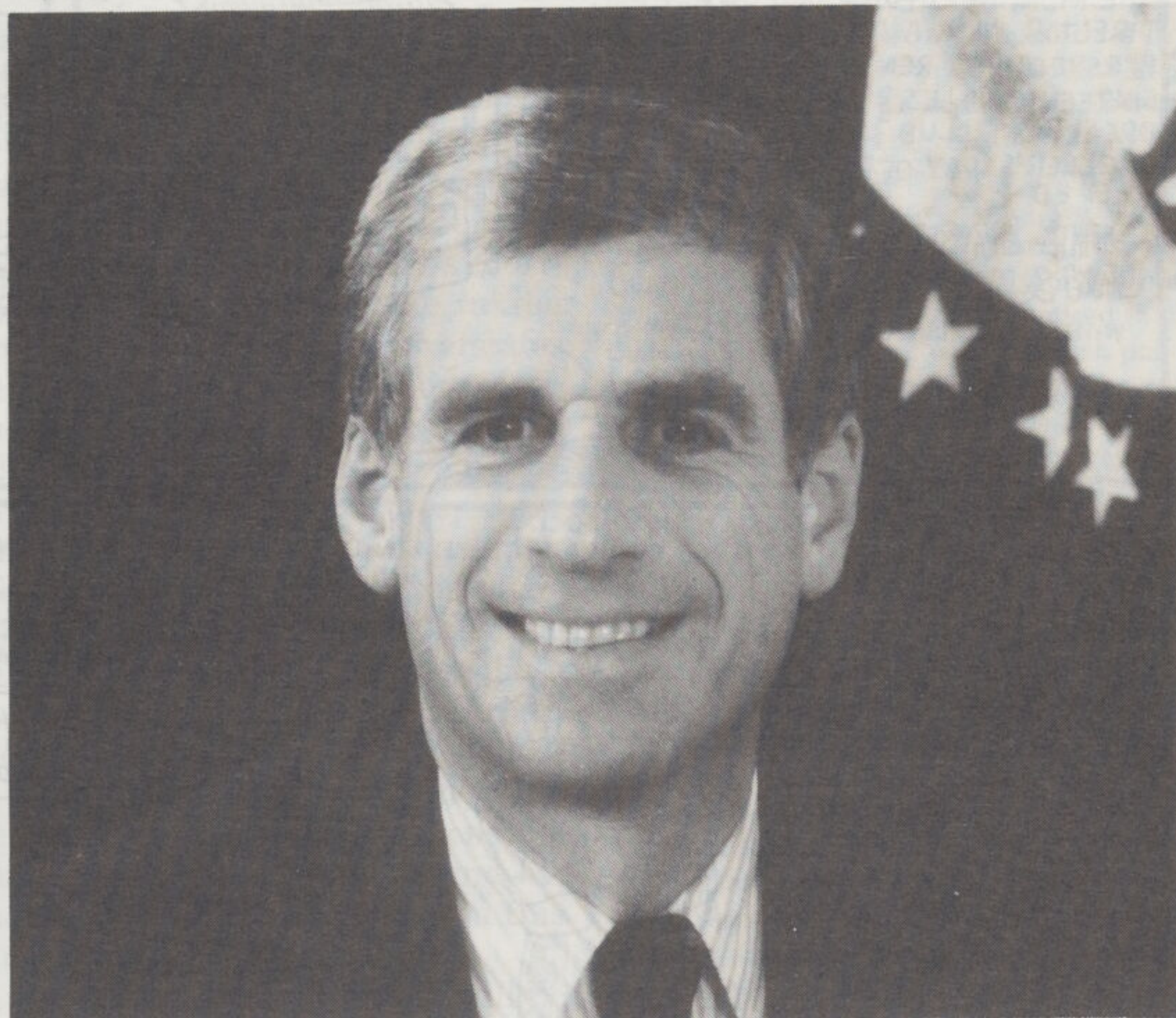
By Sen. John Danforth

Senator John Danforth of Missouri is chairman of the Senate Committee on Commerce, Science, and Transportation. As a member of the Finance Committee he was an author of the Senate's Tax Bill. After it was substantially changed in the Conference Committee, Senator Danforth opposed the Tax Bill. The following was written for the St. Louis Post-Dispatch before the Senate's passage of the Tax Bill.

