

HARVARD LAW RECORD

America's Oldest Law School Newspaper

VOL. 70, NO. 7

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APRIL 11, 1980

TWENTY-FIVE CENTS

Panel Offers Renovation Plan For Harkness

By Mary Tarduno

Harkness Commons may have a new look in 1981, depending on favorable student, faculty and staff reaction to and funding for a renovation plan developed by the Harkness Committee.

Developed on the basis of responses to a questionnaire distributed in the fall, the plan includes a pub, an expanded Coop, and remodeled dining and food serving facilities in the "new" Hark. The committee's intent in preparing the plan, said Prof. Oliver Oldman, Harkness Committee chairman, was to present a student center with a variety of activities.

A special Harkness Commons re-
(Continued on Page 6)

Law School Officials Unveil New Publication 'In Brief'

By Richard Weisman

A new Law School publication — entitled *In Brief* and aimed at "improving communication" within the Law School community — will commence publication early next month.

Both Dean Sacks, whose office announced the already-operational project in an insert to last week's *Adviser*, and Law School Publications Coordinator Linda Beyer, who will serve as the publication's editor, said that *In Brief*, which will appear "six to eight times" each year, has been in the planning stages for over five years.

Sacks said the newsletter, which already boasts a paid staff of two reporters, a pair of student story advisers, and three faculty story

advisers, "will try to describe developments and activities which go on at school which would be of interest to many groups of people — faculty, staff, researchers, and administrators."

He added that *In Brief* "will not be addressed primarily to students" — like the *RECORD* or the

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Bradlee Views Press, Law

By Roger Klein



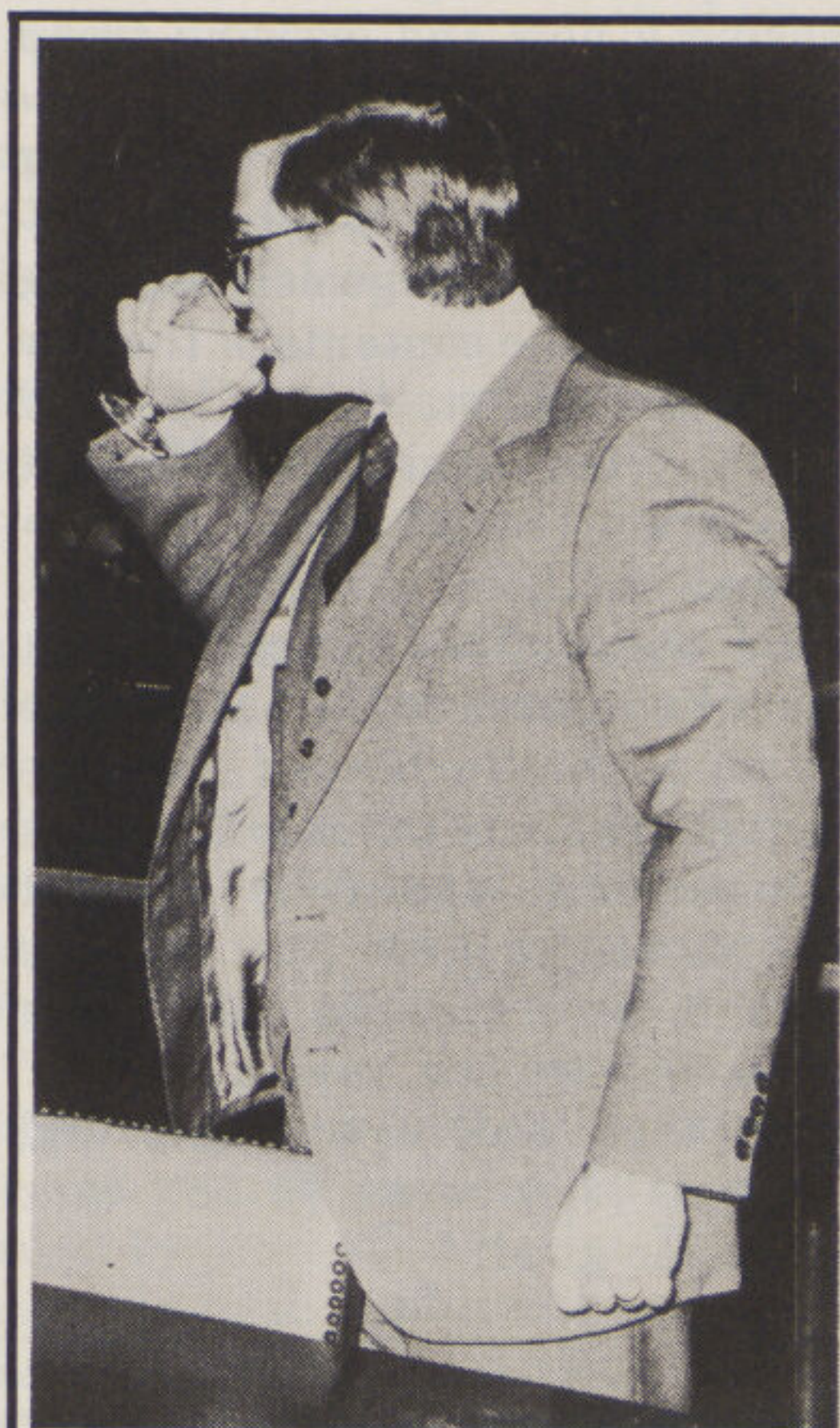
Benjamin Bradlee

D.N.J.

Benjamin Bradlee told students at a Root Room lecture last week that the invasion of law and lawyers into newsrooms vexes, and in some cases threatens, the independence of reporters and editors.

Judicial emasculation of the reporter's privilege, one of the most serious of these threats, has damaged the press's ability to use unnamed sources, the executive editor of the *Washington Post* said. He cited *Branzburg v. Hayes*, requiring that reporters divulge even con-

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D.N.J.

Ames semi-final competitor John Toothman, 2L, pauses for refreshment during the recent arguments. See story, Page 3.

Censors Kill Law Newspaper at Berkeley

By Pat Kelly

The University of California at Berkeley is widely regarded as the most liberal university in the nation. In the late 1960s, it was the homeland and hotbed of the Free Speech movement. Striking students closed down the entire university, the first such action during the era of Vietnam protests. Citizens rioted at People's Park, and the student body replaced the entire city council with avowed leftists and beyond.

Apparently, times have changed. When last heard from, Mario Savio, the once-fiery orator who led the Free Speech movement, was an apolitical math teacher trying to forget his past. The political pendulum at city hall has swung toward moderation, and People's Park is a sedate patch of land indistinguishable from any other.

However, at Boalt Hall (the Berkeley Law School), students are still spearheading social reform. Sensing a new and growing trend of conservatism, they have proclaimed a political stand that is far in advance of what is currently accepted by the bourgeoisie masses. Angered by the contents of the law school newspaper, the *Suspended Sentence*, the Boalt Hall Student Association (BHSA) fired the editor and abolished the newspaper. In the words of Joy Kincaid, "Most of us who reacted to the outrageous edition of the *Suspended Sentence* are fully aware of the ramifications of censorship and fully support freedom of the press . . . But the students here made it quite clear that unless we can have a 'serious' paper that does not insult and embarrass [sic] us we do not want any paper at all."

The "outrageous edition" was published on Sept. 12, 1979. It was the work of Andrew Loomis (the editor) and three assistants. The front page announced that Warren Burger was resigning, but apparently that did not offend anyone. Inside, a mock advertisement for "Insta-Bulge" panties (see insert) offered to cure women who suffer from penis envy, and a playing card for Turkey Bingo (with an

items to be offensive, and anonymous posters and leaflets (apparently the main form of student communication at Boalt) demanded a meeting the next day. Robert Smith, President of the BHSA, chaired this meeting and an official BHSA meeting later that afternoon. He presented two resolutions. One expressed "outrage at the patently offensive material." The other declared the editor's position to be vacant and established a committee to select a new editor. It was fully apparent then that if Loomis was fired, no one would replace him and the newspaper would fold.

