

HARVARD LAW RECORD

America's Oldest Law School Newspaper

VOL. 70, NO. 8

© 1980 BY THE HARVARD LAW SCHOOL RECORD CORPORATION

APRIL 18, 1980

TWENTY-FIVE CENTS



B.L.

Prof. Charles Fried joyously plays his birthday gift, the Baumanbasch fiddle, presented by Section II on April 15.

Committee Weighs Goals As Critics Await Results

By Bennett Murphy

HLS's Committee on Educational Planning and Development is approaching the end of its first year of work "in a highly fluid state," according to its chairman, Prof. Frank Michelman. The Committee, with a broad mandate to examine all existing Law School programs and make recommendations as it sees fit, has entertained proposals covering diverse features of the practice of legal education at Harvard. One of its interim recommendations, to establish an experimental program of small-section instruction in Contracts, has been approved for use in one of next year's 1L sections.

It remains unclear to Committee members and to students who have



HLYB

Prof. Frank Michelman

monitored the Committee's work, however, whether the Michelman Committee's final report will recommend a comprehensive revision of HLS's program of education or consist of a "laundry list" of marginal reforms. Proponents of the former approach are concerned that the Committee, through its own inertia, will avoid due consideration of comprehensive reform.

Under the small-section instruction plan, a joint product of the Michelman Committee and the Law School's standing Committee on Legal Education, approved by the faculty early in the current semester, one of next year's sections will be divided into four subsections for the first term of their Contracts course. Professors Byse, Andrews, Michelman and Von Mehren will serve as Contracts instructors, as the plan now stands. The small sections will merge in the spring and complete Contracts under Prof. Byse.

(Continued on Page 4)

Harvard Students Battle, Judge Rent Disputes

By Joan Ohlbaum

When landlords and tenants clash in Cambridge, they often bring their disputes before the Cambridge Rent Control Board. This year, Harvard Law students are playing a role in all aspects of the conflict. Not only do they actively represent tenants before the Board, but a Harvard 2L, Victoria Judson, is among the five Board members whose decisions fundamentally affect the Cam-

bridge housing market each day.

The cases which Judson and the tenant representatives from Students for Public Interest Law (SPIL) deal with are crucial to the state of the housing crunch plaguing law students, among other Cambridge residents, because many of them involve eviction for condominium conversion. Since 1970, condo conversion has removed from the rental housing market one out of every five apart-

(Continued on Page 5)

Envoy Defends Israel's Peace Policies

By Jack Lange

Yehuda Blum, Israel's Ambassador to the United Nations, presented a frank, impassioned defense of his country's approach to the Middle East peace process in a speech at HLS on April 10.

Blum began his presentation, which was co-sponsored by the Harvard Law School Forum and the Harvard Jewish Law Students Association, with a reference to the recent terrorist attack on the Misgav Am kibbutz. The incident, which left three Israelis dead, offered "a vivid demonstration of what the Mideast conflict is all about," he told a crowd of 100 in Langdell North Middle. "At the same time, on Tuesday, the Security Council was meeting to discuss the rights of the allegedly homeless Palestinian people. Nobody mentioned the terrorists."

Blum insisted that the P.L.O. and many Arab states are still committed to the destruction of Israel. Quoting from various Arab documents to that effect, he declared that "everything else is subterfuge. Yasir Arafat and the other P.L.O. leaders are really very moderate, reasonable people," he said, his voice thick with sarcasm. "Just read American newspapers, watch American TV, and you will know the truth."

Palestinians Since 1967

In support of Israel's position in the current Palestinian autonomy negotiations with Egypt, the diplomat reviewed some historical facts which he claimed are widely overlooked or ignored. He emphasized that only since 1967 has there been any widespread conviction that Palestinian Arabs have been de-

nied self-determination and are entitled to a state of their own. "Prior to 1967, we did not control Judea, Samaria and the Gaza District," he said. "The Palestinians could have and should have addressed themselves to Jordan and Syria about an independent state there. They did not."

He added that Security Council Resolution 242, adopted after the 1967 war, only considers the Palestinian Arabs in the context of the general refugee problem — a problem that embraced as many Jewish refugees from Arab states as Arab refugees from the Israeli-occupied territories.

"In 1967, everyone still remembered that the Palestinian Arabs had a state of their own," Blum explained. As a result of the 1947 partition, two states were established on the territory of the former Palestine Mandate: a Jewish state (Israel) and an Arab state (Jordan). "Jordan is the Palestinian state," Blum contended. "The only thing about Jordan that's not Palestinian is the king. But in history, many kings have come from foreign countries." Palestinian self-determination, he said, is "just a slogan to get the territory back" and "a hoax."

Blum proved to be less deferential to the 1947 partition on the issue of boundaries: "We were willing for the sake of peace to make a great concession and accept the partition resolution — but on the important condition of reciprocity. That condition was not met, and we are back to square one." He stated that "for us, a return to the 1967 lines would be sheer suicide and sheer insanity. We don't want to do that, and we're not going to do that."

The Ambassador stressed that

the Camp David autonomy approach is only an interim solution, and that the passage of time may solve many of the area's problems. But Israel, he said, "could live with the autonomy solution indefinitely — and this is a tremendous concession on our part. We believe that Israel can make out a very strong case — historically, legally, politically, morally, militarily — for retaining these territories and exercising sovereignty over them." If other parties press their demands for sovereignty, he suggested, Israel will not be shy about pressing its own claims.