On August 16th a general outline of tax legislation, produced behind closed doors by the Chairman of the House Ways and Means Committee and the Senate Finance Committee, was revealed to committee conferees in an eleventh hour take-it-or-leave-it format. Regrettably, the conferees took it. As a result, one other thing is about to be taken: our economy. . .to the cleaners.

To date, no one knows — not even the Committee Chairmen — the details of what will be in this bill. But if the process by which the conferees accepted this legislation is a clear abdication of congressional responsibility, that is a trivial concern next to the Committee's abdication of its duty to the American people. The fact is that the general outline of this tax legislation contains the seeds of economic disaster. It is therefore a clear and present danger to the future of our country. Economists throughout the United States are reporting that this bill will cost jobs and reduce economic output, beginning next year. For example, Missouri's own Murray Weidenbaum, a former Chairman of the President's Council of Economic Advisors, has stated that business investment will decline 5 percent, GNP will drop at least 1 percent, and more than one million jobs will be lost.

During the long consideration of tax reform, my position has always been that reform must satisfy four fundamental criteria. It must make the economy stronger and more productive. It must encourage greater efficiency in our use of eco-



omic resources. It must make America more competitive in international trade. It must create new jobs and promote educational opportunity. With respect to these goals, the Senate bill was fundamentally sound.

"The Conference proposal is anti-growth, anti-competitive, anti-jobs, anti-education, and anti-charity."

The Senate reduced rates for individuals and businesses far below the House. The Senate cracked down much harder than the House on tax shelters and other loopholes. The Senate imposed a more moderate tax increase of \$100 billion on American commerce (the House \$180 billion). The Senate preserved tax benefits for higher education, research and development, foreign investment to enhance exports, and energy and other natural resource production.

What has come down from the Chairmen's summit is a bill that is far closer in every negative aspect to the original House bill.

Specifically, the Conference proposal is anti-growth, anti-competitive, anti-jobs, anti-education and anti-charity. It is grossly unfair in its apportionment of the tax burden from sector to sector and from individual to individual. It will raise the cost of capital formation in the United States, thereby benefitting our international competitors. It repeals the investment tax credit for new plant and equipment. It increases capital gains taxes for individuals and businesses. It penalizes depreciation of property. It reduces research and development tax credits. Changes in foreign tax benefits will make it less attractive for Americans to do business abroad. It creates a higher tax rate for middle income taxpayers than for the wealthy. It eliminates the capital gains differential. It hits education by taxing, for the first time ever,

Continued on Page 13

Alliance Supports Summer Public Interest Grants

Continued from Page 6

none of its operating budget to giving students grant money for working in public interest jobs," the three said. "From the responses of students, it is crucial that the administration make available some fund for grants."

Of the students not working in public interest, 83 percent said they would be earning \$600 or more a week, with 10 students earning at least \$1,000. By contrast, 90 percent of students doing public interest work said they would receive less than \$400 a week, with 22 percent getting under \$200.

While 58 percent of students interested but not involved in public service work said a salary between \$400 and \$450 would be "acceptable," a number of students expressed concern that their accumulated debt forced them to seek more lucrative positions in the short term.

"The concern is not for money on its own," the three alliance organizers told Vorenberg. "Rather, money has become a major concern for a majority of students only as they look to two or more years of tuition payments and mounting loan burdens."

In response to the organization's proposal, HLS Vice Dean David Smith '61 and Ron Fox, the Placement Office's public interest coordinator, have been hammering out a plan since last summer under which the school would fund students' summer public interest work.