The Constitution of the BHSA anticipated disputes over the content of the *Suspended Sentence*. Under Article VI, the editor can be discharged only for refusal to publish student notices, failure to publish, mishandling of funds, or withdrawal from school. As explicitly stated, "Under no circumstances will any of the above reasons for removal be interpreted as allowing the Council to remove the editor because of editorial policy, editorial ability, or content of the *Suspended Sentence*. Any charge that the Council has removed an editor on an improper basis will be heard by the Student Court. Additionally, no editor will be removed without a meaningful opportunity to answer charges against him or her in front of the Council."

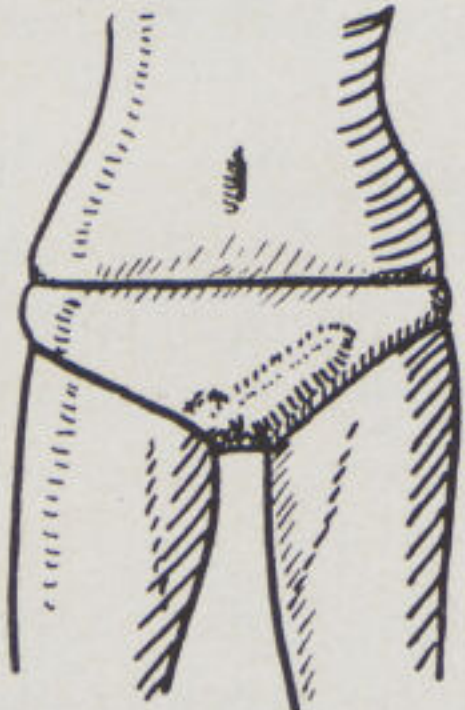
The BHSA contends that this provision was not violated, and that no censorship was involved. The Constitution requires an editor to be selected at the beginning of each academic year. Loomis had been formally appointed the preceding year, and he continued to work on the paper over the summer and act in its behalf when the school year began in late August 1979. However, the BHSA made no formal selection of editor at the beginning of the school year, in apparent violation of their constitution. Smith claims that he did not know Loomis would publish an edition prior to his eventual reap-

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HARVARD LAW RECORD

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"Asshole Bingo" variation in smaller print) contained the names of about 20 students. The staff of the *Sentence* was named, but they were the only straight Caucasian males; the other students named were (as described by the BHSA) black, Jewish, gay or lesbian.

The student body found these

Published ten times each semester by the Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138. Telephone 617-495-4418. Subscription price: \$2.80 semester, \$7.00 year mailed; \$9.00 year mailed outside U.S.; students \$4.00 year distributed at the Law School. Individual copies including back issues: 25 cents at the Law School, 50 cents mailed. Second class postage paid at Boston, Mass. Copyright 1980 by the Harvard Law School Record Corporation. The opinions expressed in the Harvard Law Record are those solely of the students comprising the Board of Directors of the Harvard Law School Record Corporation.

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Photo by David N. Johnson

Eric Havian, 2L, copped best oralist honors as he and partner Kathy Sullivan, 2L, triumphed on March 20.

Africk, Havian Top Oralists in Ames Semi-Final Round

By Christopher Savage
and Bennett Murphy

The Marshall Club and J. Minor Wisdom teams advanced to the final round of the Ames Competition in semi-final arguments March 18 and 20. Marshall Club team-member Joel Africk, representing appellee manufacturers, was named best oralist in the "Agent Orange" case on Tuesday night. Eric Havian of the J. Minor Wisdom Club earned that designation arguing the Thursday night First Amendment/consumer boycott case for the appellant supermarket chain.

Other members of the victorious Marshall Club squad were Mitch Berg, Patricia Bowman, Edward Himmelfarb, Tim Matthews and Mark Friendlander, oralist. Their opponents, the William O. Douglas Club, included James Dannis, Diane Englander, Bill O'Brian and Kenneth Winer. Hank Shea and Anne Simonett were the oralists for the appellant Vietnam veterans.

In re Agent Orange was an interlocutory appeal of dismissal and strike motions by the herbicide manufacturers granted by the District Court of Massachusetts. Sitting on the "Supreme Court" were Judges Wilfred Feinberg of the Second Circuit and José Cabranes of the District of Connecticut and

Justice Jean Dubovsky of the Supreme Court of Colorado. Issues of
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SFF Launches Drive to Fund Public Law Jobs

By Jack Lange

The lack of salaried public interest law summer jobs is a problem Student Funded Fellowships, Inc., is dedicated to solving.

SFF, founded in 1976, kicked off its fifth annual fund drive this week. The organization encourages students to explore career alternatives in legal services and public interest law by providing a supplemental — in some cases, sole — source of income to students who would like to work in the public sector but whose prospective employers cannot pay them enough to cover summer living expenses. To

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Justice Reed Dead at 95

By Richard B. Bernstein

Stanley F. Reed, who served on the Supreme Court from 1938 to 1957, died on April 3 in Huntington, New York at the age of 95. Reed lived longer than any other Supreme Court Justice. (Oliver Wendell Holmes, Jr. died the day before his 94th birthday in 1935.)

Born in 1884 in Minerva, Kentucky, Reed studied law at the University of Virginia and Columbia. He held a variety of governmental posts, including that of Solicitor General. President Franklin D. Roosevelt appointed the then-Solicitor General to the Court in 1938 to succeed retiring Justice George Sutherland, the intellectual leader of the "Four Horsemen," the conservative Justices who opposed New Deal legislation.

A hard-working but colorless Justice, Reed was the least controversial of Roosevelt's appointments. He generally voted to uphold New Deal legislation, and also supported government actions in national security cases. Reed was also known as a defender of civil rights.

Reed retired in 1957 for reasons of health, but took on the usual judicial and quasi-judicial duties of retired Justices for some years thereafter. He was succeeded by the late Charles Whitaker, who resigned five years later due to ill health and was replaced by Justice Byron White. Reed's death leaves Arthur Goldberg and Abe Fortas as the only surviving former Justices.

Chief Justice Warren E. Burger commented on being informed of Reed's death that Reed was "a moderate in all things and an exemplar of a true gentleman. He wrote with clarity and firmness, and his hallmark was civility at all times, even in the most controversial cases coming before the Court."



Iranian Asset Seizure Prompts Debate

By Laura Taylor

President Carter's Nov. 14, 1979 freeze of Iranian assets has been the source of a great deal of litigation in recent months. A March 12 discussion, sponsored by the International Law Society, addressed the legal issues in the controversy.

Speakers John Hoffman, a 1960 HLS graduate and a partner in the New York firm of Shearman and Sterling, and Thomas Shack, a partner in the Washington, D.C. firm of Abourezk, Shack and Mendenhall, represented opposing sides in the current litigation.

Hoffman, whose firm represents Citibank in efforts to secure Iranian external debts, characterized the litigation as "about the most exciting kind of work I can imagine." He added that his work requires him to "study newspapers, and make decisions as to what's happening in Teheran," and to "second-guess" the President's moves in the current Iranian hostage crisis.

The main issue in the assets litigation, which is being conducted in various European countries as well as in the United States, according to Hoffman, is the meaning and scope of the Executive Order which froze the assets. Read literally, the Order purports to freeze all Iranian governmental assets, including those deposits which are outside the United States.

Hoffman characterized the Executive Order in this respect as part of a "pattern of U.S. legislation purporting to control the behavior of people in foreign coun-

tries," a pattern which is "offensive to other sovereigns."