Policy Misunderstood

Blum asserted that his government's settlement policy is "utterly misunderstood abroad." He argued that it is "a racist notion," and one that is "inconceivable" to Israelis, that "a Jew should not be allowed to live in Bethlehem or Hebron, or in any part of Judea or Samaria, simply because he is a Jew."

On a more practical level, he contended that "if we want to be sure that no second Palestinian Arab state comes into being — and we are determined to prevent that — then signing autonomy treaties in itself will not do the trick. Even a military presence will not be enough. If we want to make sure that there is a permanent Jewish

(Continued on Page 15)

JAMES F. BRINE, INC.
29 BRATTLE ST.
HARVARD SQ. 876-4218

SPORTS EQUIPMENT
AND APPAREL

SPRING EQUIPMENT IS HERE

BASEBALL	TENNIS	SOCCER
GLOVES	RACKETS	SHOES
BATS	SNEAKERS	BALLS
SHOES	CLOTHING	UNIFORMS

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

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.

ALUMNI: Alumni who receive the Record as a result of membership in the Harvard Law School Association should mail change-of-address information to the Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138. Each alumnus receiving a Record subscription through the Harvard Law School Assn. should be on notice that \$2.80 of his H.L.S.A. annual dues are used to purchase the Record subscription he receives. Dues paid at any time during the H.L.S.A. fiscal year which began in April 1979 and ends in March 1980 will purchase a subscription which begins in September 1979 and expires in August 1980, and so on in following years.

HLS Rep Jay Ahstrom Views Coop

By Jorie Roberts

Jay Ahstrom, 3L, HLS's voice on the Harvard Coop's Board of Directors, leaned back on the eve of the April Board meeting and reminisced on his experience as a student director. "It's been exciting to be affiliated with a business that operates well and gives good service to its clientele." Ahstrom also found that several of his HLS courses, such as Corporations, Tax, and Labor Law, "came alive" in his tenure on the Board.

Ahstrom, one of 11 student directors among 23 directors on the Board, was elected to his position last spring by the Coop members, after he was first selected as one of the then-current Board's nominees. Ahstrom explains: "I saw the poster in the Law School Coop soliciting applications, and then went through an interview process."

Ahstrom recollects that "approximately 80 students from MIT, Harvard College, and Harvard graduate and professional schools

applied for the 11 Board nominee positions." Fifteen more students got on the ballot by submitting petitions. Three Board members are elected annually from each of MIT, Harvard College, and Harvard graduate and professional schools, and an additional two members are elected "at-large."

When asked why he decided to run, Ahstrom responded, "I was looking for some sort of business-oriented, and not legal-oriented, extracurricular activity, and I thought it would prove interesting to see how a corporation is organized." Ahstrom was also attracted by the Coop because it is an "interesting vehicle, geared more towards service, with the profit motive a secondary one." Ahstrom pointed out that most of the Coop's profit is made in non-service areas, so that no money is made, for example, in text-book sales.

The Coop's Board of Directors meets once a month, with five specialized committees to the Board meeting throughout the year. Each student director serves on one of the five committees, which deal with such areas as Audits, Employee Benefits, and Charitable Donations. Ahstrom serves on the Audit Committee, which intrigued him because, he chuckles, "I've always enjoyed accounting, so the Committee tied in with a special interest of my own."

(Continued on Page 15)

Star Women Hoopsters Capture Title at Tourney

By Ken Blohm

The HLS Champs soundly defeated the Yale Amazons to take first place at the Women Law Students Basketball Tournament held last Saturday. The HLS All Stars brought home the third-place trophy by beating Boston University in the consolation game of the tournament.

The tournament was the first in what is hoped will be an annual competition among area law schools. Mary Crook, Twila Foster, 3Ls, and Lyn Lemaire, 1L, the Harvard students who organized the event, invited women from Yale and from all Boston-area law schools to participate, but Yale and BU were the only schools to enter a team.

In the first round of action, the Champs had no trouble defeating BU 39-12. The Champs, coached by Lee Coffee, 2L, is the same team that won last year's women's intramural competition. Also in the first round, the HLS All Stars fell to the Yale Amazons 33-12. The All Star team, coached by Bob Bennett, 3L, was made up of top players from the various intramural teams. Aside from a few practice sessions, the tournament was the first time the All Star team played together.

In a strong defensive game, the HLS Champs went on to beat Yale

33-20 in the final round. Wilma Lewis, 2L, who played her usual outstanding game, commented that "the win was a great team effort and a satisfying victory."

HLS players were surprised at the size of some of the Amazons from Yale. Even All Star Twila Foster, 3L, 5'8", commented, "They sure grow 'em big down in New Haven." The hard-core players from Yale, who were disappointed to see that beer was not served between games, raced to Fathers' Six after the match.

Playing for the first-place Champs were Karen Abernathy, Sylvia Barrett, Veronica Blake, Ruth Bourquin, Karen Daniel, Lissa Lamkin, Wilma Lewis, Delonia Watson, and Joyce Wilson. On the All Star team were Twila Foster, Judy Hall, Helen Marinak, Lorraine Pratte, Debbie Tooker, Karen Turner, Mary Whisner, and Mitzy White.

Dorm Council Movie

THE TURNING POINT

Shirley Maclaine and Anne Bancroft
star in this sparkling film
set in the world of
big time ballet.

Friday, April 18th
Harkness Commons,
8 and 10 p.m.

\$1.25 or free with Dorm
Council Movie Card



D.N.J.

