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TWENTY CENTS

HLS Runners Join Marathon Throng

Dorm Council Party Leads to BMI Copyright Suit

By Charles Post

The sounds of silence will have to hover over Harvard's halls a bit longer while lawyers hammer out a settlement in what may be the first copyright controversy in the country over phonography music played at school dances.

Broadcast Music, Inc., (BMI), which owns the public performance rights to compositions by such stars

as Mick Jagger and Leon Russell, filed suit against Harvard March 8 after the Law School Dorm Council played "Brown Sugar" and "This Masquerade" along with assorted disco hits at dances held during February.

The alleged infringements were "purely unintentional," says Dave Quinto, Dorm Council vice-president, adding, "It was no deliberate rip-off on our part."

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Amin 'Stupid', Prof Recalls

By Dave Quinto

Prof. C. Clyde Ferguson, U.S. Ambassador to Uganda from 1970 to 1972, reminisced last week about former Ugandan dictator Idi Amin.

According to Ferguson, Amin was initially quite popular with the Ugandan people because he released all the political prisoners who had been jailed by his predecessor, Milton Obote, and because he allowed "King Freddy" to be buried in Uganda. King Frederick had been deposed as Baganda monarch by Obote and forced into exile in London, where he died an alcoholic.

"Amin had an animal intelligence—he went after the right things without knowing why," Ferguson said. "I didn't think

he was as stupid as he turned out to be. The first thing he did after the coup was to call me in and ask for airplanes which could bomb Dar es Salaam and get back. I thought he wanted Skyhawks or F-4's. It wasn't until the third meeting that I realized that he really wanted planes which could bomb Dar es Salaam and get back," he added.

"When he asked for naval vessels, I told him it was ridiculous," Ferguson continued. "I said, 'How are you going to get them to Lake Victoria unless you build them there?' He wanted to take them across Kenya's Rift Valley, taking them up and down sheer 1,500 foot cliffs with ropes. By that time I knew he was *really* stupid," Ferguson said.

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By Jorie Roberts

"One of the hardest things about the race was not to slip on the orange peels in the road," concluded 3L George Borababy.

"You get out there and it's incredible — you are surrounded by all the thousands of other enthusiastic runners," commented Joel Pelz, a sore but satisfied 2L.

"It was a gross day, but the people by the roadside were enthusiastic and friendly," added 2L Scott Brister.

There were a number of limping law students and professors around HLS on Tuesday, after Monday's Boston Marathon. In times ranging from Russ Daggatt's incredible 2 hour and 35 minute run to "well—I finished anyway," at least 26 students and two professors took on rain and 40° temperatures to run the course. Most of the runners had not officially qualified — that is, run a three-hour (men) or 3½-hour (women) marathon previously this year.

Qualified Runners

However, at least three HLS students did qualify for the Marathon, among them 2L Bob Zoellick, who finished 541st with a time of 2 hours and 36 minutes.

"I actually don't like to run Boston," commented Zoellick. "The time of year is really chancy, and it is too crowded if you're trying to run a serious race." He continued, "The beginning is sort of hazardous — you're dodging in and out of thousands of people."

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Dorm Votes End to Fun and Games

By Carl Oppedahl

Press Secretary
Story Hall

On April 16, the second floor of Story Hall adopted four parietal rules to govern residents' behavior in the dormitory. Parietals regulate the morality and sexual conduct of floor residents. Experts believe Story II is the first dormitory floor to adopt parietals since the early 1960's.

"It's about time we had some discipline around here," remarked Jim O'Brien, 1L. "I'm sick and tired of discovering my floormates performing unnatural acts in the showers, in the lounge, anywhere. You name it, they'll do it."

Ken Christoffersen, 1L, said, "I'm glad to return to the Mid-West ethic, where air was clean and sex was dirty."

Barry Breen, 1L, the Dorm Council Representative who chaired the floor meeting, said that a majority of the floor's residents voted for each rule. He noted, "Story Hall is in the vanguard of a worldwide trend toward more moral awareness. Clean living is the wave of the future. The other night we caught one of the guys with a woman in his room. We very nearly lynched him."

No More Hanky-Panky

"I guess this means no more hanky-panky with the babes," mused one 2L, who asked that his name be withheld.

Mark Carroll, 2L, admitted, "I wanted to bring a girl to my room in violation of the parietals. But then I said, 'I could do it, but it would be wrong.'"

Following are the parietals adopted:

1. No nuclear power plants may

be installed on the second floor of Story Hall.

2. After 10 p.m., any man having a woman in his room must keep his door open the width of one hornbook. They must keep a total of at least *three* feet on the floor.

3. After 10 p.m., any man having a four-legged beast in his room must keep his door open the width of one hornbook. They must keep a total of at least *five* feet on the floor. For purposes of this rule, hooves and paws are counted as feet.

4. No moaning is permitted during quiet hours, 7 p.m. until mid-

night. Law School is for learning, not fooling around.

"I'm especially glad we have a 'no moaning' rule," said Paul Dodds, 1L. "There was so much noise we couldn't study."

"These rules won't last a week," forecasted Jon Baker, 1L. "Once the next bunch of 12-year-old girls shows up, the whole floor will be moaning."

"Four-legged beasts have to learn to live by the rules, too," said Dave Clarke, 1L.

George Valentine, 3L, asked, "Does this mean no more sheep?"

Alan Beloff, 2L, noted, "We're the floor that brought you the toga party. But we've changed our ways. From now on, we are squeaky clean." He added, "I think parietals are a good idea because they will cut down on Dorm Council expenditures for birth control devices."



A typical evening in Story Hall before the adoption of parietals.



The Second Floor of Story Hall voting by secret ballot to adopt parietals.

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Dershowitz to Study Human Rights

By Dave Quinto

Prof. Alan Dershowitz will use his current sabbatical to visit China, the Mid-East, South America, Africa, and the U.S.S.R. as part of a human rights study.

Dershowitz received a Guggenheim grant to do the research for a monograph which will attempt to answer "the basic, unanswerable question" of the human rights debate: "In evaluating a country's human rights compliance, are we stuck with accepting a Western standard or a completely relativistic standard?"

"Neither standard is acceptable," said Dershowitz, adding that he hopes to develop a "politically neutral standard." "One of the most important things I'm going to try to do is to come up with a new vocabulary which is less emotionally and politically charged. The current vocabulary carries too much baggage," he explained.

Dershowitz believes that many of the definitions confuse the concepts. As examples, he cites "human rights," "civil rights," and "civil liberties" which refer to rights in other countries, racial equality, and freedom of speech, respectively. "These are totally arbitrary and meaningless definitions. 'Torture' is another word that has virtually no meaning. It includes anything from some degree of psychological coercion to dismemberment. We have to be much more precise," Dershowitz added.

Important Rights

In trying to bridge the conceptual chasm separating First and Second World views of rights, Dershowitz is going to consider the question of "rights in relation to whom?" "It's very important to be fed and to have a job. I assume these are important rights. I'm not going to get involved in a debate on *whether* they're rights. However, if a country is poor, it's meaningless to talk about the right to jobs when there aren't any," he added.

Dershowitz expects to spend up to two weeks in each country he visits, trying to understand its arguments about why our standards are inappropriate. He expects to confer primarily with government officials and "dissidents," and not with academics. "I've already done this in the Soviet Union, and also in Israel where I talked with dissidents and Arabs," said Dershowitz. He would like to study further the problems of internal dissent in the superpowers, conflicts between economic development and human rights, and whether people's views of human rights change with their government's views."

Random House. The book starts with a long chapter on the J.D.L. murder case. The accused in that case was a childhood friend of mine. Then there are two long chapters on the First Amendment. One relates the First Amendment to national security and discusses the Pentagon Papers, the Snepp case, and the Chicago Seven. The other relates the amendment to privacy and discusses Harry Reems and 'I am Curious Yellow.' It also considers the 'proof beyond a reasonable doubt' issue and the famous 'shooting the corpse' case," Dershowitz expounded. He will also discuss the Sharansky case and the representation of Soviet dissidents, he added.

Dershowitz has so far encountered one major problem. "So far, being here at the Law School, I'm still very much a part of the faculty—it hasn't felt much like a sabbatical. I'm not complaining. But I am trying to make it more like one now," he concluded. Although he is still awaiting permission to visit China, he expects to begin his field research in earnest soon.



