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TWENTY-FIVE CENTS

Stewart to Preside at Ames Argument

By Tammy Jacobs

Supreme Court Justice Potter Stewart will preside over the final round argument of the Ames Moot Court Competition, according to members of the Board of Student Advisors.

Although it appears that the other members of the three-judge panel have been selected, the BSA would not formally release their names as this issue went to press.

Mike O'Brien, 3L, chairman of the BSA committee that organizes and runs the final round, confirmed that Stewart had accepted the Board's invitation to be one of the judges.

For the two teams competing for the top advocacy honors, the Marshall Club and the Somerville Bar Review Club, the Nov. 14 argument will mark the culmination of a year of competition in qualifying rounds and a final six weeks of intense research and preparation.

The Somerville Bar Review Club will represent appellants in the case, which involves issues of international law, antitrust, and jurisdiction. Although one SBR team member commented that "we are willing to do both sides — that way we're sure of a victory," the Marshall Club will represent appellees.

Rick Cromartie and Jamie Sultan will serve as oralists for appellants, with team members Elise Bloustein, Jorge Del Calve y Gonzales, Peter Goodman, and Leo Orenstein working on the briefs and assisting the oralists in prep-

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Photo by Ben Littauer

Associate Dean James Vorenberg and his class of Law School Spouses

Law School for the Better Half: Vorenberg Instructing Spouses

By Michael Smith

It was like the first day of classes any previous year at the Law School. The students were nervous, but had read the material in advance. The professor started the class off by asking one of the students to state the facts of the case. But there was a key difference: these students had not been admitted to the Law School. They were the spouses or spouse equivalents of Law Students.

The nearly thirty spouses had gathered for a model class sponsored by the Harvard Law Community Association and taught by Associate Dean James Vorenberg. He centered his model class on the cases of *Dudley v. Stevens* and *California v. Lovercamp*.

Vorenberg told the students that he was going to show them a typical class session. He explained the objectives he attempts to accomplish in his class. His first purpose is to get students to apply stated rules to a factual situation. Another purpose is to teach students the basic rules of law and of procedure. In addition, the professor tries to get people to think about the reasons for the existence of those rules.

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Barney Frank Rates the Democrats

By Dave Quinto

State Rep. Barney Frank, '77, told the HLS Democratic Club last Thursday that he "can't imagine any way [Senator] Edward Kennedy could lose" the 1980 Democratic Presidential nomination. He believes that while Kennedy's popularity peaked with his recent hints that he will run, it will soon settle at a high plateau. Only John Connally can give Kennedy a tough race next November, Frank said.

"Carter can make the argument that he's more likely to win in November. Considering that Kennedy's to his left and the general perception that the country is turning to the right, he should make that argument. But aside from Miss Lillian, no one believes it. All the polls show that Kennedy will do better in November," Frank continued.

"Honesty is less important than strength. People only care about honesty when they're basically satisfied," Frank said, claiming that Chappaquiddick will not be a major obstacle for Kennedy. "People are looking for leadership," he stated. "'Leadership' is not making good decisions, as Carter seems to think. Morally it should be; politically it isn't. Mayor White wins because he knows which hands to hold, which arms to twist."

'Strange Animals'

Frank believes that Kennedy will enjoy greater success with Congress than Carter has had. "Legislators are strange animals, but they do follow certain rules. Kennedy understands this. He's

running in part because people begged him to run. He's not running against Congress. You can't underestimate the personal with legislators."

"For instance, [Massachusetts Governor] King gets along very well with the legislature. The legislators wince because they think he's kind of inept, but they deliberately avoid embarrassing him," Frank stated. "Kennedy wasn't good at working with legislators at first. He lost his [majority] whip's job to Russell Long [in 1971] because he wasn't doing his job. But he's learned his lessons; he's one of the best legislators now," Frank added.

California Governor Jerry Brown's good political judgment will soon lead him to withdraw from the race, Frank predicted. "I think that Brown's assumption was that Kennedy was not going to run. He also realizes that he has become an anathema among liberals with his balanced-budget constitutional amendment," he continued. Several of Brown's key 1976 aides are now organizing for Kennedy in Florida, he noted.

Frank believes that Kennedy will walk away with the black vote, a major element in Carter's 1976 coalition. "Carter's handling of the Andy Young affair got the blacks mad at the Jews, the Jews mad at the blacks, and both mad at Carter for getting them mad at each other," Frank stated.

Kennedy may not fare well among southern whites, he added, "but that's a shrinking base of support for the Democrats anyway," and women's groups are "uneasy with Kennedy because he clearly enjoys them sexually and in other ways."

Getting Involved

Frank also encouraged the law students in attendance to become involved in city and state government. "It's not necessary for a legislator to be a lawyer, but it is a big help," he said.

His own route to the state capitol was circuitous. After graduating from Harvard College in 1962, Frank enrolled in the Graduate School of Arts and Sciences seeking a Ph.D. in Political Science. By 1966 he realized that he was "sharpening pencils, making coffee, and talking to people" rather than writing his dissertation.

After helping Kevin White defeat Louise Day Hicks in the 1967 Boston mayoral election, Frank moved to Washington to work for Rep. Michael Harrington, '61, where he discovered to his dismay that there was "only one interesting job in a young congressman's office and that was the job of congressman."

Friends convinced him that he could run successfully for the legislature in Back Bay, Boston's "most liberal and transient" ward. His major obstacle was a general belief that he was too educated to be concerned with "dog shit on the Common and backed-up sewers." In response, Frank grew sideburns ("You choose your symbols where the votes are"), wore a "Put Barney Frank to work for you in Ward 5" button, and distributed a poster of himself posing with George McGovern which asked "Who's that with Barney Frank?"

His toughest challenge came after his election. He applied for admission to the Law School but insisted that he would not give up his seat in the legislature. The Admissions Committee did not believe it possible to work full time at both occupations simultaneously.

While doing both things, Frank earned an invitation to join the *Law Review* but, having read Tom Sawyer, declined it.

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Kunstler Lambastes America's Justice System

By Dan Hershman

"The country is governed by a philosophy that it doesn't matter what side you're on as long as you believe you're on the side of the angels," activist-attorney William Kunstler told a Law School Forum audience of approximately 150 on Thursday, Sept. 27.

Kunstler, best known for his defense of the Chicago 7 ten years ago, denounced the behavior of public prosecutors and law enforcement officers in the United States.

Kunstler seemed particularly incensed over the recent death of actress Jean Seberg. "She had supported the Black Panthers, which excited the government and its extermination arm, J. Edgar Hoover, and it decided to neutralize Jean Seberg," he charged.

Kunstler said the FBI circulated anonymous letters indicating she had been impregnated by Panther leader Huey Newton. Seberg suffered a miscarriage and severe psychological stress which led to her suicide this year after several previous attempts.

Kunstler cited the "bestiality of philosophy" in the U.S.: "It doesn't matter who you get as long as it's pinned on someone."

Allegations of prosecutorial misconduct have become so commonplace that recently, the Seventh Circuit has said it will order the retrial of any case where misconduct is evident, with or without a finding of harmful error. "Something had to be done," Kunstler said. He went on to give examples of government misconduct.