Nationalized Industries

Nationalized Iranian industries, according to Hoffman, have amassed an outside debt of approximately \$7 billion. These claims, in addition to debts incurred by the Shah's regime, are the focus of Citibank's interest in the litigation.

Iran also has sizeable external assets, most of which are the proceeds of oil sales, which are paid for in dollars. The largest deposits of these funds are in banks in London and Paris. Creditors of the Iranian regime are seeking to attach these deposits as a source for the repayment of debts.

The American order, on its face, freezes Eurodollar deposits, as well as deposits in American banks. One main issue in the litigation, consequently, is the definition of the Eurodollar, and the effect of the American freeze on dollar deposits in European banks.

The Iranian central bank is seeking to seize the foreign dollar deposits. The American bankers are defending such suits on the theory that, while the freeze order may not have a direct effect on the foreign deposits, Eurodollar payments cannot be made, since they must go through the United States.

180 Lawsuits

Thomas Shack's 10-member Washington, D.C. firm is coordinating the Iranian government's efforts to lift the freeze. The firm's greatest difficulty, according to Shack, is the volume of litigation which has been generated by the Executive Order. As of early March, 180 suits against the Iranian assets had been initiated in the United States, and new suits were being filed at the rate of "two or three per day. . . . On a bad day, we get more." Most of the major American firms which would be equipped to handle this sort of litigation, asserted Shack, are already working for American banks. An additional problem in

recruiting firms has been overcoming chauvinism from emotions about the hostage situation.

Cultural differences have also been a major problem for the firm. "The problem," according to Shack, "is at all times trying to convince the client that the American legal community is trustworthy." He noted that the Iranians think that American lawyers are simply officers of the court, and would not defend their interests effectively.

The Iranian government, asserts Shack, does not comprehend the American system of separation of powers. The Iranians conceive of the courts as simply an arm of the American government. The Iranians also believe that the freeze was engineered by the American banks. "We all know that's not true," added Shack, smiling.

Iran wants the freeze lifted, and believes that this can be accomplished by a unilateral Executive Order. Shack noted that a lifting of the freeze would not really change the asset situation in the United States at this point, because the funds would still effectively be frozen by outstanding attachments and injunctions imposed by American courts. "Iran doesn't really realize this," he added.

The firm's major push at this point is to have all of the suits against the Iranian assets consolidated and tried before a multidistrict panel in the Southern District of New York. If this is not accomplished, he stated, the discovery process in the many different suits will be "mindboggling" and will strain his client's resources.

An additional consequence of a failure to consolidate will be an adverse Iranian reaction, he noted. "Iran will assume it's part of a conspiracy to make defense of its interests impossible."

Neither attorney would speculate on the eventual outcome of the litigation. Hoffman stated in closing that he "will not guess where it's going to end," and added that he hopes that "in 20 years we won't [still] be talking about the Iranian situation."



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Prof. Harold Berman

HLYB

HLS Considers Exchange Plan With Cuban School

By Dave Quinto

HLS is quietly pursuing the possibility of establishing an exchange program with the Law Faculty of the University of Havana, Cuba. Prof. Harold Berman, accompanied by Van Whiting of the Center for International Affairs (CFIA), visited the University of Havana from June 17 to 24, 1979, in the third of a series of recent academic exchanges.

According to Berman, the talks

with the Cubans covered three types of transfers: "[E]xchanges of books and materials, short-term reciprocal exchanges of faculty and research scholars, and longer-term visits of research scholars."

Although no exchange of students is currently under consideration, "I certainly would like to see it considered," said Dean Albert Sacks. David Smith, assistant dean for international legal studies, affirmed HLS's interest in sending students to Cuba but suggested that because funds to allow Americans to study abroad are drying up, it is possible that more Cuban students will come here than vice-versa.

Alberto López, a professor of international economic law, may spend the entire 1980-81 academic year at HLS, Whiting said recently. Dr. Oscar Pino Santos, director of the Institute of the Americas of the Central Committee of the Communist Party of Cuba, had been expected to spend last fall at Harvard but had to cancel his visit for personal reasons. Pino Santos also cancelled a planned six week visit to the CFIA in May-June of last year for reasons of health.

According to Whiting, López returned to Cuba from the U.S. in 1963 and then attended law school. Berman spoke with López "at length" and has an "excellent impression of him."

López's role at HLS "needs to be worked out," Sacks said. "We've had people come here from various parts of the world. What they do depends on their qualifications, our needs, and the exchange program within which they function," he added. "There is no arrangement for anyone to come and teach a regular course because we can't do the type of appointments process there as we do elsewhere. We can't canvass the field."

Sacks recalled that HLS hosted a young legal academic from the Soviet Union as a visiting scholar

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Trivia Contest Airs Oddities

What happened for the first time on June 29, 1910?

Such gems of wisdom are being asked of students this week in the HLS fifth annual trivia contest. Run by "Trivia Czars" Richard B. Bernstein, David N. Johnson and Kaye Thomas, all 3Ls, this year's contest drew 29 three-person teams. The teams competed in preliminary rounds this week and will enter semi-finals Monday and Tuesday nights. The height of trivia will be reached in the finals on Thursday, April 24 at 8 p.m. in the Ames Courtroom.

"The contest has been building in popularity and in number of people who enter every year," said Bernstein. This year's response is the biggest he's seen in three years, Bernstein added.

The trivia matches are judged by the three "czars," two of whom — Bernstein and Thomas — were members of last year's champion team. This year's new champions, Bernstein said, will receive "a trivial first place trophy."

And any of those teams should be able to tell you that Father's Day happened for the first time on June 29, 1910.

Mary Tarduno



Photo by David N. Johnson

Steve Levitas, Ken Fleisher, and Tom Griffith, all 1Ls, ponder a question en route to a brutal defeat in a trivia match Monday night.

White's Tort Epic: Awesome Achievement

Richard B. Bernstein

G. Edward White, *Tort Law in America: An Intellectual History*. xvi + 283 pp., Oxford University Press, \$19.95.

When I reviewed G. Edward White's *Patterns of American Legal Thought* last fall, (RECORD, Sept. 28, 1979), I commented that "White has confirmed his reputation as one of the foremost figures in the field of American legal history, a reputation he established in 1976 with *The American Judicial Tradition*." White's newest book, *Tort Law in America*, is, if anything, even more impressive. Not only is it a major contribution to American legal history; it is also a superb work of intellectual history — brilliantly conceived, gracefully written, and impressively researched.

In his Introduction, White explains his purpose: "This book is not so much a history of tort law as a history of the way the subject of Torts has been conceived. . . . I see the shifting character of tort law in nineteenth- and twentieth-century America as deriving from the shifting ideas of legal scholars and judges — especially ideas about the civil responsibilities of a person to his or her neighbors in society and about the manner in which societies should respond to injuries and injured people."

White thus gives credence to the idea that when judges and scholars write opinions, articles, or treatises, they might actually mean what they say — a refreshing change from the approach of some writers on legal subjects, who dismiss such evidence as window-dressing and try to find some sinister hidden meaning in legal doctrines. In *Tort Law in America*, White shows us legal history's inevitable overlap with the history of ideas.

White combines four perspectives in his examination of the history of the idea of tort law: intellec-

tual history, the sociology of knowledge, "the phenomenon of professionalization in late nineteenth- and early twentieth-century America," and "the recurrent concerns of tort law during its history as a discrete field." In so doing, he illuminates the evolution of the legal profession's self-image and the changing views of what was appropriate education for the person seeking to become a lawyer, as well as the ongoing debate over the nature and function of law in society.