Retrospective

In addition to writing a cross-cultural monograph, Dershowitz is writing a retrospective book about his famous cases and clients. "I've already signed a contract with

"King Kong"

Saturday, April 21
at 8:00 and 10:00 p.m. in the
Harkness Commons Dining Hall.

Admission: \$1.00 or \$.50 with
HLSDC Activity Card.

SPORTS QUIZ

1. When was the last time that the American League team won the All Star Game?
2. Rod Carew only has to do it one more time to tie the all time leader. What is it?
3. What was the last batting title held by Mickey Mantle?
4. Which pitcher holds the season record for shutouts?
5. What is the record for strike-outs in a nine inning game?

(Answers on Page 16)

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Ferguson Recalls Idi Amin's Terror

(Continued from Page 1)

No More Weapons

At that point, Ferguson exercised his discretion and recommended to the U.S. government that Amin be given no further arms. "I felt that we should not fight cold wars in Africa. I wanted to cut out the triangular trade wherein African nations were playing the U.S. and the Soviets off against each other. The general mission of the black African military is to keep its country's people in place, and I didn't think we should give them the wherewithal to be efficient repressors. We played the triangular game in Ethiopia and look what it got us," Ferguson observed.

Following Ferguson's recommendations, the U.S. suspended arms sales to Uganda, terminated Uganda's sugar quota and ended economic aid. Later, as deputy assistant secretary of state for Africa, Ferguson "closed up the embassy" after Amin "accused our twelve man Marine guard of being an occupying force." Amin had been harrassing Americans, said Ferguson, and did not get the message when first the ambassador and then the chargé were withdrawn for consultation. "Amin really thought that Washington wanted to confer with them," he added.

"The Ugandan people feel warmly toward the U.S. on the basis of our track record," Ferguson commented. "The new government expects close relations with the U.S. They have already stated that the U.S. acted properly toward Uganda for the past eight years. They clearly expect U.S. help in rebuilding," Ferguson said.

"Teacher" Nyerere

Ferguson believes that "anybody who knows (Tanzanian President Julius) Nyerere knows that he does not want to turn Uganda into a satellite. He is not going to exploit Uganda for Tanzania's benefit."

Although Nyerere will continue to exercise an extraordinary amount of influence for some time, "Uganda will be autonomous in fact as well as form." Ferguson added that the Ugandan people hold Nyerere in very high esteem and that their Swahili name for him means "the teacher."

The Saudis, the British, and the Israelis tried to work with Amin, according to Ferguson. "The Israelis were thrown out after building air bases and barracks for Amin. The Israelis became obstreperous about payment. Amin couldn't accept that he was not being given gifts. The Saudis became upset that Amin was using their aid to finance a weekly whisky run to Gatwick in London in order to keep his troops happy. Amin created enormous problems for the British with the expulsion of the Asians. The British were unable to deal with the situation rationally. He finally threw the British out for not giving him aid." Ferguson concludes that "this was one of the few instances in foreign policy of us pursuing the right policy from the start. The British and the Israelis didn't get anywhere trying to trade with him."

Ferguson characterized Amin as "indeed a cold-blooded killer. Whether he had a disease or what, I just don't know. On occasion he could be very warm and affable." The first two foreigners killed in Uganda under Amin's rule were Americans: a professor and a newspaper reporter who discovered a massacre of Acholi troops in a barracks. "Although the judicial inquiry did not so find, I always thought their deaths were on Amin's direct orders," Ferguson said.

Before Amin seized control of Uganda, he was always the highest ranking Ugandan official at American embassy functions, "except for the Fourth of July, when the foreign minister would come," Ferguson said, adding that "Amin was quite friendly to the Americans and Israelis. . . . After we cut

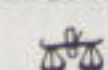
off the arms supply, he became extremely angry."

Rule by Terror

Amin's eight year rule was secured through the use of "terror, based on a narrow tribal base," according to Ferguson. "He was not so much importing foreign mercenaries to support his regime as he was using his own tribesmen, the Kakwa, many of whom live in the Sudan. He destroyed other institutions. The chief justice was literally pulled from the bench after he issued a writ of habeas corpus. Amin had the vice-chancellor and the Anglican archbishop killed in auto wrecks. One of the most sickening things is to watch a country become a police state. People were afraid even to visit the U.S. embassy," Ferguson continued.

Ironically, Amin, who fancied himself a populist, earned the enmity of three major oil companies at the onset of his reign by attempting to de-nationalize them. The three, Mobil, Cal-tex, and Shell, had been nationalized by Obote and had worked out financial arrangements far more profitable than full ownership. Amin also wasted no time in upsetting Tanzania, first by seeking a corridor to the sea through Tanzanian territory and then by announcing a territorial claim to all the land up to the Kagera River inside Tanzania.

Ferguson believes that Amin can get to Libya but doubts whether "any other black African country would give him asylum." Ferguson now foresees a two year transition period leading to elections. "The major problem is whether they can overcome tribal-based loyalties. With the expulsion of Amin there is a fair possibility of working them out," said Ferguson. He concluded by saying that "the big tragedy is not that Amin wrecked the country but that he destroyed its biggest asset: trained manpower."



Students Help Form Uganda Government

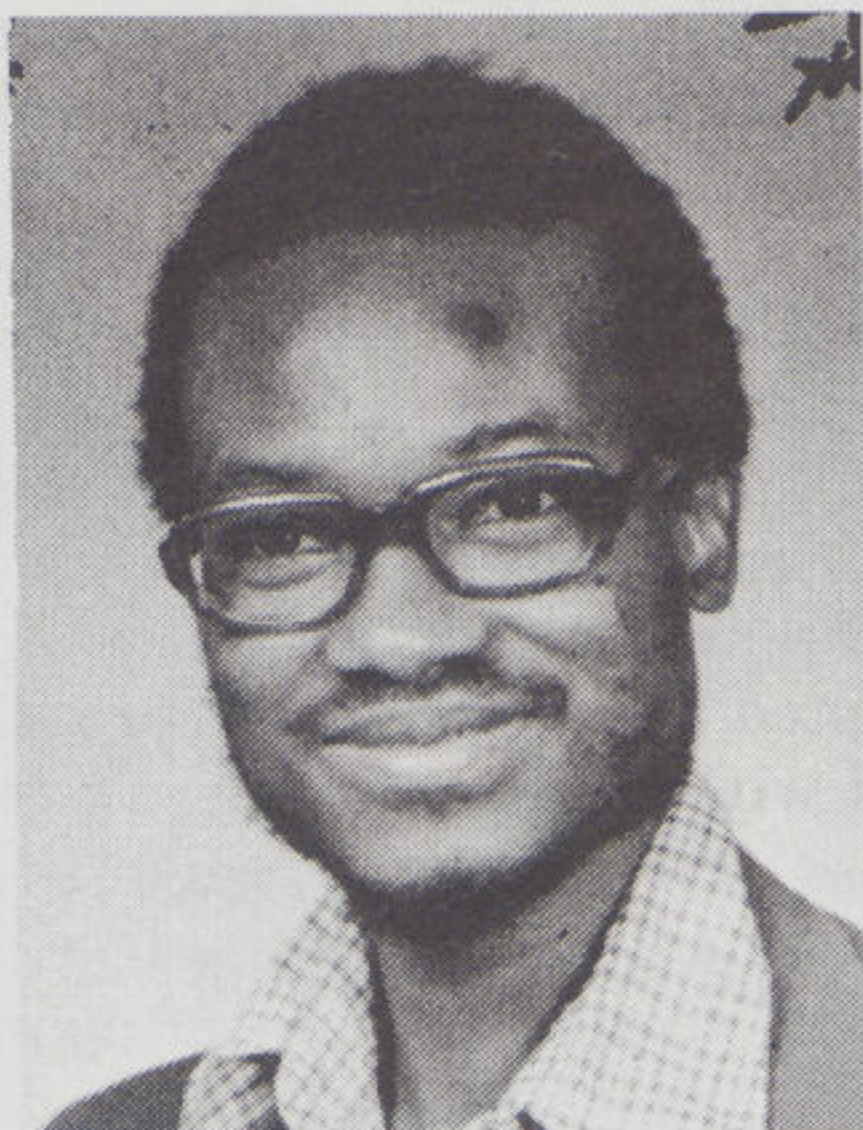
By Dave Quinto

Two Harvard S.J.D. candidates were among the 44 delegates representing Ugandan exile organizations and groups which established the Uganda National Liberation Front at Moshi, Tanzania, March 23-26. Olara Otunnu, who completed his LL.M. here in 1977 after earning a B.A. in Law at Oxford, represented the Uganda Freedom Union in his capacity as general secretary. Mubiru Musoke, who will complete his S.J.D. this June, represented RETURN (an acronym for "rehabilitating and training Ugandans returning now").