Poisoned Justice

Kunstler cited a case in Illinois where investigators allegedly used red paint on a murder suspect's clothing and then testified to the presence of the victim's blood on his clothing to convict him. In Texas, a district attorney told a murder witness to remain silent on the witness' affair with the victim, the defendant's wife.



—B.L.

William Kunstler

The 11-month-long murder trial of American Indian activists Russell Means and Dennis Banks was dismissed for prosecutorial misconduct, Kunstler said, which included wiretapping and tampering with documents. Kunstler quoted the judge as saying, "The waters of justice have been poisoned." Daniel Ellsberg was relieved of charges arising from the Pentagon Papers case against him and co-defendant Anthony Russo when the government broke into Ellsberg's psychiatrist's office.

Kunstler said the Seventh Circuit Court of Appeals reversed the conspiracy convictions of the Chicago 7 defendants because of the combination of judicial and prosecutorial misconduct: "Seventy-one of our 72 bases of appeal were honored."

Attempted Murder

"Sometimes tinged with racism, sometimes overzealous, police and prosecutors have by their actions attempted murder, beyond the pale of any civilized society," Kunstler said. He discussed the case of William M. Gilday, Jr., in which the ex-professional baseball player was convicted of murdering Ptl. Walter Schroeder after the famous Boston bank robbery in which Susan Saxe allegedly took part.

One of the witnesses against Gilday was testifying in return for immunity from prosecution in the same incident, Kunstler said, but assistant district attorney John T. Gaffney failed to reveal this fact to the jury. Such evidence could have been used to impeach the witness. "This is incitement and attempted murder. The witness didn't disclose his deal and the prosecutor didn't reveal the perjury. [Gaffney] should be prosecuted for attempted murder of [Gilday]," Kunstler said.

Kunstler pointed to the standard of *Brady v. Maryland*, 373 U.S. 83 (1963), that any evidence favorable to the defendant possessed by the prosecution may not be suppressed. "It is just the same as if Mr. Gaffney took a gun and fired it at Mr. Gilday," Kunstler claimed, adding that his own attempts to open Gilday's case have been "stonewalled" by the prosecutor's six month delay in filing a reply brief.

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Iranian Student Promotes Revolution

By Dave Quinto

When HLS LL.M. candidate Mohammed Ali Noorae was asked to return to his native Iran last spring to help make the revolution a success, he did so willingly. "I felt that I was needed. I felt that I could be helpful there," he explained.

Noorae returned "to contribute to the new constitution" and "to clarify the revolution to the people." In the latter capacity he delivered "20 to 30 lectures in different places in Iran clarifying the constitutional law import of Islamic government," he stated. He is not yet able to comment on the other aspect of his mission.

Noorae is, however, willing to discuss the process of formulating the new constitution, which is currently being drafted by the "Expert Committee," a body of 73 persons elected by the people of various cities. As its starting point, the committee is using an anonymous draft constitution provided by the Revolutionary Council. The people of Iran will adopt their new constitution by majority vote in a referendum which Noorae expects will be held within a few months.

Classical Views

Sixty of the 73 delegates are clergymen. "They have classical viewpoints—most are not progressive," he stated. "The clergymen know little about writing a constitution. I do not believe that this assembly will offer a progressive constitution, but that can't be predicted yet. On the last day, Ayatollah Ruhollah Khomeini may advise them. He may tell them to take a progressive route," he added.

Within a few months after the constitutional referendum, Noorae expects that elections will be held to choose a government which will govern democratically, protecting the rights of all, including women and minorities.

The relationship between democracy and Islam is something akin to the "individual freedoms guaranteed by the Bill of Rights

and the discretion of Congress," Noorae stated.

"Congress can act in any way that it finds proper except when that action is inconsistent with individual freedom. In an Islamic Republic, the legislature can act in any way it likes except that it cannot enact anything inconsistent with the Koran and the Hadith (the surviving practices and sayings of the Prophet Mohammed). The protections provided by the Bill of Rights will be copied in the new constitution, but they will be copied from the Koran," Noorae continued.

He believes that the new constitution will include notions of due process, equal protection, and appellate review, but will prohibit capital punishment "because the Koran does not allow it."

Unsettling Times

What of the executions of former officials of Shah Reza Pahlavi's government and of former Savak members? "Khomeini appointed the judge who tried most of them, but there is no conflict. The judge was following Koranic law which allows the people who order massacres or engage in torture to die," Noorae stated. And because the Shah and his wife have been tried and sentenced to death in absentia, someone who assassinated them would not be violating the Koran, he added.

Noorae explains the current period of apparent disrespect for individual rights by arguing that "every revolution is followed by a period of unsettlement during which law is not practiced. Differ-

ent factions in the society try to attract the people's attention to themselves. In this period, a special law, called 'revolutionary law,' is practiced. In Iran, the everyday law has been defeated as belonging to the old system but no new system has been substituted yet." He adds that the future should not be judged by the present.

According to Noorae, Iran will not have an Islamic society for another two to three generations. To reach that goal, it must first educate its people, create an Islamic culture, and establish an Islamic economy.

The first stage in the process involves "educating the 75% of the population who are illiterate" and teaching them how to be Islamic. One of the major problems today is that the people confuse Islam with the clergy, Noorae says. Islam is something which should be understood by everyone, not interpreted by a special class. Khomeini is a progressive who does not set himself apart, he adds.

Self-Sufficient Economy

Noorae, who is "very anti-Communist," explains that the Islamic economy will not be like either capitalism or socialism. Foreign trade will be minimal, serving only to export surpluses and to import a few essential items which Iran will not be able to produce itself. The economy will be basically self-sufficient and might not involve money exchange.

"Everybody will get the same amount, leaders and governed alike," he stated. "Work is an Is-

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Multi-faceted Boston Views John Paul II

By Stuart Berman

At 3 p.m. Monday, October 1, the business and government buildings of downtown Boston were deserted, ghost towers in the misty rain.

But just a few blocks to the north, on Hanover Street in the North End, half a dozen kids were holding a "Viva Il Papa" sign out of the windows over Mother Anna's restaurant. They practiced their screams while the mob below jostled for position, waiting for an open convertible that was still more than an hour away.

A few blocks south of the ghost town, directly below the gold dome of the Statehouse, and within sight of the Papal Altar on the Boston Common, the exuberant leader of the Happy Louie Polka Band dangled a trumpet in his hand while he belted out Polish folk songs.

And within sight of him, just down Beacon Street, elegantly dressed young couples sipped martinis in the windows of expensive townhouses and gazed down at the hordes of common folk on the street and on the Common.

Darkness and Light

The visit of Pope John Paul II brought out rain, fog, wind and every species of Bostonian. Among the 400,000 people on the Common and surrounding streets were souvenir salesmen, grandparents and grandchildren, beer-swilling teenage thugs, three-piece-suited businessmen, and the park's seedy permanent residents. But they all cheered wildly when the waving man with the bright pink cheeks zipped by, even though he came late, very quickly, and in a downpour. And they all grew solemn and silent when the Pontiff mounted the massive altar — eerily bright in the fog, with its gold cross suspended against the nearly invisible John Hancock and Prudential Buildings.