The book's main structure is chronological, although White pauses in midpassage to make a more leisurely examination of three dominant figures in the history of tort law: Benjamin Cardozo, William Prosser, and Roger Traynor. The chapter on Prosser is

of special interest, for in it White gives shape and form to Prosser and places him and his magisterial works in their proper historical and jurisprudential context, dispelling the usual conception of him as a bloodless, abstracted sage whose pronouncements read as if they were engraved in stone.

In times of galloping inflation, it is inevitable, perhaps, that this slim volume would be priced far beyond what most law students can afford; I hope — and suspect — that Oxford will reissue it in paperback. In any case, *Tort Law in America* is one of the finest works in American legal history to appear to date; law students, legal and intellectual historians, and the general reader alike would find it stimulating and informative. ☞

HLS Committee Proposes Renovations to Harkness

(Continued from Page 1)

port to be distributed today or Monday will contain the proposed floor plans as well as sketches done by an architect of what the rejuvenated Hark interior would look like from various standpoints. By the end of April the committee hopes to get opinions from students, faculty and staff, and at that time will decide whether to proceed with the proposal.

The Hark renovation plans were the result of two years of study by the committee. Formed in light of growing deficits in the building's operation and a growing number of complaints, the committee looked initially at the building's problems. "The first thing we saw was great underutilization," Oldman said. "It's not clear how much general awareness there was of this, but it was clear to the committee from the beginning."

Next focusing on the food ser-

vice, the committee recommended that the Law School stop using the Harvard University food service and switch to an outside concern under contract. This year that suggestion was adopted, with dāka operating in the Hark on a profit-loss rather than on a flat management fee basis. In the past, any deficit in food service operation had been absorbed by the Law School.

"From all the evidence we have — maybe it's not complete — by making the switch in food service we are not only freezing or reducing the deficit but also reducing the number of complaints and making people more satisfied with the food," commented Oldman. "On the whole people seem happier this year than they were with what we had before."

This year, in order to focus on making plans for the building for

(Continued on Next Page)

HARVARD LAW RECORD

Panel Proposes Harkness Modernization

(Continued from Previous Page) the long run and to attack the underutilization problem squarely, the committee gave the job of monitoring the new food service to another group. Then, as an initial step in formulating long range plans, the committee last fall conducted a survey, seeking the opinion of staff and students on uses they would like to see the Hark put to.

According to Linda Beyer, HLS Publications Coordinator and Hark committee member, "There wasn't much in the results that you could point to and say 'Oh my gosh, there's a sanction from the students.'" However, interest was expressed in the inclusion of many new facilities and remodeled areas in the Hark.

"Students seemed most interested in services and stressed convenience," Beyer said. For example, she explained, interest in an expanded Coop, a grocery store, a post office and a ticket office in the Hark was apparent from the survey. Respondents also expressed interest in a pub, a TV room, and a lounge.

Interest in food service in the Hark basically confirmed the current purchasing pattern, said Beyer, with a small core of people interested in breakfast and dinner and a larger number in lunch. If available, respondents also indicated they would buy snacks occasionally in the Hark. Perhaps more telling than this information, however, were comments on the surveys about the dining areas in the building. These were characterized as "very institutional" and "too cold and sterile."

30 Percent Response

Although the response rate to the survey was only 30 percent, "We think it is a fairly representative sample," said Beyer. She cited the facts that food results on the survey roughly match sales patterns and that certain survey population characteristics, such as

the number of dorm versus commuter students responding, match known figures.

The committee gave the survey information on food service to a food service consultant to propose the kind and size of operation that could "make a go" with the results received, Beyer said. Taking the consultant's ideas and the facilities attracting interest in the survey, an architect prepared floor plans and sketches of a rejuvenated Hark. Now, said Beyer, the committee has something visual to show the students to criticize.

In the plans, the second floor of the Hark is completely remodeled, with the existing enclosed and elongated food service arrangement replaced by a "free-flow island type of cafeteria," said Beyer. "Long, skinny lines are an outmoded form of food distribution. People aren't used to getting their food that way any more," she explained. The proposed arrangement allows self-service in a more open area, giving a less commercial and institutional impression than the straight line set-up as facilitating speed of service, she added.

Cold and Sterile

"One of the largest complaints in the surveys was that the dining rooms are too cold and sterile," said Beyer. The proposed floor plans thus include smaller and varied dining spaces. Some of the dining area upstairs will be converted to multi-purpose rooms and a self-service kitchen, according to Oldman. The kitchen could be used for preparing food for parties and receptions, purposes for which the area will be especially well suited since it will also contain a bar set-up, he added.

While the dining service on the second floor would provide regular meal service, a 50 to 60 seat pub on the first floor would be a place for snacks in the afternoon and evening as well as for socializing. A patio with tables and chairs outside would be adjacent to the pub,

allowing students and staff to sit outside on the few pleasant days that Cambridge has during the school year.

One function of the "new" Hark would be as an information center, Beyer said. Student mailboxes now in the Langdell tunnel would be moved, with bulletin boards and information panels such as those newly installed this year in the Langdell tunnels being included in the Hark. Plans also call for the location of a receptionist-information desk, small meeting and student organization rooms, and possibly the Dean of Students office in the building.

In the Harkness Report the committee will ask students, faculty and staff to submit written comments and reactions to the proposals. Several meetings will be held to allow those interested to ask questions of committee members.

"By the end of April we'd like to get as much input as we can," Oldman said. The committee will then review comments and suggested changes and, given favorable reaction, will submit a final proposal to the Dean's Office for approval and bid solicitation. The financial aspects of the project would have to be worked out, Oldman added.

A rough estimate given to the committee for the work proposed is \$2.8 million, said Oldman. This figure is based on the assumption that the work would be done in 1981: the Hark would be closed in spring '81, with work proceeding through the spring and summer and being completed by fall.

"The committee was unanimous in agreeing that it's quite enthusiastic in going ahead" with the Hark proposal, Oldman said. He hopes that, with the renovation, the building will be successful enough that activities in it will contribute towards maintenance and other operation costs, and that demand for use of the building will be so great that the school will have to keep the Hark open — "if not 24 hours a day, then until 12 or 1" each evening. ❧

SFF Gears Up Public Interest Drive

(Continued from Page 3)

finance its fellowships, SFF appeals to students taking paying summer positions to pledge one percent of their summer earnings to the fellowship fund.

Amy Grossman, 2L, stresses the character of her organization's activities as "a true community effort." She also emphasizes its importance to the fellowship recipients: "The contributions aren't that much to the individual contributors, but they really add up. It's one way we can help others to have alternatives and to explore things they really want to do."

Well Received

SFF has indeed received an enthusiastic response from the Law School community. Last year, contributions totalled over \$12,000. SFF used that money to award 20 fellowships of up to \$150 per week for ten weeks. Grossman expects an even more successful drive this year. She cites a high participation rate after the first night of the organization's telephone solicitation campaign, an effort in which more than 70 student volunteers have joined SFF's seven directors in spreading the word. Of course, part of any increase in contributions will be eaten up by inflation; the maximum fellowship award has been increased this year to \$175 per week.

So far, SFF has focused its annual fund raising efforts on stu-

dents and faculty. But Grossman hopes soon to begin expanding the organization's appeal to the somewhat better padded pockets and pocketbooks of HLS alumni. Specifically, she plans to inaugurate a fall drive directed at alumni which would provide some funds for SFF earlier in the year.

"Some students find public interest jobs in the fall. But if we can't guarantee that we'll be able to help them, they may feel that they have to take jobs with private firms," Grossman says. "A source of funds in the fall could help us make the choice easier for them." SFF will certainly be aided in its attempt to tap alumni coffers by the fact that, since it is organized as a not-for-profit corporation and has been granted tax exempt status under IRC §501(c)(3), contributions to it are tax deductible.