According to Musoke, the Front was "really a way of organizing Ugandans to fight Amin. Among its duties was bringing the war to a successful completion. It did such a good job that the war was completed within three weeks."

Musoke explained that the Front and the Tanzanians were careful to surround Uganda's densely populated towns and then to ask the inhabitants to flee through selected exits before the insurgents entered to battle the remnants of Amin's army. "We wanted to prevent disaster to the civilian population. We asked people to flee but it took them a while to realize that we had a real army outside (Kampala) because they had been misled by Amin," said Musoke. He added that some of the Libyans were deliberately allowed to escape because the Front thought that "the Libyan soldiers had been misled, arriving expecting to fight a religious war, to fight for a higher cause. It was only fair and strategically important to let them escape rather than kill them."

The Moshi meeting also created two organs to govern Uganda during a two year transitional period during which a new constitution is to be written and approved: an eleven-member Executive Committee (headed by Yusufu Lule) and a Consultative Council, which will act as a legislature and supreme body. The Moshi conference also adopted the principle of "co-



Mubiru Musoke

option" which holds open spots in the new government for persons who were unable to attend the meeting.

Reuniting the People

Musoke stated that people will now be elected to the Council from various districts within Uganda. One of the Council's primary goals on the road to democracy remains uniting the Ugandan people. "There are definitely problems with tribal-based loyalties. We will work toward solving them through democratic machinery," said Musoke. He added that the government will not conduct reprisals against Amin's tribe, the Kakwa, explaining that "(w)e are proceeding on the principle that human rights must be preserved. The Kakwa did not support Amin because they worried about an end such as this. We understand the reasons why people fought for Amin. We understand that they couldn't flee and take all of their family and relatives with them. We can't say they were bad people."

Musoke stressed that the new government will be friendly to all nations which are prepared to help Ugandan reconstruction, but that "we shall be cautious in dealing with the Soviet Union and Libya." He explained that Amin exported Uganda's beef, rice, and sugar to Libya at preferential rates in exchange for Libyan President Gaddafi's support and gave Libyan soldiers farms within Uganda.

According to Musoke, the Ugandans feel no animosity toward the Kenyans even though Kenya aided Amin until the very end. "Amin knew that it would be difficult to fight a two-front war. We know that he provided economic favors to Kenyan government officials in exchange for keeping Kenya out of confrontations. What makes it difficult to understand is that even after Amin's strength was destroyed, they stayed with him," said Musoke.

"The primary goal of the Front is unity. Therefore socialist as well as non-socialist organizations are included within the Front. Politically it is impossible for the government to incline toward either a socialist or a capitalist system," Musoke continued, adding that nobody can predict what direction the next government will take. "People will be free to say what they want and to form political parties. Several will emerge. More than two parties will participate in the elections. People will support the party which offers the most freedom," he predicted.

Why Tanzania Fought

Musoke explained why Tanzania at long last decided to invade Uganda: when Amin captured 700 square miles of Tanzania last October, more than 2,000 Tanzanian civilians were killed, Tanzanian towns were bombed, and a sugar factory worth several million dollars was destroyed. "The Tanzanians were fighting for their security," said Musoke. "For us, it was just an opportunity."

Musoke believes that Amin's hostility to Tanzania arose because Amin's predecessor, Milton Obote, was given asylum there, leading Amin to conclude that Tanzania was organizing to overthrow him. "The Ugandan people have never been hostile to the Tanzanians. Fortunately, Tanzania was not hostile to the organizations interested in fighting Amin. They provided us a safe haven. At the

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Library to Improve and Expand Book Storage

By Amy L. Grossman

Five years of concern and consideration have culminated in a massive pilot project for the Harvard Law Library. Librarian Morris Cohen, Prof. Andrew Kaufman, and Dean Russell Simpson comprise the Library Committee, which has begun to realize its long-term plan to renovate and expand the library.

The library has been suffering in recent years from two major problems — the exhaustion of its storage capacity and the disappearance and deterioration of many of its books. Presently, the library's books are housed not only in the stacks in Langdell, but also in other Law School buildings and dormitories. This arrangement has not only increased problems of accessibility and administration, but also has exacerbated problems in the preservation of rare books stored in the other buildings.

Signs of Decay

The books in the dormitories, especially, show serious signs of decay due to the lack of proper climate control in these facilities, which tend to be dirty, hot and subject to leakage, Cohen said. Even in

Langdell itself, there are storage areas where, according to Cohen, during the summer, "the books are literally cooking." Equally vexing to students, faculty, and staff, is the disappearance of many library volumes, resulting in various incomplete collections.

The Library Committee has adopted a two-pronged approach to deal with these problems. The first phase, already underway, is the conversion to microforms — microfilm or microfiche — of approximately 6000 volumes of state documents in five regulatory areas: banking, insurance, labor, public utilities and taxation. This present microform project, under the direction of librarian Naomi Ronen, is part of a larger plan to convert 325,000 volumes over the next 10-15 years.

Microfilm Advantages

Cohen explains that there are three major advantages to converting to microforms. First, conversion of cloth-bound library collections to microforms will drastically reduce the amount of storage space necessary in the library. Second, the library can complete (and retain) presently incomplete collec-

tions. Third, the library can inexpensively make copies of the microfiche collections. By then making these collections available for sale to other law school libraries, the library can recover expenses incurred in the project.

The second phase of the library project is the conversion of Langdell South Middle from a classroom to a restricted library storage area, and the installation of new, climate-controlled, underground stacks in the library. Preparations are underway for construction scheduled to begin after commencement this June. While space is being made in the library for machinery, measures have been taken to avoid the use of equipment in the Reading Room. Cohen says that the plan is to complete the heavy construction and demolition work during the summer vacation. He explains that the collections will not be able to be moved until the summer of 1980.

Fruits of Efforts

However, when students return to the law school next fall, they should see some of the fruits of these efforts. The stacks on the tunnel level will be reorganized, with isolated groups of carrels and a new climate-controlled microform area. In addition, passageways in the Level I stacks will be enlarged to meet the needs of handicapped students.

Cohen estimates that the cost "to preserve and make more accessible this great collection" will ultimately reach about \$1.4 million, with most of the funds coming from annual alumni giving. Kaufman concludes, "I think it's pretty exciting. The library is trying to look to the future. It's developing a program to preserve valuable books it has and experimenting with new technology to meet future needs, all with potential benefit to the user."

Amin Government Ends

(Continued from Page 5)

conference, we were literally embraced by the Tanzanian people," Musoke added.

The Ugandans are somewhat disappointed with the U.S., Musoke stated. "The economic relations which the U.S. maintained with Uganda contributed to Amin's strength. We only succeeded in getting the U.S. government to impose a trade ban last year. If the U.S. had had a trade ban all along, Amin's government would have fallen much sooner. And the U.S. should have given its support to the exile organizations," he added. Most of RETURN's and the Uganda Freedom Union's financial

backing come from church groups Musoke said.

Musoke plans to return to teaching at Makerere University after he completes his S.J.D. He also looks forward to talking with his family again. He explained that most of his relatives remained behind when he fled in 1974 because they "are insignificant." For the "sake of their security," he has not been communicating with them. Musoke added that most of the people massacred in prison just before Kampala fell were people who were rounded up on suspicion of having communicated with others outside of Uganda.



Prof Attends Nigerian Law Meeting

By Dave Quinto

Prof. C. Clyde Ferguson, president of the American Society of International Law, used part of the spring recess to attend the tenth anniversary conference of the Nigerian Society of International Law. The theme of this year's meeting was "Legal Implications of the New Economic Order."

Ferguson believes that he was invited because he had been involved in the debate on the North-South economic confrontation in the United Nations. Ferguson added that he and the two other Americans present "were somewhat liberal and more receptive to Third World issues and problems than would be true of our country as a whole."