Most of the crowd had already gathered on the Common by the time the Pope arrived at Logan Airport, shortly before 3 o'clock.

Clutching transistor radios and yellow-and-white Vatican flags, they gazed at huge television screens erected around the Common. Unfortunately, welcoming remarks by the Pope and his greeters were drowned out when the organist and choir launched into "Holy God We Praise Thy Name."

Milling through the crowd, vendors offered Papal buttons, medallions, flags, official programs, scrolls, paperback biographies, and "I Saw the Pope in Mass" bumper stickers.

No Time to Kiss

By 3:50, police refused to allow anyone else onto the Common. On

Beacon Street, bordering the park, an 80-year-old Italian grandmother panicked because she thought the grandchildren she had brought from Hanover Street for a second look at the Pope wouldn't be able to see him. Her daughter, the children's mother, resolved that crisis, but then complained that the Pope hadn't gotten out of his car to kiss babies and shake hands in the North End. "When you see him on TV from Italy he kisses the babies, but not here. Maybe after the Mass he'll have time to kiss the babies," she sighed.

Next to her, a grandmother from Cambridge — "the real Cambridge,

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LS-7

Thousands of Dollars Await Scholars

By Bennett Murphy

If you are an HLS student who knows how to write with style and who has an affinity for maritime law, or a passion for Dante, or an endearment for the intricacies of copyright, you don't have to wait for graduation to exercise your brain cells for cold, hard cash. More than a score of prizes are awarded each year to essayists on these and other topics with stipends ranging from \$75 to over \$2,000.

Each year entries are sought from the HLS student body, but often these appeals are simply overlooked. Knowledge, like virtue, may be its own reward, but we ought not turn away those with more tangible offers.

Outside Funding

One class of competitions are offered by groups outside the university to scholars concentrating in specific fields of legal study. The National Energy Law and Policy Institute of the University of Tulsa

aspects essays of any length on topics in energy law. The Institute's elders send \$300 to the author of the finest work received from the national pool of entrants.

A larger award of \$2,000 is given each year by the Federation of Insurance Counsel Foundation for the first-place paper in the field of insurance law. Second and third place essayists take home \$1,000 and \$500, respectively.

Insurance law enthusiasts may wish to photostat their essays and forward copies to the Insurance Counsel Journal, which operates its own annual legal writing contest in the same field. First- and second-place prizes are \$1,000 and \$500.

Five annual awards are made by the American Bar Association for papers within the broad topic of "state and local governments in the federal system." The top prize is \$500.

If you haven't stopped reading to head for the stacks just yet, you might also consider the prestigious Nathan Burkan competition, in

which two prizes are reserved for HLS alone. The Burkan awards, for essays on copyright, qualify the winners for the national competition, in which their papers will be considered alongside those of other top scholars for five prizes of up to \$1,500. This offer is void where prohibited by law.

Law School Prizes

A second group is composed of prizes given by the law school in recognition of the achievements of its own students. The annual Sears prize of four \$1,500 awards is divided between the first and second year classes, with one award to the top two scholars in each. The \$1,000 Addison Brown prize is given to the author of the best essay on maritime or private international law. Essayists anxious to write on topics of current interest are challenged by the competition for the Irving Oberman Memorial Prize for the best essay on a specified timely topic. This year's topic will be health care law; the prize is a cash grant of \$750.

Lawrence E. Rosenthal and Stuart H. Singer were the first year winners of the Sears Prize. The two second year students with the highest averages in their class were Gary P. Peller and Hugh R. Tobin.

University Prizes

Other essay competitions in which HLS students may take part are administered within the Uni-

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Review Adds Members

With the completion of the 2L writing competition, the Harvard Law Review is up to full staff for the year. The following list was informally released by the Review. It includes both those 2Ls who came back to school in August, invited onto the Review due to grades, and those chosen this week through the competition:

Manoug M. Ansourian, Richard A. Bernstein, David Clarke, Jr., Christopher Curtis, David B. Edelson, Roy T. Englert, Jr., Richard M. Esenberg, Bruce Walker Ferguson, Daniel H. Foote, Stephen L. Gordon, Steven E. Greenbaum, Carl A. Guarino;

Wendy Beth Jacobs, Robert M. Jason, Laurie Robin Josephs, Louis Kaplow, Bruce Neil Kuhlik, Robert J. Lack, Lissa Lamkin, Alison Lerrick, G. An-

drew Lundberg, Thomas Moers Mayer, Thomas A. Mullen, Mark E. Newell, David Ogden, Stephen Mark Perry, Daniel M. Price, David L. Ridl, Robert Rosenbaum, Lawrence E. Rosenthal;

Robert H. Saunders, John Ford Savarese, Edwin Schallert, Stuart Singer, Evan Slavitt, Kathy Smalley, Alan S. Tenenbaum, Paul D. Tosetti, Lawrence P. Tu and Lucie E. White.

In addition, second-year grades provided the criteria for the selection of eight new 3L members: Stuart M. Berkson, Robert A. Case, Peter S. Golden, Kevin A. Griffin, David R. Morgan, Gary Peller, Ronald H. Star, and Jonathan Wiener.

New members join those returning from last year's staff to begin preparation for the next issue.

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Skokie—Freedom for the Thought We Hate

By Richard B. Bernstein

Fifty years ago, Justice Holmes reminded us, "If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought — not free thought for those who agree with us but freedom for the thought that we hate." In *Defending My Enemy: American Nazis, the Skokie Case, and the Risks of Freedom*, one of the most important books of 1979, Aryeh Neier gives us a badly-needed affirmation of this principle.

Aryeh Neier, DEFENDING MY ENEMY: AMERICAN NAZIS, THE SKOKIE CASE, AND THE RISKS OF FREEDOM (E.P. Dutton, \$9.95)

In early 1977, the National Socialist Party of America, which fancies itself a successor to Hitler's Nazi Party, announced its intention to march, in full Nazi regalia, through Skokie, Illinois, a predominantly Jewish Chicago suburb. Local authorities moved quickly to stop the march, obtaining injunctions and passing ordinances directed at the American Nazis, who appealed to the ACLU for legal assistance.

In the course of the resulting litigation, the ACLU, of which Neier was executive director, found itself on trial, as many members bitterly protested the decision to represent Nazis.

Calm Discussion

The debate over the Skokie case is still in full swing — at times sinking to the personal level — and has been tarnished by incredible vindictiveness. It is one of the many excellences of Neier's book that he does not allow himself to give way, that he retains control of his emotions and quietly tells his story without resentment or bitterness. In this way it is possible to

go beyond the verbal pyrotechnics that usually characterize the Skokie debate and get at the issues themselves.

the severe test this belief underwent during the case. In his discussion of the divisions provoked by the case within the American

"The debate over the Skokie case is still in full swing . . . One of the many excellences . . . is that he does not allow himself to give way."

Neier performs an equally valuable service by discussing calmly the facts necessary for an understanding of the case and the broader issues it raises — by discussing the various splinter organizations usually lumped together as the "Nazi Party" (he reveals that these groups spend more time battling among themselves than advancing their programs); by describing sensitively the people of Skokie, their suffering during the Holocaust, and their varying reactions to the threat of Nazi demonstrations in their neighborhood; and by describing the turmoil and debate within the ACLU before and after the organization decided to represent the National Socialist Party.