Fellowship Awards

Shortly after the current fund drive ends next week, the SFF directors will begin reviewing applications for fellowships. According to Grossman, over 30 applications had already been received a

HLS Second in Moot Contest

Two HLS students, Reginald Brown and Ron Baugh, 2Ls, recently distinguished themselves by winning second place in a national moot court competition.

The final round of the Frederick Douglass Moot Court Competition took place March 28-29 at the Black American Law Students Association national convention in New York City. Competing against nine other teams that had been selected in a preliminary round at the BALS regional conferences in February, Brown and Baugh argued five times in two days before distinguished panels of judges, including several New York Supreme Court members and several attorneys from the NAACP Legal Defense Fund.

week before the April 11 deadline. Choosing among them, she admits, will be no easy task. The organization has established certain criteria to guide it in the selection process. It requires first of all that at least a tentative offer to work for a qualifying organization have been received, that the job employ legal skills and not involve lobbying or campaigning, and that the applicant be unable to raise \$175 per week from other sources. In most cases, SFF fellowships take the form of supplements to salaries paid by the employers. This arrangement, Grossman explains, "gives the employer a stake in the student's work, and helps us spread our money around." Fellowships sometimes subsidize the employer's contribution for students qualifying for the federal work-study program.

The selection process also seeks diversity, both in geographical location and in type of legal work. Such diversity is apparent from a sampling of last year's fellowship-funded jobs. Students worked for the Brooklyn Legal Services Corporation, the ACLU of South Carolina, the San Francisco District Attorney's Office of Consumer Fraud, the Mental Health Project, Gay Rights Advocates, the Seattle Public Defender, and the Media Access Project, to name just a few.

SFF is unrelated to the Equal Justice Foundation, another organization devoted to funding public interest legal work through pledges by lawyers of a small percentage of their earnings. According to Grossman, SFF represents an effort of the Harvard community to expand opportunities for HLS students to explore public interest careers through summer job experiences, while EJP is a national organization working more generally to improve access to the legal system for underrepresented groups.

Pledges to SFF may be dropped in any of the designated boxes around the law school or sent to Student Funded Fellowships, Langdell Hall.

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GLOVES	RACKETS	SHOES
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SHOES	CLOTHING	UNIFORMS

ATHLETIC SHOES BY: ADIDAS, BROOKS,
ETONIC, SAUCOWY, AND HIKE

Censors Kill Law Newspaper at Berkeley

(Continued from Page 2)

pointment, but Smith's position was contradicted in a separate interview by Cynthia Schiffhauer, the vice-president of the BHSA, who conceded that the BHSA knew that Loomis was planning to publish. Regardless, the BHSA asserts

that the dispute is solely a question of whether Loomis was properly the editor; if not, then he is not entitled to the protection of Article VI, quoted above. Smith insists that, despite the joint passage of the "outrage" and "vacancy" resolutions, there was no connection

between them, and that the BHSA was not motivated by a desire to censor Loomis. In his words, "The resolutions just happened to be on the same day. You can think of two different and unrelated things on the same day. The outrage resolution merely expressed an opinion."

Loomis disagreed, and appealed to the Student Court. Unfortunately (or fortunately, depending on whose side you're on), there was no Student Court when the offensive articles appeared. This forced the BHSA to select the judges whom it would then appear before as a defendant. Five people applied, knowing they would decide the fate of the *Sentence*. Loomis charged that at least two of the applicants had irrevocably decided against him. The Constitution provided for only three judges, but the BHSA amended the Constitution to allow "up to five members" of the Court and accepted all five applicants. The BHSA claims that this decision was motivated by impartiality. In Schiffhauer's words, "Everyone knew about the newspaper, so we couldn't get a court that was completely unprejudiced. It's like trying to get an impartial jury in a famous case." The analogy is certainly apt; why didn't they allow any *voir dire* questions? Smith feared that "if we had asked any questions, we would have invited charges of handpicking the court." The BHSA made no attempt to escape from its multi-role responsibility, such as requesting the faculty to select the court or serve as judges.

Loomis filed a complaint as soon as the Student Court was chosen. However, the Court did not have any rules of procedure, and it refused to consider the complaint until it developed rules. When that task was finished, it decided that Loomis's complaint did not comply with the new rules. Loomis amended his complaint, but it still

(Continued on Page 11)

Marshall, Wisdom Victorious in Ames Semi-Final Round

(Continued from Page 3)

enterprise liability, class actions, and the federal common law were featured.

Boycott with a Twist

Thursday night's case, *Universal Supermarkets, Inc. v. Farm Workers Alliance*, involved a First Amendment issue in a twisted procedural setting. Appellant Universal challenged the propriety of a federal court's injunction against enforcement of an injunction it had obtained in a state court under a statute attacked by the Farm Workers Alliance on First Amendment grounds. The federal court's declaratory judgment finding the anti-secondary boycott statute unconstitutional was also at issue.

Joining Havian as oralist for the appellants was Kathleen Sullivan. Other members of the J. Minor Wisdom Team, which is also sponsored by the Marshall Club, were Steven Branson, Daniel Goodman, Robert Morse, and Cheryl Noble. Opposing counsel, the FWA Marshall Club, consisted of David C. Baca, Jack Balkin, Gail Ballou, Bennett Cohen, Thomas Mullen and John W. Toothman. Ballou and Toothman argued the case for the appellees.

The teams were judged by a Supreme Court panel chaired by Judge Hugh Bownes of the First Circuit, Judge Walter J. Skinner of the District Court for Massa-

chusetts, and Judge Nancy Holman of the Washington State Superior Court.

Not for the Squeamish

Preparing the case involved "total commitment," according to Gail Ballou of the FWA Marshall Club. "Virtually all waking hours from the time the record came out" were required, she said. "We all bitched and griped about how far behind we were getting in classes," admitted Douglas oralist Hank Shea, "but we'd all do it again — and work just as hard."

The competitors in the penultimate round of the Ames competition seemed to feel positive about their efforts, though they differed as to the nature of what they had gained. Marshall Club team-member Tim Matthews described the benefits of having "certain kinds of experiences law school classes don't give — such as preparation of a very complex brief and exposure to substantive area of the law only hinted at in class." Shea expressed the benefits differently, expressing gratitude for the opportunity of "working with people as a unit, under time pressure." "It's a valuable tool, and whether you are in a law firm or government or anywhere, you've got to know how to do it."

"For anyone willing to put in the time commitment," summarized Ballou, "it's a great experience."



Spring Feverishness

Now that it's spring we have packed away the extra blanket, dusted off our baseball gloves, put on our shorts, and begun reviewing for finals one month away.

Somehow, the year disappears too quickly, as 3Ls feverishly struggling with their third year papers can readily report. A 1L trying to admire a budding rose may quickly recall that he should be reviewing restitution and expectation. And a 2L may even pull herself away from the NBA playoffs.

This is the time of year when pretty soon nothing else seems to matter. Extracurricular activities are abandoned and friends are neglected as finals roll around.

Nobody ever suggested that HLS was the sanest place in the world, but it doesn't have to be the funny farm either. Whether HLS people realize it or not, the world goes on.

The next time a friend comes up to you and asks you to talk with him or her, take the time. Go for a walk on the Charles. Watch the news. Read the paper. You owe it to yourself. You owe it to your neighbor.

HLS is not a dehumanizing place for those who try to be human. The rewards are obvious.

Some People Didn't Laugh

An actor playing a faculty member in the Law School show departed from his script on closing night, we have heard, prompting a protest from HLS's Committee on Gay Legal Issues. It seems that the student, a bit too loose with his ad lib, employed a familiar pejorative term in describing the "Supraman" character, a term that offended Committee members and others in the audience as well.