Jay Ahstrom, 3L

Michelman: How Much Is Not Enough?

(Continued from Page 1)

The substantive sweep of the Committee's work has been as broad as its mandate from Dean Albert Sacks. His Feb., 1979 memorandum described the Committee's purpose as "to undertake a comprehensive review of the existing educational programs of the School, with a major emphasis on curricular programs" and to propose "whatever revisions the Committee thinks necessary or desirable to meet the School's educational needs of the next 5-10 years, so far as the Committee can foresee them."

Named as faculty members by Sacks were Professors Victor Brudney, Robert Clark, Douglas Ginsburg, Duncan Kennedy, Charles Nesson, David Shapiro, and James Vorenberg. Student members, selected in the fall by the Law School Council, are Jeffrey Kindler, 3L, Karen Falkenstein and Nancy Wiegers, 2Ls, and Molly Burke, 1L.

Proposals Pour In

Over a dozen major proposals have been submitted and discussed at biweekly meetings that began in the fall. Some of these have focused on individual curricular features, such as a suggested legal research program that would give third year students the opportunity to opt out of a part of their course load in favor of concentrated research and scholarly writing under faculty supervision. Other proposals similarly constrained in scope have recommended changes in student evaluation procedures, increased use of alternative instruction methods such as videotape lectures, and an offering of concentrated programs of sequential courses in specialized fields of the law.

Under the major sequential program plan, proposed by Prof. Michelman, students will elect to concentrate in a substantive field for their second and third years. Approximately half their course time will consist of a prescribed

sequence in the specialty, with the remainder consisting of prerequisites (e.g., Constitutional Law, Corporations), an ITA-like skills sequence, and other course work. The legal research option, advanced by Prof. Clark, would offer advanced research and writing to third year students. Clark has also proposed that the program develop into an on-campus legal research institute. Both proposals will be submitted to the faculty in advance of the Committee's final report; Clark suggests that prompt action could make the research option a reality for current 1Ls in the Fall of 1981.

Non-curricular reform proposals have addressed admissions and placement policies. A plan to de-emphasize quantitative measures of applicant qualifications in favor of demonstrated commitment to public interest careers has crossed the Committee's table, as has a set of proposals to restructure placement procedures to ease the adverse impact of intensive recruiting practices on student performance.

Two proposals with a more comprehensive reach have also been objects of Committee discussion. One such effort, contained in a lengthy memorandum composed by Prof. Clark and titled "The Goals of Legal Education at the Harvard Law School," was to adopt "a formal policy statement to the effect that a major purpose of the educational program of the School is to support and encourage educational activities that further the public interest, as conceived from time to time by its faculty and students."

Though Clark's public interest recommendation "hasn't been adopted for the outside," according to Chairman Michelman, it remains under consideration for inclusion in the Committee's final report. Michelman noted, however, that "there have been references to [the public interest commitment] in subsequent developments in the Committee's work."

The most far-reaching and detailed reform proposal yet submit-

ted to the group has come from Prof. Duncan Kennedy. His proposed revamping of the Law School curriculum would establish a prescribed two-year course sequence followed by a "diversified" third year program resembling the current second and third years but incorporating programs contained in other proposals, such as the major sequential program and legal research options. The two-year sequence would include programmed instruction in doctrine, a "required sequence of clinical experiences" that would include a two month "summer stint" in a legal clinic "modelled after a university teaching hospital," and contemporaneous interdisciplinary work at a three or four hours-per-week rate.

Coupled with Kennedy's proposed structural changes are recommendations for reform of admissions, grading, Law Review selection, faculty appointment practices and Law School salary schedules, each intended "to reduce or reverse the School's role in promoting illegitimate hierarchy and alienation in the Bar and in the country at large."

Faculty Flexibility

Whether or not the Committee's ultimate product will be guided by a general statement of the goals of legal education is a matter of great concern to Committee members and observers. Kennedy states "the basic issue" of the Committee's work as "Are we at a point in the history of legal education when the time has come to transform it radically, or is it a time for marginal, reformist adjustment?" Committee member Nancy Wiegers takes the issue a step further, criticizing faculty members of the Committee as overly tempered by "faculty acceptability and cost considerations." "We have to take their word for what they can get through the faculty," she said, "which precludes the more comprehensive approach."

Marc Silverstein, 3L, who heads the 18-member Student Advisory

(Continued on Page 14)

Students Battle, Judge Rent Disputes

(Continued from Page 1)

ments between Harvard and Central Squares.

The Cambridge Rent Control Board, comprised of two tenant members, including Judson, two landlord members, and one home owner, hears all applications for the removal and eviction permits required for condo conversions under the Cambridge Rent Control Ordinance. Judson and the Board also hear eviction, rent adjustment, and landlord health code violation cases, before they can be appealed to a court. Rent adjustment cases are appealable only on the Board record, giving Judson and the Board board power to shape final decisions. The Board has jurisdiction over more than 20,000 rental units.

Judson was appointed to her unpaid, indefinite term on the Board in January, 1980, after sending her resume to the Cambridge City Manager. He contacted local tenant and low-income interest groups to ask for their evaluation of her work. These groups know of her role as founder of the Alliance for Cambridge Tenants (ACT), an anti-condo-conversion group which runs a telephone information hotline and meetings of tenants in buildings undergoing conversion. Judson has also worked with Cambridge Tenants Organization fighting landlord health code violations, and with the Cambridge Committee of Elders, supporting senior citizens' causes. She was a founder of the Tenant Representation Committee of SPIL, which now sends members to argue before her and the Rent Control Board.