One section of the book that is particularly interesting is Neier's discussion of the traditional commitment of American Jews to freedom of thought and expression and

Jewish community — and also within the various organizations and blocs usually described as "liberals" — Neier illuminates not only the debate over freedom of expression but also many of the troubled divisions in the modern American polity.

Neier's most important accomplishment is to put the Skokie case into the larger context of how Americans have answered the question of whether those who would deny free speech to others should have this right themselves. He makes clear his conviction that "defending my enemy is the only way to protect a free society against the enemies of freedom." He argues his case in *Defending My Enemy* vigorously, responsibly, intelligently, and convincingly; his book is essential reading for anyone interested in free speech in the United States.



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Ferguson Trots Globe Past Summer:

By Dave Quinto

Prof. C. Clyde Ferguson was made an "honorary white" by the South African government last summer following formal action by the United States. South Africa had initially refused to issue Ferguson a visa necessary for him to fulfill a State Department mission in the enclave countries of Lesotho and Swaziland and the bordering nation of Botswana.

The United States also called upon Ferguson to employ his diplomatic skills in South America and Germany last summer. He also found time to deliver the Carnegie Lectures at the Academy of International Law in the Hague.

Friends in the South African diplomatic community had predicted that Ferguson would be denied a visa because of an article which he and William Cotter, HLS '61 and past president of the African-American Institute, published in *Foreign Affairs* in January, 1978. Entitled "South Africa: What is to be Done?", the article concluded by listing "41 things the U.S. can do to South Africa unilaterally to get them to change their policy," Ferguson explained. "The audience was intended to be the foreign policy establishment of the U.S. but it had greater readership in South Africa," he added.

In response to the formal protest filed by the U.S. government, an "administrative agreement" was made which allowed Ferguson to pass through South Africa. "They made me an 'honorary white.' I'm not so sure I want that honor," Ferguson said.

'Nuts and Bolts'

While in Maseru, Lesotho, Ferguson discussed "the nuts and bolts of our foreign policy" with "influential groups," including Lesotho's mid-level foreign service officers, two cabinet members, and its Supreme Court.

He also had a difficult session with "really hostile" law students who were mostly refugees from



Prof. C. Clyde Ferguson

Soweto. Ferguson explained that since the release of National Security Council Memorandum 39, which revealed the U.S. "tilt" toward white regimes under Kissinger, anybody who has tried to justify current U.S. policy to those students has been "red meat." "They are unwilling to credit Andy [Young] or Carter with any substantial change" in that policy, he continued.

"I did pretty much the same things in Swaziland" as in Lesotho, Ferguson added. In Botswana, he had a "damn good session" with Attorney General Moleleki: Didwell Mokama, who was a student of his three years ago. He also discussed recent U.S. Supreme Court decisions with justices on Botswana's high court and with members of the bar. "It was a breath of fresh air in Botswana's stale legal atmosphere," said one local attorney.

While in Lesotho or Botswana, Ferguson suffered a recurrence of the falciparum malaria which he contracted last year while in Nigeria. Fortunately, Ferguson happened to be using a malaria preventative at the time; falciparum malaria is a particularly virulent strain which attacks the central nervous system and brain. Nonetheless, he still felt "out of it" for the first few days this fall.

Looking to the Future

Prior to visiting Southern Africa, Ferguson delivered the Carnegie Lectures at the Academy of International Law in the Hague. The five talks explored human rights, the new "international economic order" and Ferguson's vision of a new world order "which will take us to the year 2000 or beyond."

Ferguson argues that "the quarter century of Pax Americana has ended" and that "the Third World has discovered that political independence is not the whole thing, that political and economic independence are not tied together."

He adds that "the focus of the 'non-aligned' movement has changed from political to economic. The point is no longer to avoid choosing between the U.S. and the Soviet Union." Thus "commodity agreements, debt burdens, trade, investment, transfer of technology, and the like" are the materials from which the new world order is to be fashioned.

Approximately 300 students from all over the world heard the lectures. "It was not elective — they had to take me," Ferguson said, adding that "it was just like Civil Procedure." He was chosen by former International Court of Justice president Lachs to deliver the Carnegie lectures. "Last year Archie Cox was there and I guess they wanted another Harvard professor," Ferguson suggested.

The International Communication Agency, an arm of the State Department, took advantage of Ferguson's presence in The Netherlands to send him to address the German-American Lawyers Association in Munich on the subject of "Human Rights and American Foreign Policy" and to discuss "Human Rights and Social Justice in America" at the Erlangen-Nuremberg University.

In late June, Ferguson participated in an official State Department "enterprise" in Venezuela to discuss the general issue of human rights, focusing particularly on

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Named 'Honorary White' by South Africa

(Continued from Previous Page)

Latin America. Timing made the issue especially delicate: the Somoza regime, which Venezuela had long opposed, was in its final days and the Organization of American States had just rejected a U.S. proposal for multinational intervention in Nicaragua "because it sounded too much like 'Marines.'"

Also representing the U.S. in the bilateral talks were Arthur Schlesinger Jr., Amnesty International board member Rose Styron, and the U.S. ambassador to Venezuela.

Changing Times

Ferguson reflected on the changes which have occurred in South Africa since his days as dep-

uty assistant secretary of state for Africa, when he had to be issued a visa. He believes that Prime Minister Botha has recognized the "necessity of dealing with urban blacks outside of the 'homelands,' or resettlement, policy. It's a recognition of the fact that there are a number of blacks who are South Africans."

Botha is also "making economic sense out of the 'homelands,'" Ferguson stated. "This is the first time anything has cropped up in official circles indicating a recognition of their problems," he continued, adding that this is a difficult issue for Botha. "The right wing sounds like [former Alabama Governor George] Wallace in the '60's, going around saying 'never, never, never.' Which way it goes is anybody's guess," Ferguson concluded.

"There is evidence of increasing

violence by blacks — attacks on police stations, that kind of thing. The news is not being reported," Ferguson added. However, he said, the Rand Daily Mail and the Johannesburg Star now print "substantial" casualty lists of soldiers shot fighting the guerrillas operating along the borders with Mozambique, Namibia, and Angola.

"The situation is bad for everybody," Ferguson said. "Blacks, whites, the U.S., Russia, Cuba — everybody is going to lose. The only thing which will avoid a bloodbath is intense and concerted international pressure. The only thing is to break through the blinders," he stated.

South Africa has become "very, very sensitive to international pressure. They want some international acceptance," Ferguson continued. This is reflected clearly in South Africa's changing athletic policies, which now divide sporting events into "domestic" (segregated) and "international" (integrated) categories.

"The [John] Tate-[Gerrie] Coetzee fight was front page news daily for four weeks as the debate continued on how the hell to have the fight." In order to stage the event, the government had to allow blacks to attend; in order to do so, it had to classify the fight as an "international" event. "By that time there were no seats left because corporations had bought all the tickets," Ferguson said.