The meeting proved beneficial for Ferguson "because on the non-formal level there were fruitful exchanges on southern African problems which Nigeria is very sensitive to." He explained that Nigeria, "which is now clearly the dominant black African country," once almost broke relations with the U.S. during the Nixon years because of its disappointment with U.S. pol-



Prof. C. Clyde Ferguson

icy. "Once they even disinvited Kissinger," continued Ferguson.

Ferguson's personal interest in Nigerian affairs traces back to an unusual experience he had as a U.S. diplomat: as the roving ambassador to Nigeria during the Biafran war he coordinated American relief to both sides. "I was regularly going in and out of Biafra as the result of an agreement worked out between General Gowon and

Nixon. Before the war ended, I participated in secret negotiations on relief at a chalet outside of Geneva. The arrangements we worked out with the Nigerian government were atypical because of the philosophical problem of one side's allowing food and medical supplies to be delivered to the other side's soldiers," stated Ferguson.

The conference also dealt with problems of economic and political integration, Ferguson added. "Nigeria is just embarking on a return to civilian government. They are developing a federal form of government to unite their nineteen states and they are leading and creating a West African economic community. We looked at the problems of the western European economic community and at the East African community, which has now collapsed because of (former Ugandan dictator) Amin," he added.

Ferguson concluded his trip by discussing with friends in London "what will happen to relations between the West and southern Africa should Maggie Thatcher become prime minister of Great Britain."

Harvard Defendant in Infringement Suit

(Continued from Page 1)

Until 1978, schools and other non-profit institutions were permitted to play records in public without purchasing copyright performance licenses. But the new copyright statute has dropped the "non-profit" exception, thus opening official student organizations to the charge of appropriating musicians' artistic property by playing records at dances.

Musical Gifts

Under the old law, composers "were forced to give a gift to colleges," said BMI counsel Marvin Berenson Tuesday. "Musicians were paid, lighting crews were paid, security was paid, everyone except the writers of the music," he explained. BMI vice president for

licensing Alan Smith explained the rationale behind the new law; "When the University of Arizona brings Pablo Cruise for a concert and ticket prices are ten dollars, and tickets are for sale to everyone, it's hard to distinguish between academics and a commercial venture."

Harvard Law School is the focus of the first suit of its kind, to Berenson's knowledge, against an educational institution. "We have the feeling we're a test case," Quinto said.

All BMI wants from schools is an annual license fee similar to that it and other organizations, such as ASCAP, were able to exact from nightclubs and the like under the old copyright law. Smith said 1,800 to 2,000 campuses currently have

the license that Harvard has resisted.

Berenson said the BMI license fees for schools, a minimum of \$60, is set at 5½¢ per year per full-time student. Additional fees are charged for student radio stations having more than \$10,000 annually in commercial advertising, such as Harvard WHRB, and for large concerts where the entertainment cost is over \$1,000. BMI does not exact fees from performers, it being easier to police the place of performance.

Twelve Songs

Apparently BMI agents attended dances at Harvard Feb. 9 and Feb. 23, and heard 12 songs for which
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Welcome to New York, John Harvard. Have You Considered Joining The Harvard Club Of New York City?

On Friday, April 21, members of the Admissions and Membership Committees of The Harvard Club of New York City will be in Cambridge at the Program for Management Development lounge of Mellon Hall at the Business School and at the Hasty Pudding Club at 12 Holyoke Street between 11:00 A.M. and 5:30 P.M. to make it easy and convenient for Faculty, University Officers and graduates to become a member of the Club.

Candidates for membership will be proposed, seconded and interviewed in one step. Requirements for supporting letters, etc., are waived for this event. Information about the Club will be available and Committee Members will try to answer any questions you may have concerning membership.

The Harvard Club of New York City can be a most comfortable and convenient amenity that will make New York more enjoyable. It offers a central location in the Grand Central area, with spacious dining rooms, bedrooms, bar, lounge, library and extensive sports facilities.

Brochures describing the Club in detail are available at the A.H.A. office in Wadsworth House, at the desk in the Faculty Club and in the Business School Faculty Club.

DATE: Friday, April 27, 1979

PLACES: PMD Lounge, Mellon Hall
Business School
and Hasty Pudding Club
12 Holyoke Steet

TIME: 11:00 A.M. to 5:30 P.M. (No appointment necessary)

Harvard Club of New York City

27 West 44th Street, New York, New York 10036 (212) 682-4600

Rodgers Edges Out HLS Contingent

(Continued from Page 1)

Moreover, Zoellick, who has run 11 marathons, finds that his training conflicts with the academic demands of law school. "I've run most of my marathons in just over 2½ hours, but now I am seeing people I used to finish with running faster than I do. It's frustrating that I can't train as much as they do, and yet I frequently get behind in my work with the amount of training I do do. I feel that I'm putting the effort into maintaining the status quo."

Zoellick ran much of the race with Daggatt, who pulled out after 17 miles to finish 484th. Daggatt had only run two marathons previously—the New York marathon last fall and one when he was 15. However, he held the world record for marathon running for his age group when he was 15. He commented, "Since I was 14, running has been a way of life for me."

In fact, Daggatt credits his presence at HLS to his inability to keep on running throughout his college

years at the University of Oregon. "I was injured my sophomore, junior, and senior years, so I worked out my competitive frustrations by studying." Daggatt, pleased with his marathon finish — "I realized I was not as far from my competing form as I thought" — hopes to run the Boston Marathon next year, and explains that "maybe I'll even train for it next time."

Why Run?

Other runners chose Boston because of its proximity to HLS and because, as 2L John Kiernan explained, "It's really a lot of fun—thousands of people look at you and cheer you on." Kiernan, a two-timer in the marathon, ran the race with fellow 2L Steve Glover, both finishing in 3:12. When asked if he had considered qualifying, Kiernan laughed and replied, "Naa — We're not exactly hackers, but we are by comparison to Zoellick and Daggatt."

In contrast to those with marathon experience or months of

preparation, 2L Scott Brister explained, "I have never been much on running. In fact, I'd never run more than two miles. But I decided last week that if I was going to make the effort to watch the race, I might as well run in it." Brister finished when there was "still a pretty big pack," but he commented, "I'll probably watch it next year—It was longer than I thought."

Catherine Coleman, 3L, who finished in 3:35, was one of a handful of HLS women who ran the marathon. As to the highlight of the run for her, she explains that "the support of the other runners was the neatest thing." Furthermore, she "kept expecting to get tired," but "even found the hills were easier than I had expected. The hardest part of the race was the final two or three miles, when it seemed like you should be there but you weren't." It was the first marathon for Coleman, who trained by running about 35 miles a week since late February.

Bob Pozin, 3L, a 3:46 finisher, especially enjoyed the scenery along the course — "except for the last 8 miles." He elaborated, "It was interesting to see the people in the small towns watching the scads of runners go by."

Study Group Beginning

A small number of students showed up Monday night at the first meeting of the HLS Study Group to begin formulating plans to establish a more formal and legitimate method of student input into and analysis of Law School decisions.

The Study Group meeting was called by Robert Reznick, 3L. Reznick explained to the meeting that his reasons for starting such a group are demonstrated by three concrete incidents he had observed during the last several years at the Law School. The first of these was the annual tuition raise, made by Dean Albert M. Sacks, without faculty approval being necessary and without any articulated priorities. The second problem was the conflicting visions of the Law School on the part of the faculty which, in Reznick's opinion, are evident through the report of the Committee on Clinical Education. The final problem was the fractionalization of student groups. "Students are a

b(2) class with respect to how the faculty is treating us," stated Reznick.

Reznick feels that something is "necessary to legitimate" the concerns and problems of students. He is proposing the Study Group as an apparatus which would provide that legitimacy. Secondly, Reznick views the Study Group as a way of providing "constructive, creative, well documented and well thought through ideas" to the faculty. A final goal of the Study Group would be to get students interested in what is going on at the Law School.

The group of students who were present spent some time discussing the best way to proceed with getting the Study Group off the ground and how it would function in relationship to already existing student organizations. Several of those present were going to explore further the possibilities mentioned for possible support and/or association for the Study Group.

Wellesley Milestone

The one aspect of the run which nearly all the marathoners mentioned as a milestone was the run through Wellesley, which comes at about the half-way point. Laughed Kiernan, "Wellesley is a ritual. All the girls get psyched to help out marathoners." On a less than serious note, he added, "Everyone resists the urge to go back and run that part again."