Fox said he hopes administrators will eventually approve a plan that would allow HLS to award base grants of \$1,500 to as many students as possible who do public interest work. Under Fox's proposal, participating students could earn up to a total of \$3,500 for the summer, with students who received between \$2,000 and \$3,500 from their employers receiving smaller base grants from HLS.

A grant program is needed, Fox said, because the school's existing summer loan program "hasn't been working very well." Students borrowed only \$25,000 from the program last year.

The new alliance's organizers also proposed that existing funding programs make awards earlier in the year, so that students will experience less uncertainty about whether they will receive funding.

The procedure for seeking grants now involves a "catch-22," Deborah Schachter, 2L, said at the meeting last week. This is because many public service agencies can't hire students until the students receive outside funding, but such grant programs as Student Funded Fellowships only consider applicants who already have obtained jobs.

Newsletter Planned

Through a planned newsletter, the group hopes to keep students apprised of opportunities, application deadlines for jobs and loans and the activities of other student groups that deal with public service issues, such as the Society for Public Interest Law and the Human Rights Group.

Obtaining public interest work is "more labor intensive" than finding a job in a private firm, said Susan Steinschneider, 2L, who did landlord-tenant and labor work at a small firm in Cambridge last summer. Looking for a public interest position is more like the "real world" job search that most Americans undertake, she added.

By contrast, the nearly 1,000 private firms that flock to HLS each year to interview students offer job opportunities "on a silver platter," Haire said.

The Placement Office offers a lot of information on public interest opportunities, but students don't always know enough to take advantage of it, Schachter said. The proposed newsletter should help them learn more about the resources available.

Placement held a "very helpful" public interest jobs fair last spring, but some of the employers who came did not have full interviewing schedules, Lynn Blais, 2L, recalled.

Matching experienced students with 1Ls can also help fill the informational gap, Schachter said. "I

felt if someone had come over to me last year and convinced me that there were real possibilities [in public interest work], it would have made a difference," added Schachter, who worked in a small private firm last summer.

Several students who attended the meeting expressed concern that people who want to take public interest jobs have to wait until most opportunities to work in private firms have passed. Most firms hire 2Ls in the fall, and the survey showed that two-thirds of 1Ls not working in public interest had received offers by February.

Public interest organizations, by contrast, generally hire later in the spring.

While jobs are available, said Kim, who split her summer between two public interest positions in Washington, "students don't always realize in the fall that it's just a question of waiting for them." When spring came last year, she recalled, "people who were at all insecure had jobs that they [had] interviewed for over Christmas."

The group hopes to make administrators aware that many students are interested in public interest careers, Schachter said. Some administrators assume most students want to work in private firms, Kim said.

But only a "very small minority is interested only in corporate work," said Curtis, who also noted that Dean Vorenberg encouraged the group at their meeting last May.

Vorenberg "was open to our thoughts and suggestions," Curtis said.

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Some Questions On Quality Of Life At HLS

By Luke Cole

"Intelligent discontent is the mainspring of civilization," Eugene Debs once wrote, and it is with this credo that a few of us approach our first year at Harvard Law School. Just one month into classes, the discontent is surfacing. Some 1Ls are examining the HLS environment, and asking questions.

Some of our questions are posed below; I don't know the answers to them. All of the questions speak to the quality of life and student services here at HLS; Dean Vorenburg's recent launching of a student-faculty committee to study these topics is a step in the right direction. Hopefully, the committee's findings will be prescriptive, and not too long in coming. Maybe the committee can answer these questions:

Why aren't there recycling barrels in the Hark? Hundreds of pounds of paper pass needlessly from hand to trash here each week, and a small fortune in five cent deposits is lost as we chuck soda cans in the nearest trash bin. If this were the Business School, someone would have figured out how to make money off this monumental waste of resources.

Why can't first year students take second and third year classes during our "elective" period in the spring? First years are offered 14 electives, but this is somewhat misleading as eight of them are the same class: Federal Litigation 101, 102, 103. . .