Pope John Paul Takes Boston; Community Enjoys Pontiff's Visit

(Continued from Page 5)

not the Harvard Cambridge" — gazed up at the posh townhouses. Eyeing a pretty teenage girl looking disdainfully at the crowd through a closed window, the woman remarked, "She doesn't like having all these common people out here."

As 5 o'clock passed, the mist turned to pouring rain and the Pope lagged behind schedule. The crowd grew mildly annoyed. A man listening to a radio broadcast of John Paul's extended speech at the Holy Cross Cathedral cracked, "Maybe he'll be all tired out after this and won't come here. Maybe he'll go into a beer joint somewhere."

'He's So Cute'

Finally, at 5:25, the Pope's motorcade entered Beacon Street. He flashed a huge grin and waved constantly as he passed the crowds. The grandmother from Cambridge screamed, gasped, and clutched her

hands to her face as her eyes grew watery. "I can't believe it," she yelled.

"He's so cute," another woman exclaimed, while the crowd rushed across the street, ducked through a hole on the gate, and ran onto the Common.

Half an hour later, the Mass began. The organist played "The Battle Hymn of the Republic" as the bishops marched onto the altar. Despite the downpour and the annoyance of umbrellas and "Christ Says Resist Nuclear Power" signs that blocked their view, the crowd was respectfully silent and thunderously enthusiastic at the appropriate moments during the Pope's sermon.

But for all its eloquence, the address seemed anticlimactic to the drenched crowd. As they departed in the rain for long walks or crowded subway rides home, what John Paul II had said somehow mattered less than that he had come.

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Reviewing the Review

This week, the *Harvard Law Review's* annual writing competition ended. Approximately 30 unsuccessful second-round contestants, after initial disappointment, will now return to the staffs of Harvard Law School's six other journals, catch up in classes, join their classmates in the Upper Round Ames competition, or return to the ranks of the uninvolved.

And the writing competition, in conjunction with the first-year competition for *Review*-level grades, has reinforced once again the supposed importance of membership on the *Harvard Law Review* in the eyes of the *Review* members themselves, the general student body, potential employers, the legal profession, judges, and the general public.

Many of the most capable students at HLS are not on the *Review* because they chose to participate in a variety of other experiences during their years here, because they simply decided not to participate in the writing competition, or because, as participants in the annual contest they did not "click" with their cases.

The argument can be made that two routes to *Harvard Law Review* membership do give a chance for membership to students who test well as well as to students who write and analyze well given a longer period of time. But this very argument presumes the overwhelming importance of *Review* membership as compared to participation in other HLS activities. True, *Review* membership does give its editors invaluable writing and editing experience, but so does membership on the other journals. And, *Review* membership does hold weight with potential employers, but that — in large part — reflects the sense of importance and value that the *Review* itself perpetuates by dangling the prospect of membership through first year and on into September of the second year at HLS.

Perhaps the *Harvard Law Review* and the broader HLS community should examine the *Review's* present methods of selection and strongly consider changing to a selection system based entirely on a writing competition held during the second semester of the first year. Such a change would reduce significantly first-year grade pressure, free 2Ls during September, reduce the perceived superiority of *Review* membership over participation on any other journal or in any other Law School activity, and force employers who now seek *Review* members to use a broader set of criteria when selecting summer clerks and permanent associates.



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Fenno

Thinking about the conversation he'd just heard, Fenno hurried towards the Placement Office. Four students had been discussing their summers and comparing perks, the newest Law School pastime.

"I worked in D.C., at Coveting & Burgling," said one. "In addition to a hefty salary, I got free passes to the Kennedy Center, raft trips down the Potomac, and a week's paid vacation."

A second student sneered. "I was in New York, at Breed, Abbott & Costello. I got passes to the Lincoln Center, raft trips down the Hudson, hepatitis shots, and a week's paid vacation every fourth week."

"I didn't finish," continued student one. "They gave me a rented M.G., meals at the finest restaurants, and membership in the White Backlash Country Club."

"And I," retorted student two, "had a chauffeur driven limo, expense accounts at the Russian Tea Room and Sardi's, daily luncheons, and free use of the office detoxification unit."

"Big deal," the third student broke in. "I also worked in New York — at Cravats, Swank, & Money. I got six weeks paid vacation for every week of work. I was flown to Milan and Paris to meet clients. The clients were from New York: Cravats had flown them to Milan and Paris to meet me."

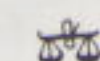
"And talk about rich. Cravats didn't just rent boats to travel the Hudson: one Saturday they rented the whole damn Hudson!"

The others were silent. Finally, student three turned to student four and asked sarcastically, "Bob, didn't you do public interest law this summer?"

"Yes," Bob replied. "I worked for legal services, and frankly the salary was low." The others smiled. "I didn't get wined and dined." The others beamed. "And there were no paid trips." The others looked triumphant.

"But I was working in the Bahamas." The others looked surprised. "The beaches and night life were great." The others frowned. "And though I was sworn to secrecy about the one real perquisite they provided, I can tell you this: there wasn't one HLS grad there." The others' mouths dropped.

Recalling this conversation, Fenno moved quickly towards Placement. He needed information about careers in public service.



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Letters to the Editor of the RECORD

A Seabrook Solution

To the Editor

Armed with the kinds of wirecutters and determination that signal something is rotten in the state of energy politics, thousands of environmental activists will attempt to occupy the partially completed nuclear power plant at Seabrook, New Hampshire. In the pre-dawn hours of October 6, the activists will commence their trudge through the formidable marshes which buffer Seabrook, and a most perilous political action will be underway. Potentially more dangerous than the harrowing trek they will encounter is the legal vacuum known as police discretion which awaits them.

Whether the perilous trek to Seabrook will be a prelude to tragedy largely depends on what the state police and National Guard do to thwart the occupation plan. Though the plan to occupy Seabrook is patently in violation of numerous riot, civil disorder, conspiracy and trespass statutes, the group which is orchestrating the action, the Direct Action Coalition, is committed to a strategy of non-violence, and has taken great pains to prevent violence at Seabrook. The Coalition has required participants to join tightly knit membership groups, called affinity groups, to minimize the chance of a participant not being familiar with the non-violent philosophy of the action, and many affinity groups have been trained to handle outbreaks of violence caused by uninvited troublemakers. Moreover, the Coalition has stated that it will not countenance destruction of property inside the site. What is indecently unclear is whether the state police and National Guard will take pains to adhere to a policy of no guns, no broken heads, no blood, or will attempt to enforce the law by physically harming the bodies of the occupiers.

Unfortunately, the good intentions of the Coalition may not prevent a police overreaction. The unavenged cries of Kent State and Chicago which now echo through our history remind us of what the police are legally permitted to do during a civil disorder. Under existing law, state officials are cloaked in an almost impervious security blanket, called "executive immunity," which endows them with broad discretion in the deployment of police violence. Although executive immunity is no longer the absolute shield it was through most of our history, it effectively protects executive officers from legal liability for all but their reckless and unlawful deployment of police force. There is no affirmative duty on the state to take every practicable step to prevent police violence.