Finally, lest any would-be marathoners feel discouraged about attempting next year's run, Kiernan pointed out, "No matter whether people had practiced a lot or little, at least you can say that there was someone finishing after every HLS entrant." But a chair-ridden Pelz warned, "Don't run the marathon without training."

All This for \$4375.00?

"How many hours can I take at the Fletcher School, the Kennedy School and the Business School in one term?"

It's time again for that rite of Spring, course selection.

As usual, students will spend hours poring over the offerings, carefully figuring out a schedule that will give them no early morning courses, no late evening courses, and a six-day weekends every week. And, as usual, come mid-summer, the letters will go out saying: "You have been closed out of everything but one two-credit course meeting Saturdays at 7 a.m."

It's all part of the tradition at HLS for all the good classes to be scheduled opposite each other; for some people get into all the popular courses while others get into none, for fall offerings to be much more attractive than Spring offerings.

However, this year, for some reason, things look even worse than usual. Perhaps it's the new 8:30 a.m. starting times. Or the choice, for those 3Ls who have yet to take Legal Profession, of only one section of that course, other than the sections internal to ITA. Or, maybe it's the overabundance of catalog offerings labeled "not offered 1979-80."

Certainly, the Spring offerings look even lighter and less varied than usual. "Even if I hadn't wanted to take ITA, I'd have no other choice," said one student. "It really requires imagination to find things worth taking," says another.

Basically, the analysis goes, subtract ITA and the Trial Practice section and there's little left but international and comparative law, and upper level financial courses.

Criticism of the winter term is also rife. Except for ITA, only three courses appear to offer the kinds of workshop or simulation experience best suited to that term.

For those students who want clinical experience, but don't want to devote the best part of a term to ITA, the options are still frustratingly few; and there's already a black market forming for the few precious Bator - Rosenberg Federal Courts Workshop slots. If the School follows, next year, the Clinical Committee's recommendations that there be eight sections of first-year federal Litigation, and that the Advocacy Workshop from ITA be given independently of the ITA placement, the main problem should be alleviated.

Meanwhile, there's nothing to do but grin and bear it, and assume whatever's done to set schedules next week is all going to change by Fall anyway.

Fenno

The 3L found Fenno crawling up Heartbreak Hill.

"Don't stop me now," Fenno moaned. "I'm more than half-way there."

"The race has been over for three days," the 3L said kindly. "You lost."

Fenno sighed and rolled over on his back. "I was wondering where the screaming crowd went," he said.

The 3L helped Fenno to his feet. "It's time for you to get back to work," he said. "I've got an emergency on my hands."

"Third year paper?" Fenno asked grimly.

The 3L nodded. "It's due in twenty minutes," he said. "Can you help me find a topic?"

"There's no need to panic," Fenno said calmly. "You've still got twice as much time as most people put in on their papers."

"But I don't have an advisor yet either," the 3L noted.

"Then I guess we'll have to work quickly," Fenno said. "Now do you have a copy of your first year Ames brief?"

"I suppose I could dig one up," the 3L said.

"Great," Fenno smiled. "That's sure to be good enough for a B."

The 3L frowned. "I was thinking more in terms of the A/A- range," he said.

"Well," Fenno said thoughtfully, "We still might be able to manage something."

"I've got my doodlings of Charley Fried from Contracts class," the 3L noted. "But I don't think they'll help much."

"Probably not," Fenno agreed. "Larry Tribe's the only one who gives extra credit for pictures of himself."

"I guess I'll just have to settle for that B," the 3L said dejectedly.

"Not so fast," Fenno said with a grin.

"You can retype one of Alan Dershowitz's old law review articles, and hand it in to Dersh for third year paper credit."

"Isn't that plagiarism?" the 3L asked.

"Technically, yes," Fenno explained. "But for Professor Dershowitz, there's a thin line between plagiarism and hero worship. When Alan's the hero, hero worship is a sure A."

"The only tough part will be finding him in his office," the 3L noted.

"Well I guess that settles it," Fenno said. "Now if you'll let me get back to my race, I may be able to finish today."

"Too bad you can't run a marathon as quickly as you can write a third year paper," smiled the 3L.

"Don't rub it in," said Fenno as he continued his crawl toward the Prudential Center.

HARVARD LAW RECORD

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Letters to the Editor of the RECORD

Age Is an Asset

To the Editor:

It is a shame that in your piece in the March 2 RECORD which discussed Archie Cox's "unfilled desires," you omitted his desire, now fortunately close to reality, to serve on the United States Court of Appeals for the First Circuit.

Mr. Cox's application has been submitted to the White House and the Attorney General by the Presidential Commission on Selection of First Circuit Judges. I understand with the highest marks and recommendations, even though he is presently 66 years of age.

I further understand that Mr. Cox's age may be an impediment to his being named to the Court of Appeals. Those who are friendly to his candidacy might contact the Attorney General and the White House and point out that both federal legislation and administration policy outlaw discrimination on the basis of age against those who have not reached age 70. In fact, Mr. Cox's age, which bespeaks his long record of accomplishment, should be considered an invaluable asset, not a liability.

Bernard Marcus, '48
New Orleans, Louisiana

Objecting to RECORD

To the Editor:

The last time I wrote a letter to the Harvard Law RECORD I received a response from one of the current students at that time wondering how I ever completed my law school course and received a license to practice law. Many years have elapsed since then and so far I have had no difficulty except that the March 9th publication of the Harvard LAW RECORD provokes some thoughts that I want to pass along to you.

In the first place, how is it that the students in the law school have the prerogative to set the curriculum? If the students do not like the courses taught, my suggestion is that they go elsewhere and receive their legal education in another manner.

The article by Robert Reznick is really what provoked me to write this letter. If Mr. Reznick is bored, I suggest to him and his fellow students who are likewise bored that they also go elsewhere for their legal education. It would appear that many students are seeking something other than a legal education which is normal for the socialistic society that we now have these days and the comfort that most young people get from a patronizing government that certainly sees that no one is lacking for all of the comforts

of life, including adequate spending money for automobiles and all other pleasures of life. Why do these students bother to attend law school if they are already so knowledgeable and so bored with the training required to become a lawyer? The outlook of these young people is that they know all of the solutions to all of the problems these days and that people with experience, judgment and some wisdom are squares. I would certainly like to watch one of these modern day students appear before some of our excellent trial judges and present his client's position in a practical and reasonable manner.

Fortunately, the ideas presented by your publication represent a real small minority in the law school as far as I can ascertain, and most of the students are there for a legal education and are more concerned with this than whether or not Dean Sacks attends a happy hour. I realize your lead article was supposed to be funny but it does indicate the general tenor of your staff.

Albert L. Hodge, '34
Chattanooga, Tennessee

Seeking a Vision

To the Editor:

There is life after HLS—at least 8 months out—but is there life at HLS? Last year, 35 members of the class of '78 pledged one percent of their 1978-79 income to the Equal Justice Foundation. Contributors from Harvard have joined with 150 other law students from 25 law schools and notable lawyers like Ralph Nader, Chesterfield Smith and Ramsey Clark, to form an organization dedicated to involving young lawyers in the fight for increased access for the under-represented to the political and legal processes of this country.

Many of us are now striving to make the vision of young lawyers working together to extend access a reality. For instance, in Boston EJJ members are writing a guide to legal services for Spanish-speaking people. In Washington, D.C., EJJ members have identified the central legislative issues which bear on access and are in the process of formulating and advocating positions on these bills.

When we began organizing EJJ we recognized that many might feel initially that advocacy on access issues was unnecessary. Many organizations, like the ACLU, Common Cause, Congress Watch, covered this territory, the argument went. However, as we have begun working on access issues, we find that class action reform, extension of "standing", the creation of broader anti-trust remedies are no one else's priorities.

Further, other organizations have failed to appeal to lawyers, young lawyers particularly, to bring their expertise to the law-making process. As many of you know, the public has an increasingly cynical view of the self-seeking, greedy lawyer. One way to combat this is to extend access to the political and legal processes to non-lawyers, to de-mystify abstruse doctrines like standing, and so permit people to more easily use the legal system. This is one of EJJ's central goals, and it is one which must be played out in state legislatures, city councils as well as the national political forum. There is no paucity of work or opportunity for useful individual involvement.