Why is funding for student groups controlled by a single person, Dean of Students Mary Upton, and not by our elected student government, the Law School Council? The ad hoc system of outlays that exists now gives students no say and less accountability. It is our money, why shouldn't we decide how we want to spend it?

Why is the threshold for receiving Harvard grant money so high? Currently, students on financial

aid have to beg, borrow, or steal over \$11,500 a year *before* they are even eligible for grant money from Harvard. The enormous debt that many students necessarily incur to attend Harvard radically limits their career choices; how many aspiring public interest types are shunted by debt fear onto the corporate gravy train of Cravath, Swain?

Why is the food at the Hark so bad? And why do we put up with it? We should serve DAKA with an ultimatum: improve the food or we will boycott the Hark cafeteria. Think of a mass exodus each lunch and dinner to Three Aces or Harvard Square — the food would get better in a hurry.

Why does the Forum cost money? Whatever happened to our First Amendment right to free speeches?

Why are 2Ls and 3Ls so jaded with the law school? What is wrong?

This last point is disturbing and has served to dampen the wide-eyed enthusiasm of some 1Ls. The feelings of alienation and anger have manifested themselves lately in the "End Loan Slavery" campaign and the N.O.P.E. movement. It seems that many 2Ls and 3Ls have shifted the focus of their productive energy from working on the problems of HLS to "getting a job." (An interesting phenomenon occurs in the job search — blinded by the airplane trips, huge salaries and lunches at Lutece (it beats the Hark!), students don't quickly realize that law firms have the same institutional rigidity and hierarchy as HLS.) This shift outward may be motivated by simple pecuniary pragmatism, but it also seems spurred by a large measure of dissatisfaction with HLS.

The N.O.P.E. ("Not One Penny, Ever") petitioners — who have convinced nearly one hundred students to pledge never to give money to the school — are trying "to show the administration that the students are turned off; they're disgusted with the way the school operates," organizer Brink Lindsey told the

RECORD last week. Petition signers cited financial aid problems, the let-down of the "Harvard myth," skyrocketing tuition, poor athletic facilities, and the university's morally reprehensible policy of investing in companies that do business in South Africa, among others, as reasons for not contributing to the school. (One of N.O.P.E.'s complaints was lack of professorial interest in students; while we 1Ls have limited experience in this regard, we noticed that at the two student/faculty "mixers" held last week, two entire sections — One and Four, with 13 professors among them — mustered only one faculty member. Laudably, an overwhelming majority of Section Two and Section Three teachers *did* take the time to come by and mingle.)

Why do these students feel they must start nihilistic N.O.P.E. campaigns, rather than working to change the school's policies? Many 2Ls and 3Ls have spent hundreds of hours trying to change the Law School — and the University — with varying success, working for a responsive financial aid office or a responsible investment policy. Most are eventually ground under by the weight of institutional apathy or are stymied by procedural roadblocks. It takes energy to fight — Lindsey called it the "swim upstream against the institutional tide." But reinforcements have arrived, in the form of a number of still-idealistic 1Ls. And we are ready to start tossing a few verbal petrol bombs in the direction of Dean Vorenburg's office.

Our time and energy spent here can bring about intellectual conformity to "Life at Harvard" as it exists now. Or, it can be a process of enlightenment, of giving ourselves the tools and awareness we need to creatively and constructively address the problems of the school. The choice is ours. As Debs concluded, "Progress is born of agitation. It is agitation or stagnation."

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Letters to the Editor (Continued)

Continued from Page 9

atmosphere created and/or condoned by certain professors and the *apparent* majority of the student body.

It is a rare day indeed here at HLS when the expression of anything other than a single, "popular" view of today's social/political/legal reality is received without embittered "tag team" criticism. The game among students is, of course, to top one another in "trashing" alternative ideology after the appropriate social cues are sent back and forth. This is disturbing to me (and Mr. Christian, I believe) because a previous academic experience was marked by a general tolerance of diversity, as well as the expression of substantial *independent* thought by students. Open debate, *without anger*, was the norm rather than the exception.