If the Coalition adheres to its non-violent strategy, the use of police violence to protect Seabrook would be an affront to the value of human life. This can be seen most starkly by examining the constraints affecting law en-

forcement strategy. The New England states will be participating in the protection of the site. The Federal Government is available. Surely, the combined forces of these governments could muster the few thousand men needed to non-violently prevent an occupation, or if need be, to non-violently wrest the site from the occupiers. And the occupation attempt is not the kind of spontaneous disorder where broad police discretion will be needed for the prompt design of strategies to meet unforeseen contingencies. The Seabrook occupation plan has been well publicized. State officials have had ample time to painstakingly design a non-violent strategy well in advance of the disorder. A non-violent defense would entail no legerdemain. It would require a simple numbers game, amassing enough human and physical barriers to hobble a long foreseen occupation attempt. It would require investing in non-violence.

Are the New Hampshire authorities adequately investing in non-violence? As of this writing, less than one week before the planned occupation, only one thin fence stands between the partially completed power plant and the outside world. Governments do not always adequately invest in non-violence. Governments sometimes seem to act upon the unarticulated belief that a little violent police action will punish the wrongdoers and deter future crime. But this perspective affords the police a punitive function alien to our elemental ideals of justice. Meting out punishment and deterring crime are functions of the judiciary, and not of the police, whose office is to apprehend offenders, preserving for the judiciary the tailoring of punishment after formal findings of guilt. There is also a somewhat venal reason for the one thin fence at Seabrook. Investing in non-violence is expensive.

Although a violent defense at Seabrook for punitive or budgetary reasons would be a rank cheapening of life, the danger of legal killings remains real. The dangers cannot fairly be attributed to the foibles of men in a pressure situation. The dangers are attributable to our society's failure to impose an affirmative duty on the state to do its utmost to fashion non-violent strategies to deal with massive civil disobedience. We must institute such affirmative duties in the future. All we can do now is let the New Hampshire authorities know that we are watching.

William August
3L

The RECORD's policy on letters is simple. We read all of them. We print most of them, subject only to editorial discretion. We encourage letters on any subject, and especially on subjects which have appeared in the RECORD. Write today and speak your mind to the students, alumni and faculty of the Law School.

Kunstler Alleges Pervasive Gov't Misbehavior

(Continued from Page 3)

"Prosecutorial abuse occurs everywhere in the U.S. not just Boston," Kunstler noted. He discussed a knifing case in Rockland County, New York, where the police failed to find the alleged murder weapon when they arrested the suspect as he hovered over the victim. Mysteriously, the knife was found on the floor of the patrol car three days later.

Kunstler felt that the knife, which didn't even match the victim's wounds, was planted. Still, he said, the suspect was convicted. "This kind of thing takes lives, ruins lives, and cheapens us all."

Government as Lawbreaker

Kunstler said Jerry Rubin's Freedom of Information action has shown that the judge and prosecutor in the Chicago 7 trial met daily and that the FBI was being informed of trial developments. One young juror was pressured off the Chicago 7 panel by an FBI-manufactured letter, Kunstler said. The letter stated, "We are watching you" and was signed "the Black Panthers."

Kunstler, at 60, sees the young as the hope of the future. "If you do something about it, you can change things. Otherwise, you'll be good Germans . . . We are in a terrible position today. We are legalists. We live on presidential platitudes. We glue ourselves to the boob tube, spectator sports, any diversions. The money-grabbing environment is a deadly one."

In closing his speech, Kunstler recalled the story of Sir Thomas More defying King Henry VIII in Robert Bolt's play, *A Man for All Seasons*, and Justice Brandeis' dissent in *Olmstead v. U.S.*, 277 U.S. 438 (1928), a wiretapping case: "If the government becomes the lawbreaker, it invites contempt for law."

(Continued on Page 13)

HLS Welcomes First Chinese Scholar

By J. T. Atkins

Long noted for its innovation and creativity, HLS can add another item to its list of firsts: this fall marks the first time the school has enrolled a visiting scholar/student from the People's Republic of China, Tang Yunbin. Tang is taking courses and using Harvard University facilities as part of the recent increase in intellectual exchange between the United States and China.

But Tang's visit serves a greater purpose than simply providing symbolic aid to Sino-American relations; his work here, coupled with a technical background in mechanical engineering, will enable him to assist in the difficult process of attracting foreign investment to China. According to Tang, "There are a lot of things to do in the legal field."

A Visiting Scholar

Though technically a visiting scholar, Tang is taking four first- and second-year courses — Contracts, Accounting, Economics and Public Policy, and Comparative Tax Policy — to provide a foundation for more in-depth research. "For me, it's a new experience," Tang said. "For foreigners, it's not easy to follow the discussion in the beginning."

The method of instruction similarly can be baffling: "Sometimes they don't give any answers. It's quite interesting."

Beyond his initial studies, Tang hopes — by remaining at HLS a second year — to broaden his knowledge of an area of particular interest to him: American legal history in the first half of the 19th century. "I feel there is some similarity in that era in American law and the new situation in China," he said.

Since China expects to accelerate its industrial growth the U.S.'s own industrial-legal development may offer interesting lessons, according to Tang. "I'm sure it's quite a different situation," he said, "but still



— N.W.

Tang Yunbin

there might be some interesting points to study."

Because of the Cultural Revolution which began in the mid-1960s, no formal law study was offered from 1966 to 1978, Tang said. As a result, current law students are not beyond their second year.

May Teach Upon Return

Though likely to return to work in international industrial relations, "maybe I'll teach some courses," Tang said. "It's not quite clear. It depends on how and what I study at the law school."

"If I spend two years here," he added, "I think I may get some depth and perhaps I may be specialized."

An Engineering Major

Tang's earlier education would hardly point to his current status at the law school. Now 42 years old, he studied mechanical engineering in Shanghai — his home — and Nanking, before taking advanced work at universities in Dalian and Peking.

The opportunity to study at HLS came by chance. Tang was introduced to a number of American lawyers, including HLS Prof. Jerome Cohen, during a series of lectures in China when a number

of his colleagues pushed him forward to help interpret the lectures.

According to Tang, the Americans felt it would be "a good idea" to have someone from China come to HLS. Because Tang had a background in legal-economic research — he has written a book on technological transfer — in addition to engineering, he was chosen to come to HLS. "Some people, if they can be trained in the United States," said Tang, "can help both sides be mutually understood."

Tang has already learned one thing about American students: "When I was in China, people said American students were fond of drinking and dancing. At Harvard Law School, they spend a lot of time studying."

The easy access to materials and the "good atmosphere" for study have made Tang's stay enjoyable so far. "My personal wish is to spend time here," he said, "to take the opportunity to learn as much as possible."



SPORTS QUIZ

1. Who is the smallest man ever to win a professional boxing title?
2. Who was the only heavyweight champion ever to go undefeated throughout his entire career?
3. What is the shortest heavyweight title fight in history?
4. Who was the oldest man ever to become heavyweight champion of the world? How old was he?
5. What boxer holds the record for the longest reign as heavyweight champion of the world? How long did he hold the title?

(Answers on Page 16)

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Prof. Vorenberg Teaches Spouses Law

(Continued from Page 1)

The fourth purpose Vorenberg has for his classes is to see what this system of legal rules and procedures tells people about the society in which they live.