I urge members of the third year class to consider seriously pledging to EJJ. However, don't stop there. Formulate an agenda of access issues which, you believe, are critical and help EJJ address these concerns. "Where there is no vision the people perish."

Michael H. Sussman, '78
Washington, D.C.

Interested Women

To the Editor:

This is to thank you for the nice article in your March 2, 1979 issue telling of the activities of a group of Harvard Law women in New York City, and describing the directory that we compiled late last year.

It is important to say, however, the largest part of the work on the directory was done by Kathy Imholz ('69) and Gail Erickson ('58) with the help of Mitzie Filson ('69). The directory would never have come out without their efforts.

Also, we have been fortunate enough to have a committee including Dinny Gordon ('64) and Rayetta Nee ('73) who have contributed extensive amounts of time to the inspiration, planning and arrangements for the programs we've had.

Later this spring we will decide whether to hold a summer meeting to which Harvard Law women undergraduates working in the city as summer clerks would be invited or to wait until early fall so that the 1979 graduates who are coming to work here will be able to attend.

Meanwhile, we would be delighted to hear from women who are now at the Law School about what they would consider to be most helpful timing and content for a program to welcome them to practice in New York.

Finally, it would be good to hear from any Harvard Law women who would like to help design the format and questionnaire for a national directory of our alumnae showing legal specialties and experience.

Laura Lou Meadows
New York, New York

Letters to the Editor of the RECORD

Rejects Response

To the Editor:

I do not feel that the top editors of the RECORD were "compelled" to respond to rumors concerning the departure of Irving Younger from HLS. Rumors are the price that must be paid by a secret and insulated process having no articulated standards by which its performance can be judged. And it is only through the ability to *withstand* such rumors that the process can even hope to achieve legitimacy.

Robert Reznick, 3L
Cambridge, MA

No Kudos

To the Editor:

I am amazed by your coverage of the "Younger Controversy."

Around March 1, it became evident that Prof. Younger would not return. On March 5, the Law School Council sent out a letter protesting that fact and proposing student membership on the Appointments Committee. Within two days, over 275 students co-signed a letter to Dean Sacks supporting the proposal and saying of Prof. Younger, "If anything can be done to persuade him to stay, we urge you to do so."

Your March 9 edition mentioned these events only once—in passing—in an article written by Robert Reznick on boredom at the Law School.

As if that wasn't strange enough, the major story in your next issue (March 23), "Appointments Difficult" by Michael Smith, explained in two and a half pages how hard it is to make appointments decisions and, all things considered, what a good job was being done. There was an article, also by Michael Smith, entitled "Irving Younger Won't Return; Students Protest." Its explanation was that the Appointments Committee took no official action. Younger had simply withdrawn his name. Less than one page was devoted to the incidents detailed above.

Finally, there was your April 13 "Editor's Note." Taking exception to a letter attributing the decision on Younger to intervention by professors acting for "unfathomable and petty" reasons, you repeated your "no-official-action - was - taken - Younger - simply - withdrew" explanation. Having conducted a "vigorous and extensive investigation," you were convinced that there was no truth to rumors that Younger had been scuttled by committee members acting for personal reasons. Then, amazingly, you brought up a topic never discussed in the RECORD before, an *American Lawyer* story attributing the Younger decision to a campaign by Prof. Miller. Quoting strongly-worded denials by Profs. Miller and Tribe, you concluded the story wasn't true.

I don't know whether personal reasons had anything to do with the Younger deci-

sion. I haven't conducted an extensive investigation. But I have spoken to enough people to know that your account is, at best, terribly misleading.

As I understand it, Prof. Younger was under consideration for a permanent position. Since his wife would have had to alter her professional status if he stayed here, he requested expedited consideration by the Appointments Committee. A decision not to expedite was, practically speaking, a decision not to offer tenure. Four different sources have told me that the Appointments Committee voted 7-0 *not to expedite consideration*. Then, I have been told, Dean Sacks explained the situation to Younger and suggested that, for the benefit of all concerned, he quietly withdraw his name.

This is all information you knew or should have known. Some of my "contacts" were on your staff. Furthermore, three of them told me that they heard about the 7-0 vote from Michael Smith. Although none of this technically conflicts with your "no official action" explanation, you were definitely hiding it. Why?

After reading your March 9 and 23 issues, I couldn't understand your treatment of the Younger controversy. Students were angry, why wasn't your paper reflecting that? I got the following explanation from members of your staff and others, including Michael Smith: Tammy Jacobs is Prof. Miller's research assistant and thinks the world of him. She doesn't want articles reflecting badly on him or the Appointments Committee.

Frankly, I found this incredible and somewhat hard to believe. But after reading your April 13 edition, no other explanation seems adequate.

As for Michael Smith, it appears that he's been playing both ends against the middle. As a final irony, my "contacts" tell me that he may be one of the sources of the *American Lawyer* story. He told each of them that Profs. Miller and Tribe were responsible for the Younger decision.

I didn't want to have to write this letter, but I felt someone had to explain, as best he or she could, what happened. By failing to do so, you have done a disservice to the students, the Law School, the faculty, particularly Profs. Younger, Tribe, and Miller, and yourselves.

Arthur Bryant, '79
Cambridge, Massachusetts.

TGIF: Friday, April 20, from 4-6 p.m.
in the Hark.

Williston Winners Named: Best Contract

The results of the Williston Competition, an annual contest in contract drafting for 1Ls, were announced on April 11th by the Board of Student Advisers.

The four students selected for having written the best contract were Bill Markovits, Leslie Hayes, Joshua Brain, and Jacob Lewis. Their contract was selected on the basis of the substantive balance and the quality of the drafting.

The problem which served as the basis of the contracts drafted by the students concerned an imaginary law firm whose associates had affiliated with a labor union and who were now seeking a contract that would increase their wages, decrease the required number of billable hours, and provide guaranteed vacations and other benefits.

Awards were based on both the substance and drafting side was chosen on the basis of total quality of the agreements. Jon Medow and Joel Farley, were the winning union representatives. Honorable mention for a union team went to Jack M. Balkin and Isaac J. Mit-rani. Betty Whelchel and Evangeline Wyche garnered the best deal for the law firm, while honorable mention for a firm team went to Douglas Nordlinger and Brett Robbins.

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Haley Retraces 'Roots' at Forum Talk

By Dan Hershman

"Man, for children I'm as popular as rock stars," Alex Haley told a small audience gathered at Sanders Theater Monday night for the tenth program in the Law School Forum.

The Pulitzer prize-winning author of *Roots*, the saga of an American family and its African origins, spoke about his life and his family before and after the phenomenal success of his book and movies thrust him into international prominence.

Haley was born in Ithaca, New York, when his father was doing graduate work in agriculture at Cornell University. His father overcame the world of sharecropping in Savannah, Tennessee to achieve what no one else in his family had done: attend college. He was crushed when Alex didn't. "He wanted all three sons to get Ph.D.'s," Haley reminisced.