At first, COGLI's complaint seems picayune — one encounters casual remarks at the expense of gays and other minorities rather frequently at HLS. Certainly they occur no less frequently here than elsewhere.

But after a little thought, we have to concur that the performer deserves a rebuke. It is also clear that the incident reveals something important about the HLS community, something to counter the prevalent attitude that bigotry is a foreign disease.

In our daily ad libs, we commonly fail to consider how others may react to remarks we consider innocently humorous. We offend far more easily and far more frequently than we would if our attitudes toward gays and others were as enlightened in fact as they are in our imaginations.

HARVARD LAW RECORD

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Fenno

It was quiet that night in Langdell. Fenno sat motionless in the lap of the statue of Joseph Story.

"Clearly you're not here for the scenery, Fenno," a voice said.

When Fenno recovered his equilibrium, he stared wonderingly at Justice Story. "So you can talk."

"Sure I can. I ran off at the mouth my whole professional career. Do you think I'd let a little thing like being carved in stone by my own son stop me? What gives, Fenno? You look terrible."

Fenno sighed. "I've lost it. I've been trying to be funny for days now, and I've had no luck. While I was on vacation, some impostor filled my shoes and now Dean Sacks thinks I can't spell his name correctly. And my suntan is gone. Sure, it's great being the collective voice of the HLS unconscious, but it also means I don't tan. I give up."

"Nonsense, Fenno. I've seen it all from up here. While everyone was throwing a fit over the Younger mess, I sat up here and laughed. That's what this place needs, and you still have it in you."

"You mean it?" Fenno could feel the old spirit returning.

"Sure. You just need a wild and crazy idea — something that will knock everyone off their feet. You could write a hard-hitting, Woodward-Armstrong-style expose of the HLS faculty, revealing their foibles, jealousies, weaknesses, the ongoing petty rivalries corrupting the HLS decision-making process.

"What decision-making process?" Fenno asked, puzzled.

"You're right. How about this?" The Justice snapped two stone fingers, which wasn't easy. "Stage an Olympics here. You could have all sorts of special HLS events — treatise-hurling, invective-dodging, brief-lifting, 1500-meter Shepardizing, and freestyle conclusion-jumping."

"I think you've got something," Fenno said excitedly. "The key event could be a subway construction obstacle course marathon! And if the Olympic Committee doesn't buy it, we could turn it into a special *Miller's Court* episode: 'The Battle of the Circuit Stars!'"

"Now you're talking."

"Gee, thanks, Mr. Justice. How could I have done it without you?"

"Use your head, Fenno," replied Story. "Why do you think they put me here?"

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Letters to the Editor of the RECORD

Lax Reporting

To the Editor:

I applaud your editorial of March 14 ("Something to Take Home") and concur in most of what you said. I write only to comment on your suggestion that the Michelman Committee has "something to share with the student body" which it is not disclosing and your expressed wish that it soon provide a "briefing and discussion for students" on its work.

The same Committee status reports and working papers that have been distributed to the faculty and the Visiting Committee have been available to the student body in Professor Michelman's office for some time. A "briefing and discussion for students" conducted by the Chairman and other members of the Committee was held last semester on the same day of the Committee's only report to the faculty to date.

Prof. Clark held an open discussion on part of our work in the Root Room on the afternoon before your editorial appeared. And a group of students advising the Michelman Committee has had regular meetings at which student members of the Committee report on its progress and in which students prepare presentations to it. These meetings are open to all students, including your reporters.

All of these events have been repeatedly advertised in the *Adviser* and, in some cases, in your pages. Nevertheless, I have not seen in the RECORD any account of the Committee's successful effort to persuade the faculty to introduce small sections to next year's 1Ls, the advisory group's extensive presentation to the Committee of grade reform proposals, or Professor Clark's provocative model for a "public interest" law school — to name a few. You are correct in supposing that the Michelman Committee "has news" for the students. I am surprised that your talented journalists, who have so ably uncovered Harkburger and dorm lottery scandals, require more spoon-feeding of that news than the Committee has already offered.

The Michelman Committee may begin a process of significant change at the Law School. Those seriously interested in such change, and not merely in editorial rhetoric, should direct their energies toward helping the Committee by publicizing and criticizing its work and urging others to do the same.

Jeffrey B. Kindler, 3L
Member of Committee on
Educational Planning and
Development

Want a Date?

To the Editor:

I am puzzled about your editorial, "Timing the Breathers," of March 7, 1980, since

no one on the RECORD checked the information with me.

Next year the January Term is scheduled to begin on Monday, January 5, 1981.

Mary D. Upton

Assistant Dean and Registrar

Editor's note: Terrific.

Get the Show on the Road

To the Editor:

Every Friday I eagerly await delivery of my two-week-old copy of the RECORD, but this week's issue brought sharper than usual feelings of nostalgia. Surely the worst part of being an ex-L (aside from having to start paying on all those loans) is missing the annual production of the Law School Show. Would the company consider making a nationwide tour?

Sharon Readhimer, '79
Houston, Texas

More Whites?

To the Editor:

Your classification of the HLS faculty as a white male club [Editorial, 10/26/79] was overbroad. You used the phrase in decrying the underrepresentation of women, blacks, Asians, Chicanos and Native Americans on the HLS faculty. However, you failed to note that significant groups of white males are also underrepresented on the HLS faculty.

Consider a few examples. How many white males of Irish or Italian ancestry are tenured professors at HLS? How many white males from the southern or western portions of the United States? How many white males with a Catholic educational or religious background? How many white males with a non-Ivy League undergraduate education? How many white males with a non-Ivy League legal education?

Francis P. Grealy, '78 ('79)
Washington, D.C.

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.

The RECORD is looking for a few good people.

23 Everett Street

Censors Kill Newspaper at Berkeley LS

(Continued from Page 9)

didn't comply, so he amended it again, and the Court refused again. On his fifth try, he submitted a term paper he wrote on freedom of the press, but it was rejected, as was his sixth complaint. As of early April, the Student Court still had not agreed to decide the case, although it once offered to do so if Loomis would waive his challenges regarding the selection of the judges and their procedural rules. Loomis refused, and the Court

"The judges are law students who don't have time to wade through a bunch of crap," Smith claims.

asserts that it cannot act since it has no valid complaint before it. Smith claims that all of Loomis's complaints are "a hodgepodge of cheap shots" and "gobbledygook . . . the judges are law students who don't have time to wade through a bunch of crap," although arguably they volunteered for the chore. When pressed, Smith conceded that he could not specify any required elements missing from the complaints but, in his opinion, "the format just wasn't right."

The Boalt Hall faculty has remained carefully above the fray throughout the dispute. Surely it has been a fascinating opportunity for them to see their students demonstrate what they have learned about law and legal procedure, and the rest of us can hardly wait for a comprehensive and scholarly analysis in a respected law review. Until then, the most appropriate commentary may well be the words of Boalt Hall Student President Smith: "This thing has drag on it seems like forever."



Hoopla at HLS

By Steve Friedland

The first annual Bricklayers Cup basketball competition between the *Harvard Law RECORD* and the *Harvard Law Review* produced fierce competition and stellar sub-siding Friday, April 4, at the Indoor Athletic Building. The *Review* sent approximately one battalion — over three separate teams — to face the lonely but brave "dirty half-dozen" from the *RECORD*.

Mark "Jewel" Newell played the role of mad bomber for the *Review*, with able assistance from Dan "Dr. Dunk" Rashin, Ed "In my face?" Schallert, and numerous other extraordinarily pale individuals. Tom Heywood played a fine all-around game for the *RECORD*, and Dave Johnson and Dan Hershman provided some sparkling moments with shots from downtown. Josh Dratel, Jack Lange, and Steve Friedland rounded out the *RECORD* patrol.