Moreover, the possibility that two or more visions of the world could be equally "accurate," or lead to equally "just" results,

was promoted and accepted by professors and students alike. This open-minded approach pervaded the academic community.

I point out to the reader that, unfortunately, a comparable distaste for monolithic political, social and legal theory is not expressed or developed here at HLS. There seems to be only one "correct" position on any given issue, be it South Africa or due process. The sad fact is that not enough students risk social ostracism in order to publicly abandon the flock. It should be obvious that there is often an element of fascism in strident arguments, no matter how "just" they may appear. The world, I must report, is far more complex than most arguments on this campus would indicate.

I ask my fellow students to once again listen, *really listen*, to one another. Pay attention to the facts and logic of your classmates' statements, both in and out of the lecture hall. Avoid joining the "party line" until you search for its inner inconsistencies.

Don't be so quick to categorize students and professors as either "liberal" or "conservative," "left wing" or "right wing," because it almost inevitably leads to the rejection of the legitimacy and sincerity of people sharing a common scholarly experience. Such behavior reflects both a spiritual and an intellectual laziness.

May I suggest that whether or not one disagrees with a professor or a student on a point of law or social philosophy, he or she should have the patience (and the decency) to seek out the way in which that person can contribute to his or her repository of knowledge, experience, judgment, and wisdom. Perhaps this approach, if adopted by enough of us, might go a long way toward replacing alienation with a real sense of community.

Stuart R. Strachan, 3L

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Off the Record Tax Bill Described As Economic Gamble

Continued from Page 10

scholarships and fellowships. It limits the deductibility of donated appreciated property (hitting symphonies, libraries, museums and a host of other cultural assets as well as higher education). It limits the ability of private colleges and universities to issue tax exempt bonds to finance laboratories, classrooms and libraries. It takes away the interest deduction for student loans from all except those fortunate enough to borrow against home equity. The American Council on Education, which represents 1,500 colleges and universities, warns that this bill is "the greatest catastrophe for higher education in 25 years."

Frankly, it's almost impossible to see even one ray of sunshine pierc-

ing the smoking wreckage of the old Senate bill. It is said that removing six million low-income people from the tax rolls — a benefit that survives in the current proposal — may be worth the carnage. But

"Frankly, it's almost impossible to see even one ray of sunshine piercing the smoking wreckage of the old Senate bill."

that goal could have been achieved at a cost of roughly \$2 billion.

The fact is that we are about to enact a tax bill that can best be described as Congress gambling

with our economy in a game of chance where the odds are unreasonably high. And why? So that politicians can point with pride to lower tax rates for individuals. Well, I am for lower rates, if a responsible and balanced way is produced to pay for them. That is what we had in the Senate bill. But what has emerged in the Conference Report is legislation that encourages consumption (particularly of imports), discourages investment, inflames an already outrageous trade deficit and nails higher education.

The tax bill purports to be "revenue neutral." Such a contention requires a leap of faith. Clearly, changed economic circumstances in the next five years alone will bring

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Danforth Claims Politics Aren't His Motivation

Continued from Page 13

swings in revenue of tens of billions of dollars. We already know that an important chunk of the revenue raised by the bill comes from a variety of one-time changes in accounting practices. We also know that in the near term, this tax bill threatens the single most important economic challenge we face — reduction of the federal budget deficit. In 1987, the bill contains an \$11 billion revenue bulge which grateful politicians will inevitably use to avoid the real spending and tax decisions our self-imposed budget targets are designed to force. Our failure to make these tough choices for 1987 will be further exacerbated in

the subsequent two years when the tax bill will cost the Treasury over \$32 billion in lost revenue.