Love Letters

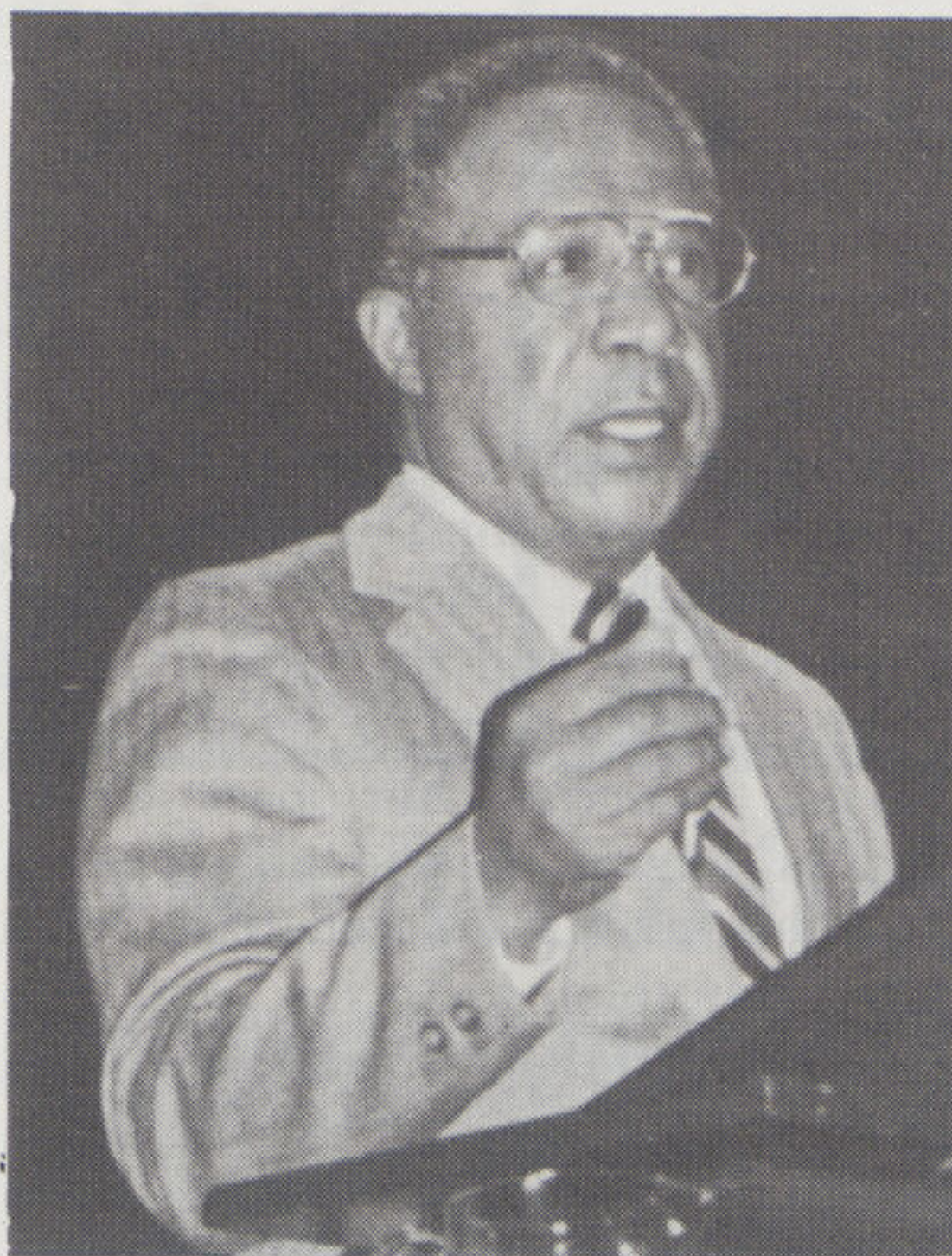
Haley instead left his home in tiny Henning, Tennessee in 1939 to join the Coast Guard as a cook, and spent 20 years with the service. "I love the sea with a passion."

He began his literary career writing love letters for his fellow crewmen. "The letters were so successful I began charging \$1 a piece." Haley wrote every night for the next eight years until he finally sold his first article for \$100.

Writing talent can be developed, Haley said. What a writer really needs is "self-discipline to keep going, receiving rejection slips." Rejoicing in the opportunity to discuss writing, Haley compared the effort and time needed to that required to become a lawyer.

"Right now I'm a lousy writer," Haley said, explaining that he has too little opportunity to write.

Haley feels the acclaim *Roots* has received has been "truly astounding." "The book came out at the right time . . . What happened was the book tapped into some-



Author Alex Haley

thing universal; all of us have ancestors and national origins."

Roots reached out across race lines, religious lines, even class lines, Haley said, and sparked new interest in family heritage, blood lines, and geneology. Haley said that National Education Association constituent groups have found "that *Roots* has in part helped generations talk to each other. Children are querying their grandparents." The author feels humility in a "very sincere way that one has been so blessed to have had a hand in putting this all into motion."

Swahili 'Roots'

Haley reports the book is now in 31 languages, the latest being Swahili: "Not a whole lot of books get published in Swahili." So far the film has been dubbed in 19 languages. "I have been traveling around foreign countries and the response to *Roots* has been uncanny to me." In Osaka, people pointed to him and said, "Kunta Kinte." Haley said the only words he could make out in Scandinavia were "Chicken George." When Haley met the late Golda Meir in Israel, she embraced him and said she loved reading *Roots*, but thought the Hebrew version surpassed the English. "The West African Federation of Teachers re-

quested *Roots* up to Kunta Kinte's capture by the slave traders to teach these school children their heritage," Haley noted.

"I wish there could be a *Roots* for every ethnic, nationalistic, and religious group in the country. A lot of our problem is that we don't know anything about each other . . . If we knew each other's culture, history, heritage, struggles and frustrations, we'd be less dubious, hating, hostile." Instead of looking at the United States as a melting pot of homogeneous individuals, a better metaphor would be a salad bowl, a composite where no ingredient loses its individual flavor, Haley said.

Haley was asked what the future of race relations would be in the U.S. "We muddle along. I have great faith in kids," Haley said. "We are more hung up about race than they are; we talk about it," Haley stated. He said bussing's positive aspects have been overlooked: "kids have been put into contact with each other."

Haley did not escape the evening without a question of authorship claims made against him. Four suits were filed, Haley noted, one a federal suit so "way out" that it claimed \$100 million from Haley for telling the *plaintiff's* family story. Litigation has been part of an educational process for Haley. "If you do something big it will come under suspicion . . . I decided to settle one because *Roots 2* was coming out and I got sick of the name calling. I took the option to settle. I should have taken it earlier." Haley was apparently referring to Harold Courlander's suit against him for using parts of Courlander's *The African* in *Roots*. According to magazine accounts, settlement came just before closing arguments in the six-week trial. Haley, in his talk, never mentioned the serious allegations and substantial documentation Courlander presented.

Haley has become an international celebrity: books, movies, lawsuits and all. "I wish I could go

(Continued on Page 16)

'Injustice' Is Injustice to Readers

By Richard B. Bernstein

Our legal system is a mess, and many writers have made a tidy profit telling us so. They have tackled various aspects of the legal system, exposing errors, misconduct, injustice, and incompetence. We are suitably horrified for a decent interval, and then go about our business as if nothing has been said.

We need a book that will calmly and dispassionately examine the legal system in painstaking detail, pointing out its faults and virtues, detailing its history to show us how we arrived at our present predicament, and making intelligent suggestions to get us out of the mess. In short, we need a book that will accomplish precisely what Anne Strick's *Injustice for All* purports to do. But don't hold your breath.

Injustice for All (Penguin, \$3.95) claims to show "how our adversary system of law victimizes us and subverts justice." The book defeats itself for several reasons. It is confusingly organized and devotes too much space to a weirdly distorted account of the history of the adversary system which has little to do with its present abuses. Rather than trying to understand the adversary system of law as an evolving attempt to mitigate the barbarities of trials by combat and ordeal, Strick caricatures its history as a fairly constant shell game which has changed its appearance over the years but retained its basic character.

How to Pad a Book

Strick attempts to give her book a scholarly appearance, piling footnote upon footnote, but even a cursory check of her footnotes reveals that her documentation is often mere shameless padding.

What looks like a massively documented book is actually a

skimpy rehash of older and better critical works on the American legal system: Monroe Freedman, Fred Rodell, and the late Jerome Frank are the mines from which Strick quarries her best arguments. Strick occasionally resorts to older, even outdated trial practice manuals, histories, and the *Encyclopaedia Britannica* for supporting citations. Inadequate documentation is better than none, however, and Strick infuriates the reader by telling some particularly

grisly horror stories while offering no documentation whatsoever.

Badly Written

The book is also badly written. The author is a master of each of three distinct styles of bad writing. She can switch on a single page from breezy, slangy illiteracy, to Jonathan Livingston Seagull platitudes, to social-science jargon. No matter what the style, the dominant tone throughout is one of a

(Continued on Page 16)

Clinical Recommendations: No Major Action Taken

By Tammy Jacobs

The faculty Wednesday postponed making any substantive decisions on the status of the clinical program at HLS, by tabling two resolutions, sending a third to committee, and postponing until next week discussion of other items.

The resolutions discussed Wednesday were aimed at restructuring student organizations involved in clinical work. They were offered by Asst. Prof. Elizabeth Bartholet.

Bartholet's feelings on the clinical program had been aired in a separate, dissenting report appended to a lengthy report by the Committee on Clinical Education, presented to the faculty earlier this month.

Discussion of the recommendations of the main report, begun at the last faculty meeting, will continue at the next one. Wednesday's meeting centered on the Bartholet suggestions.