Precedent for the final score, 24 So. 2d 20, is being researched by the *Law Review* and will be published in their June issue.

★ ★ ★ ★ ★
On Friday, March 14, the HLS faculty was defeated by a motley crew of students, 38-27, in a widely enjoyed charity basketball game at Hemenway. Proceeds went to the Save the Children Federation.

The closely contested game featured ballet-like pirouettes by Alan Dershowitz, stellar defense by David Herwitz, heads-up passes by John Hart Ely, and sparkling displays by Grey Bryan, Fred Chapman, Wes Daniels, Charles Donahue, Jack Tobin, and James Vorenberg.

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Law School Officials Unveil New Publication 'In Brief'

(Continued from Page 1)

Adviser, which is also published by Beyer — nor will it be addressed solely to alumni. All students, staff and some recent alumni will receive the publication.

Harvard University's Publications Office has prepared a mock-up for the newsletter's first issue.

The dean's office said in its announcement last week that the principal goal of *In Brief* would be to "assist in developing a stronger community sense within the Law School by making its people, programs and achievements more widely known," as well as to increase alumni knowledge of Law School events and activities, and to impart more of a sense of rapport than that provided by the existing array of publications, which include the glossy alumni semi-annual *Bulletin*, also published by Beyer's Office.

Neither Beyer nor Sacks would give an estimate of the cost of the newsletter, although it is clear that at prevailing rates, an eight-page publication such as that envisioned by the dean's office published several times per year could well cost several thousand dollars.

Sacks said he would continue to authorize cutbacks in the frequency with which the *Bulletin* is published to offset the cost of *In Brief*.

Hired Guns

Beyer said she has hired *Harvard Crimson* reporter James Tyson '81 and Tammy Jacobs, 3L, "at \$3.75 per hour" to assist in publishing the newsletter. Jacobs and Mike Smith, 3L, both of whom recently resigned from the *Harvard Law RECORD*, will serve as the publication's board of student story advisers, although Beyer said that next year she hopes that she can "put an announcement in the *Adviser*" so that all students may have a chance to serve on the Board.

Beyer said that Profs. Frank Sander, Lance Liebman, and Prof. Emeritus David Cavers will com-

prise the faculty story advisory board.

Beyer said that although the first issue is slated to come out in early May, she is still undecided about the content of *In Brief*.

"The only thing I'm sure about is a regular feature called 'Now and Then,'" which, Beyer said, she hopes will provide readers with interesting facts about HLS history.

Beyer has also inserted letters into the mailboxes of all law students requesting possible story ideas which "illustrate the creativity, intelligence, accomplishments and diversity of the student body." The bottom of the letter contains a form upon which interested students may write their names, awards, honors, publications, accomplishments, and "other."

"I'm an optimist," Beyer said. "I believe that change is possible — even if it's only small change — if we're talking to each other more. The dean has very high hopes that this will do that."

SPORTS QUIZ

NOTE: This week's Sports Quiz deals with famous athletes or sports personalities who are bald.

1. Although his dome is now covered by an expensive toupee, this well-known broadcaster started out his media career as a bald boxing announcer. Who is he?
2. An All-Pro defensive tackle for the Oakland Raiders, this athlete's lack of hair gave him an appearance which prompted Alex Karras to assert that this performer was a graduate of the University of Mars. Who is this famous athlete?
3. A combination of partly bald and partly shaven, this guard starred for this year's Syracuse basketball team. Who is this athlete whose name is very appropriate in light of the subject of this Sports Quiz?
4. A star forward in the early days of the National Basketball Association, this player was given the nickname of the "Bald Eagle." Who is this former athlete?
5. This athlete started his career as a major league catcher with a full head of hair but it has disappeared now that he has entered the broadcasting business. Who is this well known former athlete and sports personality?

(Answers on Page 16)

HARVARD LAW RECORD



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MEN'S SUIT DEPT — THIRD FLOOR

HLS Considers Cuban Exchange Plan

(Continued from Page 5)

for a year a few years ago. "He participated in a great number of activities, knew many students, and attended classes and meetings. He got and gave a great deal," Sacks stated. Another Soviet visitor to HLS, a professor, engaged in a variety of activities, including participating with Berman in seminar lunches and dinners with students and faculty, Sacks added.

Although "HLS would be glad to have an exchange at any time," according to Berman, there has been concern at HLS that the changing political climate between the U.S. and Cuba might dampen that prospect. Whiting met with officials at the Cuban Mission to the United Nations last month and is now "more optimistic about continued exchanges."

Another problem may impede long-term faculty and research scholar exchanges in the future, however. "The Cubans have so few people [in international law] that springing one cuts their manpower by 20 percent," Whiting stated. "The law professors consult to the government — to one ministry or another. They're needed. The Cubans haven't met the backlog from when they almost eliminated the teaching of law," he continued.

"Deprestigiado"

According to Whiting, the practice of law was "*deprestigiado*" (officially stripped of prestige) in Cuba during the late 60s and early 70s and for ten years almost no one graduated from law school.

In pointing to the need for closer contacts with Cuba, Berman stated that he had been interested in learning more about the Cuban popular courts in which the public participates. Berman had learned of them from an article published in the *Columbia Law Review*. "The courts were abolished a decade ago. That's the only thing I know about them. I have no idea why the experiment didn't work," Berman said, adding that the Cuban experience might have some relevance to

the Neighborhood Justice System here in the U.S.

The academic exchanges with Cuba originated in June, 1975 when Prof. Samuel Huntington of the CFIA and Abraham Lowenthal, then of Princeton, visited the University of Havana. In October, 1978, the dean of the Law Faculty of the University of Havana, Gilberto Muñoz, and the Director of the Institute of Social Sciences of

There has been concern that the changing political climate between the U.S. and Cuba might dampen exchange prospects.

the Academy of Sciences of Cuba, Nuria Gregori, visited Harvard for ten days at the invitation of the CFIA. Whiting, who has lived in Chile and who is completing his doctoral dissertation on the regulations of transnational corporations in Mexico, served as "translator, guide, and host." Whiting contacted the Law School at that time and has since served as a liason.

The Muñoz and Gregori visit to Harvard was followed by Prof. Jorge I. Domínguez's visit to Cuba on behalf of the CFIA. During March, 40 Mason Fellows from the Harvard Institute for International Development plan to visit Cuba. According to Berman, "A number of faculty members at HLS and scholars at the CFIA [have] expressed interest in going to Cuba to lecture or to conduct research on various topics."

Legal Materials Replenished

Langdell Librarian Morris Cohen is delighted with the exchanges because each visit has included an exchange of legal materials. Berman and Whiting, for instance, returned from Cuba bearing 25 individual volumes in 14 titles, plus 55 duplicates.

"Traditionally the Latin American collection has been a very

strong area. This library and the Library of Congress probably have the strongest collections [of Latin American legal materials] in the world," said Cohen. "The extent to which we've been able to keep up is less dramatic. With the Cuban Revolution, the availability dried up because fewer books were published and because of the breakdown of trade relations."

In order to get around the trade barrier which the U.S. established for Cuban goods, HLS obtained post-revolution Cuban legal materials through Canadian and Mexican dealers. "We actively seek such materials. We have standing orders with the dealers," Cohen stated. Assistant Librarian for Technical Services Myrtle Moody said that the prices paid were "outrageous" because of the virtual monopoly in the supply of Cuban materials.

Quid Pro Quo Exchanges

Although the exchanges of library materials have so far involved a rough *quid pro quo*, Cohen explained that "[we] have an interest in seeing that American materials get to Cuba" "[we] regularly" give legal materials to "Third World countries that can't afford to buy" them through normal channels.