During high school and her years as a Harvard undergraduate, Judson worked with the Cambridge Civic Association, HUD, local park groups, and with the Massachusetts Port Authority as a financial analyst.

"In the middle of exam period last semester, I was interviewed by the City Manager [for the Board position]," says Judson. She said her law study helped her land the

job, because the City Manager preferred a candidate with legal background; lawyers who might take the job were already handling cases before the Board as part of their practice.

Stacks of Reports

Judson's duties include reading a stack of hearing examiners' reports at least two inches thick each week, so she will be ready to hear arguments and vote on cases each Wednesday night for two and one half to five hours.

She says arguments by SPIL and other tenant group members are "more on the mark of the important issues" than arguments by other general legal services groups, because tenant groups are more familiar with rent control cases.

Judson's involvement in community tenant's rights groups presented potential ethical problems for her after her appointment. She no longer can discuss pending or potentially pending cases with her colleagues off the Board, and she must leave ACT and SPIL meetings when pending cases are discussed.

Fighting Applications

Most of SPIL's discussion concerns fighting applications for removal permits required for condo conversion. Group organizer Priscilla Budieri, 2L, points out that the Rent Control Board has been denying removal permits to landlords because of the Cambridge housing crunch and because of hardship on rental tenants. The 25 SPIL members who have been trained to handle cases have argued against more than 15 evictions since the group's inception this year, and have won every case. Judson says that during her tenure on the Board, it has never split three-two on an eviction case, but has instead unanimously denied permits, showing honest concern for the housing crunch, instead of blind loyalty to respective interest

orientations.

Budieri says the Board's protections are worthless, however, if tenants do not make use of them. SPIL members cite examples of landlords trying to intimidate tenants who might not be aware of their rights. Mary Higgins, 1L tenant representative, argued a case in which the landlord told a tenant, "Your apartment is sold. You have to move out tomorrow." Landlords have also illegally shown tenants' apartments to prospective buyers without occupants' permission. One landlord removed his tenant's name from his mailbox. Another refused to fix outside locks to his building, as required by law, despite several robberies.

"Unauthorized Practice"

SPIL was threatened with loss of the tenant representation program in March when a lawyer arguing against a SPIL member objected to the law students participating in the "unauthorized practice of law" before the Rent Control Board. He argued that only 3Ls could represent tenants, and they should be certified pursuant to Mass. S.J.C. Rule 3:11, concerning third year law student trial practice. The S.J.C. Rules Committee, however, refused to object to SPIL representation.

Peter Maier, 2L, group leader, sees the irony in the lawyer's complaint. "There was Vickie, deciding cases, and we might not have been 'qualified' to argue before the Board!"

SPIL receives referrals from ACT and CTO. Budieri and Maier also check the Rent Control Docket to find tenants without counsel, and apartments without occupants, which need representation. The Jewish Law Students' Association has cooperated with SPIL in their training program.

Numbers to call for help with landlord problems are: ACT and SPIL 825-6700; CTO 661-9312; Cambridge Rent Control Board 498-9077. ☛

Essay Revival Reaches History, Law

Richard B. Bernstein

Ronald Syme, *Roman Papers*. Edited with an introduction by E. Badian. 2 vols., 862 pp. The Clarendon Press of Oxford University Press, \$95.00.

Isaiah Berlin, *Against the Current: Essays in the History of Ideas*. Edited by Henry Hardy with an introduction by Roger Hausheer. 394 pp. Viking Press, \$16.95.

Francis A. Allen, *Law, Intellect, and Education*. 123 pp. University of Michigan Press, hardbound \$12.00, paperbound \$5.95.

Only recently, it seems, many critics were prepared to consign the essay as a literary form to oblivion. Then Lewis Thomas published *The Lives of a Cell* and *The Medusa and the Snail*, followed by Carl Sagan's *Broca's Brain* and Harold J. Morowitz's *The Wine of Life*; in popular science, at least, the essay acquired a new lease on life. These three books demonstrate its continuing vitality in history and law as well.

Nearly eighty years ago, Theodor Mommsen received the Nobel Prize for Literature for his magisterial *History of Rome*, reflecting the central place Roman history then had in literature and culture. Sir Ronald Syme is the greatest living historian of Rome today, ranking with Tacitus, Gibbon, and Mommsen as one of the greatest ever; yet he is virtually unknown to most readers. While this demonstrates that Roman history has become a subject for the specialist rather than part of the required intellectual baggage of our time, it does not detract from Syme's splendid achievement.

In 1939 Syme, then a young professor at Oxford, published *The Roman Revolution*, a challenging and revolutionary interpretation of the period in Roman history from the decline of the Republic to the confirmation by the Senate of Augustus as leader of the Empire. Since the publication of *The Roman Rev-*

olution, Syme has continued to write extensively and brilliantly about an astonishing range of subjects in Roman history. *Roman Papers* is a collection of most of Syme's major essays from 1930 to 1970; another volume is planned to collect the essays he has published since then.

The newcomer to Roman history is usually astonished and put off by the attention lavished on minutiae; in Syme's hands, however, even the most unpromising facts illuminate famous and long-standing historical controversies. Indeed, Syme's most innovative contribution, the development of prosopography ("collective biography" — an historical method that deduces political and social consequences from family connections), is based on just such a painstaking attention to what others might deem trivia.