In addition to explaining the cases, Vorenberg and the class worked their way through some of the intricacies of statutory interpretation by applying the Model Penal Code to the facts of the cases in the assigned reading.

"You were an excellent class"

Vorenberg also took some time to explain that there were some drawbacks to this method of teaching. "One of the problems with first year classes is that we spend our time on appellate cases. They are sort of dry. They don't catch the flavor of the courtroom."

Vorenberg concluded the class by

explaining that what he had offered them was just a "vignette of what law School life was like." He complimented them on their performance. "You were an excellent class — we could go a long way together." ❧

William Kunstler Rides Again: Blasts Officials

(Continued from Page 11)

In response to questions, Kunstler said he did not endorse Joan Baez's denunciation of Vietnam, despite its human rights abuses, in part because, "As a general principle, I don't criticize socialist countries." He felt "it was wrong for the U.S., with all its human rights violations, to criticize Vietnam."

On the boat people, Kunstler said, "We ought to take them all in . . . We created the very situation that is now occurring by our illegal, immoral, and unconstitutional war."

As he departed, Kunstler told his audience that "personal ambition cannot comport in any way with justice. Life cannot be worthwhile in just feeding your face." With that, Kunstler announced that he had to fly to New York for trial in the morning, and yet another battle in the courts of justice. ❧

Cryptic Law

1Ls may find that this rings true:

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bgdmb ksx okrx yc. . . fsxbm
xnuxemkmdych gctgtdjxr. . . Mvgb mvx
drlj pxfkc, pgm cy ycx yt mvxo sxeqycxr
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(Answers on Page 16)

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Rewards Available to Talented Writers

(Continued from Page 6)

versity but outside HLS itself. A 55-page booklet contains the terms and conditions of the full list of prizes, most of which are reserved for undergraduates and GSAS students. Fifteen of the prizes are open to non-GSAS graduate students, including HLS students.

Only one such award is the largest uncovered by the RECORD's investigation. The Sumner Prize of \$2,270, income from the bequest of Senator Charles Sumner, Harvard Class of 1830, is given for the best unpublished dissertation on "means or measures tending toward the prevention of war and the establishment of universal peace."

The description includes a warning that "students cannot hope to be successful who have not some knowledge of international law." Lest the ILS barrels fill too quickly, it should be noted that relevant senior honors and doctoral theses are automatically considered by the judges. These candidates thus have the chance to earn a new degree — and to get a check.

Most eclectically awarded are the annual Bowdoin prizes, of which two \$1,500 prizes are reserved for Harvard graduate students. No topic is specified or excluded. There are only two requirements: Bowdoin essays cannot exceed 7500 words in length and they must be written in English.

Other prizes could reward law students with any of several extralegal specialties. Undaunted by Dante? Your prose may earn you

the Charles Hall Grandgent prize of \$200 for the best essay on the life or works of the Divine Poet.

The Boston Ruskin award, presumably so named to distinguish it from the Ruskin awards of other metropolises, is given each year for the best work on the life and interests of John Ruskin, the Victorian critic of society and the arts. A \$270 check goes to the grateful survivor of this fierce competition, "unless no essay is submitted which . . . seems worthy of the prize." Nothing at Harvard comes easy.

Information Available

Interested parties may supplement this incomplete account with the wealth of information on prizes and awards available at Dean Sacks's office in Griswold Hall. None of the competitions have a deadline before April. Information concerning certain prizes will not become available until distributed by the award-giving institutions.

Notices of extra-campus contests are listed in the Adviser under "Competitions" as the rules arrive. Descriptions and rules of Harvard awards are now available at the Dean's office.



Ames Finalists to Face Stewart, Challenge of Complex Oil Case

(Continued from Page 1)

Oralists for appellees will be Marcia Rimai and Robert Kantner, backed by team members Mark Carroll, John H. Eickemeyer, Richard Swanson, and Sylvester Turner.

Difficult Issues

This year, say those involved, the case issues are more complex than in past years. The record for the case was framed by Asst. Prof. David Rosenberg, with help from students Rich Robbins, 3L, Paul Hauser, 3L, and O'Brien.

The case revolves around a foreign oil company's lawsuit against a Boston oil company for breach of contract, and the domestic company's antitrust counterclaim.

The fictional case is loosely based on a recent California case, and additional issues include the foreign company's affiliation with an international oil organization called OPEN, its relationship to its home country of Atlantis, and the jurisdiction of the U.S. District Court for Massachusetts, in which the suit is set.

"I think it has more issues than a (final argument) case usually has," commented Robbins. "The parties will have to decide what they want

to argue, and plan their strategies carefully."

Marshall Club oralist Rimai agreed that the case will be a challenge. "I think it's a really exciting record in terms of relevance and timeliness," she said. "It's different from past records — it's not an individual rights case — but that doesn't make it any less interesting to me."

SBR team member Del Calvo y Gonzales agreed that the case is complex. "It's a typical Rosenberg problem — impossible," he joked. "Most of us (on the team) have stopped doing heavy drugs for the period of the contest."

Audience Welcome

As in past years, the Law School community is invited to hear the argument. For those who can't fit into the Ames Courtroom in Austin Hall, where the argument will take place, the BSA is arranging for access via closed circuit television, probably at the Science Center.

O'Brien and the two 2L members of his committee, Bonnie Litt and Juliana Jensen, are also planning the traditional pre-argument banquet for participants, judges and other notables, and the post-argument reception for the audience.