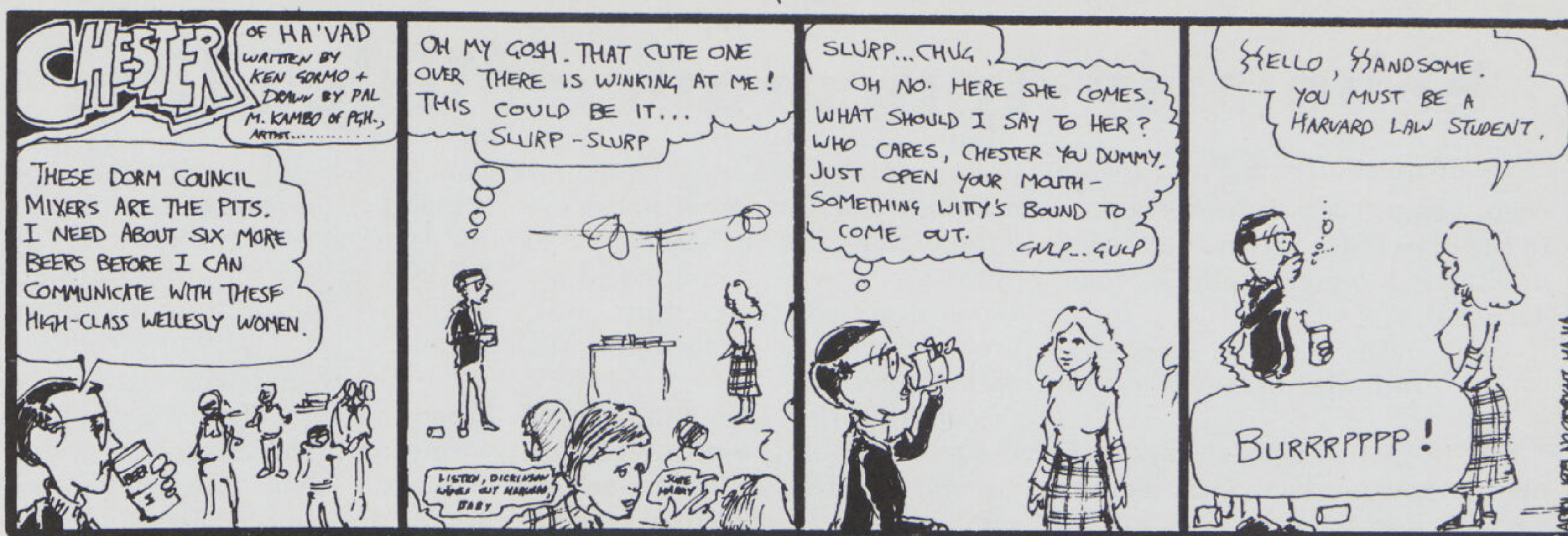
Further discussion of a report on the law school's Writing Program was also held until the next meeting.

Over a dozen students were present at the meeting, and several members of voluntary clinical organizations were allowed to speak briefly on the Bartholet proposals.

In essence, Bartholet believes that "Harvard should not be running legal services the way we are now."

Under Massachusetts law, students can represent clients, under the supervision of practicing attorneys. Bartholet maintains this supervision is currently inadequate. Her suggestion that the law school develop "a law firm model as the vehicle for sponsoring student practice," with a full-time faculty director of legal services, was referred to a committee proposed under the majority clinical report.

That report also favored greater supervision of students acting as lawyers, but did not accept the "law firm model" urged by Bartholet.



HLS Expands: Manifest Destiny?

By Barbara Kritchevsky

The Law School has added a new building to its domain. The Dow House, located between Wyeth Hall and the Ukrainian Studies building, was purchased by Harvard University within the year, from a private source. The Law School will acquire the building from the University, according to Assistant Dean Stephen Young.

"Hopefully, the acquisition of the Dow House means we'll be able to give offices to student organizations which don't have them," Young explained. No decisions on which organizations will receive offices in the new building have yet been made, although Young said he was considering the possibility of housing organizations which "reinforce each other," such as those which engage in clinical work, in the building. There is also the possibility that some teaching fellows could receive Dow House offices.



Dow House

Young said the building will be open for renovations this summer, and that the work should be finished to allow student organizations to move in in the fall. One renovation which is under consideration is closing the Massachusetts Avenue entrance and building one in the rear, facing Harkness Commons.

With the Law School's acquisition of the Dow House, Young said the more interesting question for the future involves the fate of the

Ukrainian Studies building, now owned by the University's Arts and Sciences division. The Law School could decide to negotiate to buy the building. Negotiations would be facilitated if the Ukrainian center chooses to move for its own reasons.

Young said any Law School expansion would take place by acquiring land surrounding the present campus, and if the Ukrainian Studies Building were acquired the Law School would own a large parcel of land along Massachusetts Avenue.

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Scholarly Appearance Misleading

(Continued from Page 14)

deeply angry person, uncertain as to the object of her fury, but ready to attack blindly should it come within range.

What Else is New?

Finally, the book's thesis is neither new nor bold. Granted, the adversary system often is unfair; judges abuse their discretion; some lawyers and litigants behave shamefully in court; the trial is not a search for truth. Strick's parade of horrors is indeed horrible. But we've heard all this before, better expressed and more coherently

presented. Strick's suggestions for reform are either warmed-over updates of those put forth by Frank 30 years ago, or wildly impractical notions destined to produce even greater problems than those she seeks to correct.

Moreover, they illuminate one of the most troubling defects of *Injustice for All*. Certainly, the adversary system in practice is shot through with incompetence, corruption, and self-serving behavior, and can bring out the worst in litigants and their attorneys. Without doubt, piously observed fictions obscure the actual workings of the system. But Strick blames the mes-

sengers for the bad news they bring. It is not necessarily true that the basic idea of an adversary legal system is itself uniformly and solely to blame for the defects in our system.

For the reader who wants a coherent analysis of what's right and wrong with the adversary system of law, my advice is to ignore *Injustice for All* and read Jerome Frank. Judge Frank was a fine, candid writer; he told the truth as he saw it — clearly, boldly, and without hysteria.



Harvard Sued Under New Copyright Law

(Continued from Page 7)

BMI holds the public performance rights: "Long Train Runnin'" and "China Grove" by Tom Johnston; "Black Magic Woman" by Peter Green; "This Masquerade" by Leon Russell, "Macho Man" by Jaques Morali, Henri Belolo, and Peter Whitehead; "Walk This Way" by Steve Tyler and Joe Perry; "Brown Sugar" and "Satisfaction" by Mick Jagger and Keith Richard; "Disco Inferno" by Leroy Green and Ron Kersey; and "Stayin' Alive" and "More Than a Woman" by Barry, Maurice and Robin Gibb.

Because Harvard "threatens to continue" the alleged infringements, BMI seeks an injunction as well as damages of at least the \$250 statutory minimum for each of the 12 songs, plus attorney fees.

Harvard attorney Jim Sharaf

would comment only that discussions between Harvard and BMI are presently underway. James Marcellino, the Boston attorney representing BMI in the action, said he's "hopeful we'll be able to settle." While he would not comment on the proposed terms of the settlement, he said, "The objective is to establish a licensing agreement."

In the meantime, Quinto said, no more Dorm Council parties are planned this school year. The Council has had one dance since the suit was filed, and on advice of counsel did not charge admission.

That fact might protect an organization from liability for infringement if there are no paid performers, under section 110 of the new statute. That section also exempts musical performances

used in connection with teaching, religious services, agricultural fairs, the blind, and retail record promotion.

As for BMI, Smith said, other suits against schools "are in the pipeline."



Haley's Roots

(Continued from Page 13)

back to my father and tell him what has happened," Haley said. The senior Haley died six years ago, before *Roots* was completed. "There are things I wish I could say to him. Things he'd say to me." Perhaps Alex's father would tell his son he wasn't disappointed.



Sports Answers

1. 1971 when it was held in Detroit and the American League won 6-4.
2. Win the league batting champion title to tie Rogers Hornsby's record of seven titles.
3. The 1960 American League home run leader with 40 home runs.
4. Grover Cleveland Alexander of the 1916 Philadelphia team. He threw 16 shutouts that year.
5. Nine. This record is held by three men, Steve Carlton in 1969, Tom Seaver in 1970, and Nolan Ryan in 1977.

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