The publication of this collection of Syme's papers constitutes an extraordinary contribution to history and literature. E. Badian sums up Syme's merits best: "(H)is work is based on a profound interest in human beings and their relationships, against the background of their social environment in all its complexity. . . . Sir Ronald reminds us, in an age when it is often forgotten, that history in its true sense is a humanistic discipline. Not that philosophy or sociology are irrelevant; but in order to become history, they must be infused with living individual content."

History of Ideas

Sir Ronald is not the only Oxford professor whose work is now being collected and published for posterity. Sir Isaiah Berlin's name is known to most readers, usually in connection with his essay "The Hedgehog and the Fox," but few have actually *read* that essay, or anything else he has written. Now Henry Hardy and the Viking Press

are trying to do something about that by gathering Sir Isaiah's essays from their widely scattered and inaccessible original appearances. *Against the Current* is the third of four volumes in this magnificent publishing venture, the first two being *Russian Thinkers* and *Concepts and Categories*. The last volume, *Memoirs and Tributes*, will be published next year.

Berlin is a philosopher and historian of ideas, and this volume brings us to the center of his contribution. In "The Hedgehog and the Fox," Berlin takes as his inspiration an ancient Greek saying, "The fox knows many things but the hedgehog knows one big thing," and uses it to illustrate a basic distinction between two kinds of philosophers and political thinkers. The "hedgehogs" have one all-encompassing vision of human history and human nature; the "foxes" reject the possibility that this complex and often self-contradictory world can be explained in terms of one theory or point of view.

In *Against the Current*, Berlin focuses on such thinkers as Vico, Machiavelli, Herder, Montesquieu, Moses Hess, and Sorel and their challenges to these unitary visions; Berlin's writings are characteristically erudite, civilized, and graceful, and though the general reader may at first find them rough going, they are well worth the effort. The introduction by Roger Hausheer is a valuable overview of Berlin's thought and contributions to the history of ideas, as well as a ringing defense of the validity of the history of ideas as an enlightening approach to the problems we all face. *Against the Current* is an essential book.

Humanism and Law

Francis A. Allen's *Law, Intellect, (Continued on Page 9)*

Welcome to New York, John Harvard. Have You Considered Joining The Harvard Club Of New York City?



On Friday, April 25, members of the Admissions and Membership Committees of The Harvard Club of New York City will be in Cambridge at the McCulloch Hall lounge at the Business School and at the Hasty Pudding Club at 12 Holyoke Street between 11:00 A.M. and 5:30 P.M. to make it easy and convenient for Faculty, University Officers and graduates to become a member of the Club.

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

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

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

If you cannot be in Cambridge on this date but are interested in Club membership, please call or write Ms. Thelma Leventhal, Secretary to the Admissions Committee, Harvard Club of New York City, 27 West 44th Street, New York, NY 10036 (212 840-6600) and request information for the regular membership procedure, rates and brochures.

DATE: Friday, April 25, 1980

PLACES: McCulloch Hall Lounge
Business School
and Hasty Pudding Club
12 Holyoke Steet

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

Harvard Club of New York City

27 West 44th Street, New York, New York 10036 (212) 840-6600

The History of Fenno: The First Decade

—Dave Quinto

Although Fenno¹ has been making mirth and merry in the pages of the RECORD for 19 years, little is known of him.² Curious to find out why anyone would choose to become an HLS student *ad infinitum* and *ad nauseum*, the RECORD has investigated Fenno's record.³ Here with a report on that tumultuous decade, Fenno's first ten years.

Shocking as it seems, many students believe that Fenno is not a real person, and possibly not even an HLS administrator;⁴ however, evidence of his existence is incontrovertible.⁵ It has even been said that if he did not exist, he would have to be invented.⁶

Fenno is apparently descended from a family long prominent in New England.⁷ Ancestor John Fenno of Boston, interested in "disseminating favorable sentiments of the federal Constitution and the Administration,"⁸ founded the highly conservative *Gazette of the United States* in New York in April, 1789 (although publication began in Philadelphia in April, 1790).

John Fenno was somewhat more successful as a publisher than Fenno has proved as a student. In 1793, Alexander Hamilton rescued the *Gazette* from bankruptcy by raising \$2,000 to dispose of pressing creditors. In 1798, John Fenno died during the Philadelphia yellow fever epidemic "with all his

blooming virtues thick upon him,"⁹ leaving his son John Ward Fenno to carry the *Gazette* on until 1800.¹⁰

Highly Conservative

Fenno's family background weighed heavily upon him during his first year at HLS. What other 1L would concern him or herself with the UN role in Katanga, Zaire? With the fifth anniversary of the Hungarian revolt and East European self-determination? With the chaotic state of the Selective Service? With welfare cheaters and the U.S.'s neutrality in the face of Indonesian aggression in Goa?¹¹

Fenno's probable family history was hinted at in his first column in 1961, in which he suggested that the Phillips Curve was invalid and linked high unemployment and high inflation to high labor costs. Clearly he is a descendant of the defendant in *Veazie Bank v. Fenno*, 75 U.S. 533, 8 Wall 533 (1869) who argued that Congress's imposition of a heavy tax upon paper money issued by state chartered banks was an unconstitutional attempt to destroy them.