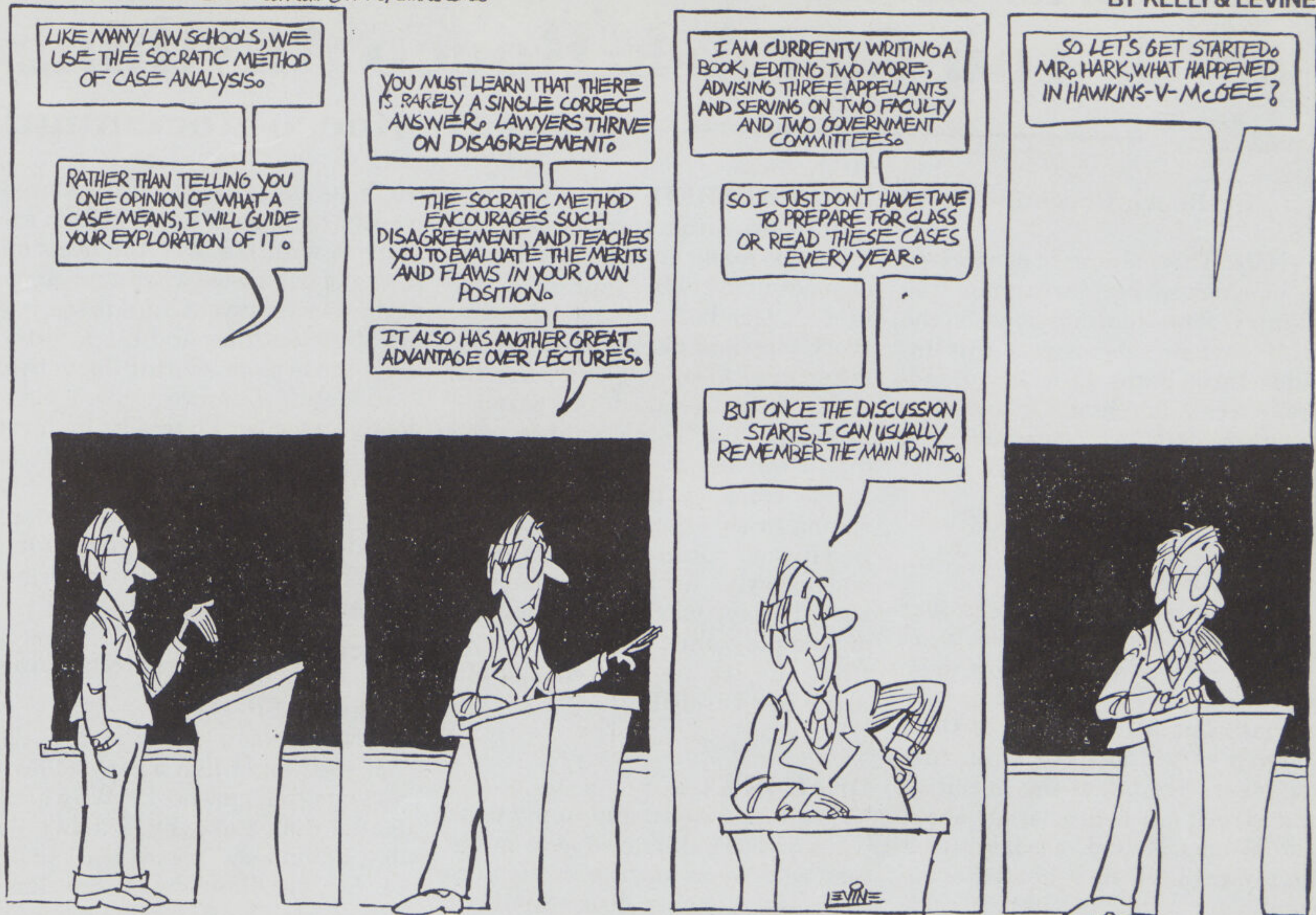


We Goofed

In last week's issue of the RECORD, we reported that 45 states were represented in the 1L class; Arkansas being one of the five with no new appearances in the hallowed HLS halls.

Comes now Greg Martin, a 1L from Little Rock, Ark., to say it ain't so. We apologize to the Vanderbilt grad, and to the great state from which he sprang.





HLS Student Helps Form New Iran

(Continued from Page 4)

lamic obligation, although it could be made a legal obligation as well.

"Socialist governments have had difficulties instituting this kind of system because socialism is materialistic. We are not materialistic," he added. "The state

"The state will provide food, health, lodging and marriage expenses"

will provide food, health, lodging, and marriage expenses, and the legislature will determine what people's needs are. Protection of the human being will not end with freedom of the press and freedom of speech. The goal of business enterprises will not be to increase their

capital; management's major principle will be to meet the necessities of the masses," he continued.

For the present, efforts will continue to remove the "hundreds of Savak agents still left and all the elements supporting imperialism" and to address the "hints that the superpowers are trying to frustrate the economy and the revolution." "Bazargan is the prime minister," he says, "and Khomeini as the leader of the revolution and trusted by all the people, only advises him. Bazargan is in charge."

Noorae's only criticism of Khomeini is that he has attacked the intellectuals. Otherwise, he sees Khomeini as "very liberal, a brilliant leader who is boosting Islam and democracy."

Noorae received both a J.D. and an LL.M. from Tehran University. He began work on a second LL.M. at

Berkeley three years ago and transferred to HLS last year and has not yet decided whether he'll complete an S.J.D. also.



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Off the RECORD

You Can Ask Rocco Anything

By Rocco Roccininni

By Rocco Roccininni

[Note: This column is syndicated in one newspaper throughout the country. The qualifications of the HLS student who writes this include three dates with Ann Landers' sister's daughter's friend, four divorces (only two contested), and an amazing ability to make up interesting letters.]

DEAR ROCCO,

There's a woman who sits in seat 114 in torts class whom I'd like to get to know. The problem is how to go about doing it. I try to catch her eye in class but all she does is stare intently at her notebook while taking notes. I've taken the initiative and struck up a discussion about the "Wagon Mound" case, but that simply resulted in a heated argument, er, legal discussion. The situation is becoming unbearable — when I should be thinking of Mrs. Palsgraf, all I can think of is Ms. Lukabrazzi, (I wonder if she has a first, name.) I even caught myself fantasizing during class yesterday that she had asked to borrow my torts notes (when I know for a FACT that her notes are superior to mine). On top of all this, my turtle just passed away. I guess I'm in a heap of trouble (or so my mother says . . . but then she *always* says that to me). What am I to do?

Signed,
Crushed In Cambridge

Dear CRUSHED,

Stay away from torts cases! They cause too many arguments (that is, depending on who your professor is. . .). Get back to the basics — Ivory soap and discussions of black letter law. Also, go glean some insights from the aged and wizened 2Ls and 3Ls. For instance, you might tell her that you've got the inside scoop on how to study for exams, or that you have a 2L's outline in your possession. You have to start slowly. As my grandmother used to say, you can't go for the double play until there's a man on first (and let me tell you, did she know her baseball!!!)

DEAR ROCCO,

There is a weird guy in my torts class with a half-crazed look on his face who keeps staring at me during class. It is most disconcerting! I

think he's starting to froth at the mouth. Last week he picked an argument with me over the decision in one of our cases (what a reactionary!), and this week he's pestering me about outlines and black letter law (he keeps muttering "now this is safe stuff, I assure you"). I have enough problems already in torts class — the woman to my left is addicted to "super-duper" bubble gum (like Rice Crispies — snap, crackle, pop!), and the guy on my right has taken to boycotting regular showers. What am I to do?

Signed,
Exasperated Elaine

Dear EXASP-

Forget him.

[If you would like a copy of Rocco's engaging new book, "Why I did what I did, and why I didn't do what I didn't do," please mail \$5.00 (\$4 for handling) to Rocco Roccininni, c/o The Harvard Law RECORD]



Sports Answers

1. Pascual Perez weighed in at 107 lbs. when he won the flyweight title in 1954. He stood 4 feet 11½ inches tall.
2. Rocky Marciano never suffered a defeat during his professional career which spanned from 1947 to 1956.
3. Tommy Burns knocked out Jem Roche in 1 minute 28 seconds in a title fight on March 17, 1908.
4. Jersey Joe Wolcott was 37 years 5 months and 18 days old when he knocked out Ezzard Charles for the title in 1951.
5. Joe Louis held the heavyweight title for a record 11 years 8 months and 7 days.

Solution to "Cryptic Law"

These are such stuff as dreams and law suits are made on. . . great expectations fulfilled. . . Thus the idyl began, but no one of them reckoned with the quiet demands of the government. And not remembering thus, the dream was shattered. *Armstrong Construction Co. v. Thomson*, 390 P.2d 976 (Wash. 1964) (architect responsible for damages caused by non-compliance with building code).

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