The materials supplied to Cuba and to impoverished nations consist largely of duplicates donated by the faculty and alumni. Although Langdell will spend approximately \$500,000 for acquisitions this year, about one-third of its acquisitions will come from donations.

Cohen hopes to improve the continuity of Langdell's Cuba collection by completing its sets of Cuban journals. Harvard also hopes to obtain more original documents, such as laws, draft laws, legislative debates, and court decisions. HLS has sent to Cuba casebooks, treatises, teaching materials, and several volumes of the *Harvard Law Review*.



'Post' Editor Views Press, Law

(Continued from Page 1)

fidential information to grand juries, as a precedent in the current legal structure he would most like to change.

"A paper like ours can fight these subpoenas," Bradlee said. "What I worry about most are the small papers, whose boards of directors contain many prominent citizens. You don't even have to start a suit before these papers cave in."

'Not Worth a Damn'

Bradlee sees the toughening of libel law — generated in part by cases narrowing the definition of a public figure — as a palpable, though less serious, encroachment. Reporters' instinctive feel for libel guides them through most of their work, but in-house lawyers, conscious of the growing power of libel law, fail to realize this: "Most of them are frustrated writers anyway — a lot of their advice is not to avoid libel but simply their own ideas of bad taste," Bradlee said.

As the law's tentacles strengthen their grip on the news business and other parts of society, reporters and editors must learn more about it, Bradlee said. But the *Post* avoids

sending reporters to law school, for fear that they will become "clothed with robes" and "part of the club." The paper experimented by sending one Supreme Court reporter to law school, but the results were disastrous: "I don't think he was worth a damn after that. He was one of you, not one of us," Bradlee told the crowd of 50.

In response to critical questioning, Bradlee admitted that just as law has strengthened its hold on the press, the press' role in politics has grown, and that this raised a potentially troublesome issue. "The problem seems to be: who the hell elected the press to this position?" he said.

Yet the gravelly-voiced, straight-talking editor defended the press-as-kingmaker, arguing the Constitution gave the press this role and that "I'm not sure we're any less qualified than five guys sitting in a smoke-filled room."

Carter as Puppeteer

Bradlee, who himself became the subject of media attention when Jason Robards played him in the movie "All the President's Men," also pointed out that politicians had grown increasingly sophisticated in selling themselves to the

press, thus counteracting press power. As an example of an attempt to manipulate the media, he cited a press conference of top newspaper editors, including Bradlee, President Carter hurriedly called on the Sunday night before the Wisconsin primary. The conference was originally off the record, but shortly after it ended press spokesman Jody Powell called Bradlee to say the White House now considered the conference "deep background" — printable, but without attribution.

Calculated Turnaround

The turnaround was calculated. "Carter had been getting a shel-lacking because of the conciliatory message [to the Ayatollah]. He didn't want to deny it so loudly as to derail some plan he has to influence the Ayatollah, but he also wanted to get some information out to make him look better in Wisconsin," Bradlee explained. Carter also hoped to convey his concern and slight optimism to the public, and simply "to show everyone he was working on a Sunday night."

Bradlee defended *The Brethren*, written by reporters Bob Woodward and Scott Armstrong while on the *Post* staff, against several hostile questions. He said he knew of no errors in the bestseller, and believed its publication would eventually improve the Supreme Court. "I don't see where society is hurt by knowing that some people think the Chief Justice is a fool," he said.

CRCL Elects Editors

The Harvard Civil Rights/Civil Liberties Law Review (CRCL) has elected Susan Mollway, 2L, as editor-in-chief for 1980-81.

Mollway, running in a field of seven candidates, declared: "I really enjoy doing editorial work, I think I'd be good at it, and I think I can improve CRCL by making the organization more cohesive." Mollway has previously served as an instructor of expository writing and British and American literature in the University of Hawaii, as a lecturer in business English in Takushoku University in Japan, and as an editor at the Charles E. Tuttle publishing company.

Mollway expects to enlarge

CRCL's 25-member editorial board by appointing writers and to "make changes in the way we conduct 'prelim' meetings," subject to board approval. Mollway has appointed 2Ls Claude Dickson and Frank Flaherty as executive editors and Jacob Lewis, 2L, as managing editor.

The outgoing editors include Aaron Bayer, 3L, the editor-in-chief, Mark Stern, 3L, the executive editor, and managing editors Mary McDermott, 3L, and Charley Post, 2L. CRCL has 120 student members who have done enough work this year to qualify as electors.

Dave Quinto

Dorm Council Movie

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Little Known But Lovable Law Lore

Joan Ohlbaum

It's the same old story. People know about everything but what's under their noses. (For example, how many people know that the little indentation found beneath the human nose is called a "philtrum," literally meaning "love potion"?) This observation is no less true at HLS, where the typical student spends three years without an appreciation of the school's long tradition. The following questions and answers should help unshroud the Law School's heritage.

Who was the largest dean of HLS and what does it matter?

Dean Roscoe Pound. His rotund build and habit of scattering his papers about him required him to have built a special round desk, which is now in the Langdell reception area. Some say the desk was designed to accomodate the "flesh of Pound."

Where did that moosehead in the stairwell by the Treasure Room off Langdell reading room come from?

The head hails from a moose shot by Dean James Bradley Thayer during a hunting trip out west some 75 years ago, explains Acting Librarian Bob Berring. (No one knows where the rest of the moose is, but it is rumored that another end of the animal was a student in Section II last year, and he just missed making Law Review.)

How much does it cost to name an HLS room after someone?

The least expensive memorial rooms in Pound and Griswold went

for \$25,000, according to Wilson Pile, Secretary for Alumni Affairs at the Law School. Prices for memorials are set on a sliding scale. If your law firm decides to dedicate an HLS room to you this summer after working you to death, it should contact the Law School Fund Office or the Dean, who must arrange to have the donation approved by the Harvard University Corporation.

Where did all those paintings in the classrooms come from?

Bernice Loss, Director of the HLS Art Collection, explains that most of the paintings were collected by Dean Pound, who systematically acquired what is now the largest collection of British legal portraits anywhere, including Britain. The collection includes 100 British portraits and 200 American printings and sculptures. Pound employed an agent in London to inform him when a legal portrait was available. Loss says she receives many requests for information about the portraits, not always from law students. For example, a British writer compiling a book about oriental carpets requested a copy of the portrait of "Isaac Royall and his Family" in the Langdell Treasure Room, because the family is pictured above an oriental rug. That portrait is the first group portrait ever painted in the U.S.

What do Sir Humphrey Winch (a British lawyer) and two wives of Henry VIII have in common?

All three appear in a portrait in Langdell North classroom,

although only Winch is visible to the naked eye. Bernice Loss, director of the HLS art collection, explains that two women in proper 17th century dress are pictured beneath the Winch layer. Loss discovered the two when she sent the painting to the Fogg Museum for an x-ray on a tip from a British scholar.

What would Carl Yastrzemski be doing today if he bombed out in baseball?

He might be teaching Con Law, but because he outbatted John Ely in baseball while the two played against each other in junior high, the Yaz is in the big league, and Ely is here with the farm team. Likewise, Alan Dershowitz is relegated to HLS after junior high baseball bouts with Sandy Koufax.

Is HLS the greatest show on earth?

Not exactly, but Registrar Mary Upton would be qualified to run it even if it were. Her great great grandfather was P. T. Barnum, and she's fulfilling her genetic destiny to run a circus.

To Be Continued

Sports Answers

1. This inimitable "chrome dome" is Howard Cosell.
2. Otis Sistrunk is the player in question who, incidentally, did not go to college.
3. Marty Head is the man with the suitable name.
4. The man referred to is George Yardley.
5. This broadcaster is Joe Garagiola, the man with his own baseball world.

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