Justin Heatter, '61, Fenno's first close friend at HLS, stated that Fenno felt the school "needed a conservative voice" to give the students "a different, more balanced

perspective." Fenno initially intended his column to serve as a "soapbox," Heatter added.¹²

It was not until late in his 1L year that Fenno became concerned with the type of distributive justice that only HLS can teach, lauding the FTC for moving to end Topps's monopoly of bubblegum cards. "In my days, people were far too serious," Heatter explained.¹³

By the fall of 1962, the newly liberated Fenno was busy sponsoring "Miss Langdell of 1963," World Tree climb, dodge that Cliffie, and pencil pushing contests. After searching for 62 *Fenno L. Rev.* 302 for his Ames brief, Fenno revealed how to avoid getting killed in the crush when classes exit.

Investigative Reporter

Those were the days when Casner was Kingsfield and the RECORD was sized to be fit unobtrusively into casebooks during class. "Everybody was serious but me [and Fenno]," recalled then *confidant*, Daniel Kucera, '64. "In retrospect, it was as bad as [we] thought then," he added.¹⁴

Fenno also gained an interest in investigative reporting, an interest which was later to win him international notoriety.¹⁵ In one in-

(Continued on Next Page)

1. Fenno has used a variety of pseudonyms, including F. Frederic Fenno, 60 HARV. L. REC. no. 8 (1975); Fenni, 64 HARV. L. REC. no. 10 (1977); Fenna, 64 HARV. L. REC. no. 7 (1977); and Feeno, 42 HARV. L. REC. no. 7 (1966). It is believed that Fenno's full name is Fenno Fenno Fenno. See 41 HARV. L. REC. no. 10 (1965), but see 54 HARV. L. REC. no. 10 (1972) (Fenno's cousin to enroll at HLS suggesting that some of the name confusion may be traceable to his cousin or that Fenno himself may be his cousin).

2. See response to letter of Mr. Henry R. Lord of Baltimore, Maryland, 61 HARV. L. REC. no. 7 (1975).

3. In response to this question, Fenno once responded: "Harvard Law School is the greatest show on earth; the world's

greatest collection of ego and guilt outside Harvard Yard, in collective search of destiny and catharsis. The better question is, 'Why does anyone ever leave?' " 60 HARV. L. REC. no. 3 (1975). As neither this nor the Hark cuisine provides a satisfactory answer, other possible rationales must be explored.

4. *Hear*, e.g., comments made by drunken RECORD staffers on Tuesday nights.

5. "Fenno was here," toilet stall, Stone Hall, Wellesley College (1975).

6. "If Fenno didn't exist, you'd invent him," found in letters from various faculty members lampooned in Fenno's columns.

7. The New England Historic Genealogical Society has three books on Fennos and wanted to charge the author \$10 per look. The author was too cheap to

pay.

8. 1 C. KING, LIFE AND CORRESPONDENCE OF RUFUS KING 357 (1894), quoted in 6 DICTIONARY OF AMERICAN BIOGRAPHY 325 (1931). Fenno had favorable sentiments toward the federal administration, not the HLS administration.

9. *Russell's Gazette* (Sept. 24, 1798), quoted in 6 DICTIONARY OF AMERICAN BIOGRAPHY 325 (1931).

10. 6 DICTIONARY OF AMERICAN BIOGRAPHY 325.

11. 33 HARV. L. REC. nos. 2, 5 (1961), 34 HARV. L. REC. nos. 1, 2 (1962).

12. Hurried phone conversation with the RECORD, October, 1979.

13. Hurried, serious phone conversation with the RECORD, October, 1979.

14. Confession, February, 1980.

15. See text at n.33, *infrared*.



Photo by David N. Johnson

The birthplace of Fenno?

(Continued from Previous Page)

credible week, he reported on a third-year student who had 150 interviews before being forced to accept a job as then- (as always) Placement Director Eleanor Appel's assistant, the 140 students who set a record by backbenching in one class, the 715th Hark patron to drop his tray, the Peace Corps' finding of "primitive" conditions in Langdell, and the reporter which was returned to its Langdell shelf.

By spring of 1963, Fenno was in full rebellion against the cloistered quality of HLS life and the regimentation of HLS thought. He wrote about the quick brown fox that negligently ran over the lazy plaintiff and the Contracts student, now immortalized in bronze, who, after being called on, ran outside, took off his clothes, and hurled a discus into Austin Hall. Only Holmes, J.'s authority in *Schenck v. United States* prevented Fenno from pulling the fire alarm in Langdell.

Fenno came by his impish roguish traits honestly. Convicted of the theft of government property from the United States Naval Base at New London, Fenno's father, Captain Frank W. Fenno, Jr., was later recalled to active duty in order to be tried by a general court-martial on charges, arising from

the same incidents, of bribery and conduct prejudicial to good order and discipline of the Navy.¹⁶

Foreshadowing the legal luck that would accompany Fenno to Law School, the court found that Fenno had not been doubly jeopardized as different facts were necessary to prove the various charges.¹⁷ Although the Navy did not request jurisdiction over Fenno from the district court in whose custody he found himself, the court later acquiesced, finding that the Navy's action "more likely sprang from oversight than from an attempt to defy the authority of this court."¹⁸

In affirming the district court, the Second Circuit stated that it is "sufficient to say that, whether or not custody is rightly obtained, it gives the second court jurisdiction of the person."¹⁹ The court also found that Fenno could lawfully be called-up to active duty in 1947 in order to be court-martialed because the U.S. was at "war" or was suffering a "national emergency" at that time.²⁰ The Supreme Court granted Fenno's petition for *certiorari*,²¹ but, oddly, the writ was dismissed per stipulation of counsel.²² Such tenacity in the face of *Fed. R. Civ. P.* is the stuff of which 19Ls are made.