There has been some speculation

"It is the content of this bill from stem to stern which compels my opposition."

that my opposition to this bill is predicated solely on my disagreement about the treatment of the three or four sections in the bill which I have taken a personal role in drafting as a member of the Committee. Nothing could be further from the truth. Conversely,

many of my friends and supporters see my opposition as quixotic and a political threat to me personally. Again, my own political fortune couldn't be further from my mind. It is the content of this bill from stem to stern which compels my opposition. For me to ignore the points which I have outlined would be for me to ignore my duties and responsibilities as a member of the Senate. I truly believe that you, the American people, should be informed in the debate on this legislation about the substantial risk in rushing toward enactment. At stake is the future of the country. To have remained silent under my strong convictions would have been unconscionable.

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Review Refuses LSDAS Request

By Hillary Richard

In a closed meeting, the editors of the Harvard Law Review voted to deny the Law School Data Assembly Service's (LSDAS) request for permission to use excerpts from Review articles in the Reading Comprehension section of the LSAT's.

The editors refrained from issuing any public statement describing their reasons for refusing.

One editor, Jamin Raskin, 3L, said that he voted against LSDAS' request for the following reason: "The Law Review should not give the works of its contributors to a monopoly corporation which profits from the idea that knowledge is

property." He added that he felt allowing the works to be excerpted would be unfair to the writers. "They write," Jamin noted, "to communicate meaning, but the LSAT's use their works as props, instruments for regimentation."

His closing argument: "The LSAT's s_____."

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• 1986 BAR/BRI

Soccer Squad Opens Season Strong

By James Hoffman

The HLS Soccer Club is off to another good start this year after having the best regular season record among Boston-area graduate school teams for the last two years.

Despite the absence of some key players in the first two games, the Soccer Club has started the season with a 1-0-1 record. The HLS team tied the Harvard Business School B-team in the season opener 4-4, in an exciting game that included a hat trick (three goals scored) by Carlos Martinez, 3L. The team then went on to defeat the Boston College Law School team 3-2 in last Sunday's game.

The HLS team was 7-0 last year, and has not lost a regular season game in over two years. However, the team has had problems in post-season play, losing in the semi-finals in 1984 and then losing last year to their arch-rivals, HBS, in the championship game.

The HLS club plays in the eight-team Boston Area Graduate School Soccer League. The top four teams go to the playoffs in the middle of November to determine the League champion. The HLS club also plays in several indoor tournaments in the spring.

The players on the team are rather diverse, consisting of 1Ls, 2Ls, 3Ls and LLMs; there is a woman on the team this year. Professor Gary Singsen, who played for Brown University's soccer team in the 1960's, is a member of the team, as is alumnus Mark Stein, who works for a Boston law firm.

One of last year's players, Bancroft Gorden, had played on the Jamaican National Team, while many other players were members of college soccer teams. However, college experience is not a prerequisite for playing.

The games are often very emotional, and altercations often occur, especially in the often heated games against HBS. Although HLS has beaten the Business School two out of three times in the last two years, the Law School's only loss came in last year's championship game. This has intensified the rivalry between the two teams, and makes the defending champion HBS the team to beat this year.

"One of the main reasons we have problems in the playoffs is because the championship game is during interview season, and key players are often missing." However, he also stated that players try hard to make the games. For example, Charles Altakrause '86, a member of last year's team and a 1980 U.S. Olympic rower, played for the HLS soccer team just one hour before he rowed against the current Olympic champions, the Canadian team, in the Head of the Charles.

The team captain is Eric Goulian, 2L, and the club is anchored by several returning players: Mark Stein (alum), Jon Hecht, 2L, Sean Lincoln, 2L and Goulian on defense; Eddie Capobianco, 2L and Brian Sullivan, 3L, at midfield; and Carlos Martinez, 3L, the team's leading scorer on the offensive line.

The club plays on Sundays at 2 p.m. on the soccer field by the Soldiers Field football stadium. The next game is Sunday, Oct. 5. Fans are welcome and appreciated.

Post Season Problems

When asked why the HLS club has had some difficulty in post-season play in the past, team member Brian Sullivan, 3L, answered,

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