To Be Continued

16. *United States ex rel. Pasela v. Fenno*, 76 F. Supp. 203 (D. Conn. 1947), 167 F.2d 593 (2d Cir. 1948).

17. 76 F. Supp. at 208.

18. *Id.* at 209.

19. *United States ex rel. Pasela v. Fenno* has been cited as controlling in similar

comity questions posed in *Krupnick v. United States*, 286 F.2d 45, 46 (8th Cir. 1961) and *Moore v. U.S.*, 179 F.2d 240 (6th Cir. 1949).

20. 167 F.2d at 594-5.

21. 334 U.S. 857 (1948).

22. 335 U.S. 806 (1948).

BOOK REVIEW

(Continued from Page 6)

and *Education* cites Berlin's writings several times, but this is not the only link between them. In this all-too-brief collection of essays, Prof. Allen, a former dean of the University of Michigan Law School, addresses many issues in the law and in legal education which traditionally trouble law students, law professors, and lawyers. In his consideration of such issues as criminal law, clinical education's place in the legal curriculum, and "winning and losing," Allen transcends the boundaries of his subjects to say something to all of us who have, from time to time, wondered whether learning the law is really something worth doing. Allen is literate and often witty; time and time again he takes a subject which in the hands of a lesser writer would be guaranteed to put us to sleep and makes us sit up and take notice. One paragraph will suffice to illustrate Allen's concerns and themes:

"No one could deny that grave sins have been committed in the name of reason. One needs to be rational about his rationality. This surely requires a sensitive recognition that man does not live by reason alone, and that other aspects of human experience and personality can be ignored only at peril. . . . (T)he indicated response is not the embracing of unreason, but the creation of new goals. . . ."

We need more people in the law schools like Francis Allen, and we need more books on legal subjects like *Law, Intellect, and Education*. I wish I had had a chance to read this book before I began law school, and I would recommend it to a beginning law student before any other. More than *The Paper Chase* or *One L*, more even than a work on legal subjects for the general reader such as *Simple Justice*, this book provides both a gentle, civilized warning of the pitfalls of legal study and a standard to which, in the words of George Washington, "the wise and honest can repair."



Your Attention, Please

It is undeniably unlikely that the educational experience of current HLS students will be significantly affected by the reform proposals now under consideration in the Michelman Committee. The lead time before enactment of their recommendations, aside from pilot programs that may spin off from their work, is simply too long to permit major curricular change within a three-year horizon.

But it is also undeniable that the student body will be a valuable source of ideas as the Committee's work takes on a final form. A fundamental question which the Committee will continue to address is how the present program of legal instruction influences the career choices of students. One basic resource from which the answer will be drawn is the aggregate experience of students following that program. Another basic resource is the pooled knowledge of recent alumni.

We find it alarming that student awareness of the Committee's work is minimal. We do not doubt that the Committee is sincerely interested in seeking out student input. But it is also clear that the Committee's own momentum will allow it to consider faculty preferences first unless other groups are actively enlisted in their efforts. Students must take it upon themselves to be willing to give their time to considering the perplexing issues raised in the Committee's work. The Committee must take conspicuous action to let students know that time thus spent will not be time wasted.

There's A Place For Us

We've looked at the plans and heard some discussion on the proposed renovation of the Hark, and we are impressed. It looks like the stark iceberg is going to be transformed into a place students can use and enjoy.

HLS has always had interesting people attending, but it has long suffered from disunity. People simply cannot get together in the Ames Courtroom. Perhaps many people don't enjoy being at HLS so much because the nicest place to socialize these days is the Root Room.

Now we might be getting a pub, a real student lounge, an area where student organizations are visible, a civil dining room, and a colorful, *bright* building. The new Hark looks good enough to allow people to hang around and get to enjoy each other.

Let's show the Hark Committee our enthusiasm.

HARVARD LAW RECORD

DAN HERSHMAN

Editor

EMILY BRESLER

Business Manager

STUART BERMAN,

BENNETT MURPHY

Managing Editors

EDITOR EMERITA: Jorie Roberts.

SENIOR EDITORS: Steve Friedland, David N. Johnson, David Quinto, Larry Vilardo.

ASSOCIATE EDITORS: Joshua Dratel, Pat Hanifin, Mary Tarduno, Laura Taylor.

BOOK REVIEW EDITOR: Richard B. Bernstein.

PHOTOGRAPHY EDITORS: David N. Johnson, Newton B. White

EDITORIAL STAFF: Ken Blohm, Barry Brooks, Fritz Byers, James Coster, Mike Egan, Fenno, Erika Fine, Ken Gormley, Tim Hanford, Tom Heywood, Benne Hutson, Pat Kelly, John Klusaritz, Barbara Kritchevsky, Jack Lange, Patti McClary, Gina Markey, Mark Nadel, Joan Ohlbaum, Rusty Russell, Chris Savage, Richard S. Weisman, Howard Zaharoff.

PHOTOGRAPHY STAFF: David Abbott, Ben Littauer, Marisa Manley, Chris Rinik, Monica Rodriguez, Laura Taylor.

BUSINESS STAFF: Eileen Brownell, Elizabeth McNary.

Fenno

"In a cave, you get humidity," grumbled Fenno. "In a tomb, you get dust. Only in this place can you get the two phenomena simultaneously." He aimed a vicious kick at a stack of Venezuelan administrative reports blocking his path and picked his way through the rotting volumes.

Suddenly Fenno stumbled over the motionless form of a 1L, still breathing and surrounded by musty treatises and tear-stained handkerchiefs. Fenno unstrapped the emergency oxygen tank he was carrying at his side and put the mask over the victim's face. The 1L stirred, coughed, and cried out weakly, "Save yourself, Fenno; don't bother about me."

"Now, now," Fenno replied kindly as he sat on a stack of Restatements. "I'll be all right; after all, I've been here for a long time. What's the trouble?"

The 1L blushed and looked down at his lap. "I'd rather not talk about it."

"Look, it can't be *that* bad," Fenno chided him. "You haven't flunked anything, and I'll bet you're finished with Ames, so that's not it, and of course you haven't killed anybody."

"It's worse," the 1L confided in a choked whisper. "You see, I love the law."

Fenno jumped to his feet, scattering Restatements and raising clouds of dust. He adjusted the lamp on his miner's helmet to see more clearly. "That *is* serious. The Student Counseling Service here is very good—"

"Oh, shut up!" the 1L said savagely. "I'm just as normal as anyone else. It's just that I like the law, along with movies, sex, booze, and TV game shows. But I'm typecast as a turkey, and people hiss and boo me whenever I open my mouth. Is loving the law anything to be ashamed of?" he asked bitterly.

Fenno pressed his fingers to his forehead, trying desperately to come up with something consoling and profound. "I'll put it this way," he said at last. "There's nothing wrong with liking or loving the law; just don't make a fetish of it. Go to movies and get drunk from time to time. But keep it in perspective."

"I guess you're right," the 1L sighed. "I'm sorry I yelled."

"It's okay; hang in there," Fenno said warmly as he turned to go. He added under his breath, "You'll learn soon enough."



The RECORD is looking for a few good people.
23 Everett Street

Letters to the Editor of the RECORD

Not Just a Hick Lawyer

To the Editor:

I heartily accept your invitation to "speak [my] mind to the students, alumni and faculty of the Law School." The thing I want to talk about is that which everybody who Doesn't Go To Harvard is supposedly so Envious About: the Harvard diploma. Truth be told, it's a consumer rip-off and an environmental disaster to boot.

Gentlepersons, the simple matter is that they are not fit for framing. First, they are in Latin. I imagine that that's dandy for the municipal bond lawyers, since they never see the public, and, among themselves, they probably get a lift from graceful classic cadences that put a shine and tone to their parasitic, feckless kind of law practice. But here in the heart of the heart of the country, my overalled clientele (which is, overall, my clientele) squint and shake their heads sadly. These are good folk, more sinned against than sinning. It is profoundly disillusioning for these scions of the Hills to face foreclosure on their long-held, thin-soiled acreage, and for their reduced circumstances to force them to hire as their Defender a four-eyed anal compulsive who was too dumb to go to an American law school. "Aw sumbitch, Lulu Belle," they say, "got dern bank's gonna get our land for sure. Legal Aid sent me to a green-card boy from Oh Susannah or Harvardiana or somewheres. But we'll fix that got-durn bank. We'll just sow salt all over the popitty."

The sheer disgracefulness of this is amplified by Harvard's self-conscious, oh-so-patronizing policy of leavening its classes with nimble-witted farmboys. We all recognize this as part and parcel of East Coast false-egalitarianism; however that is not my point. My argument is that the School can foresee that some of us hayseeds, the really cussed ones, will, perversely, graduate and go back. I know it "strains credulity," but some of us actually depart Byzantium-on-the-Charles. It follows, then, that increased salt-sowing in the Ozarks and the Appalachians is a foreseeable consequence of Harvard's twin conceits: Latin diplomas and the patronization of us unwashed. Has the Law School filed an Environmental Impact Statement?

Passing that by, the diplomas are really cheesy looking. My banker came back from vacation and showed me a certificate he got from Pan Am for crossing the international date line. It looked a lot more impressive than a Harvard diploma. It had this big ol' drawing of Neptune on it, a scrolly script, colored inks, a gold seal and a ribbon. Now I had to pay damn near \$10,000.00 in tuition for my diploma and it has all the pizzazz of a library card. I tell you, I nearly threw a hissy when I found out the banker got his free, included in the \$700.00 ticket price.

Of course everybody knows that hicks like loud, garish stuff. Don't you think that if Harvard is going to mainstream us that it might make a few concessions to our psychic needs? The brutal truth is that all of you fine so-called liberals up there with your Velveeta diplomas blithely pursue a coercive policy of cultural homogenization that would have gagged a Stalin. It surely would not put the Law School much out to send commencement packets to graduating seniors containing an entry called "Diploma Style (check one): Regular or West of New York." This would be tactful and discreet and would be a way of restoring some dignity to those of us who daily were reminded by sonorous professors and their nodding sycophants that *real* Harvard lawyers did not try personal injury suits.

There, I've had my say. I've done my part to get a meaningful dialogue started. So interface that, bozos.

Matthew T. Horan '76
Fayetteville, Arkansas

What This Interviewer Wants

To the Editor:

Your March 14 issue summarized comments by employers regarding the hiring process. Since interviewing is so all important to the hiring process, and since the mystery to the law student can never really be eliminated entirely, may I make a minor contribution to the enlightenment?

I remember well the trauma of the interviewing process as a student and have sat on the other side of the table, first on behalf of the national accounting firm I represented interviewing at HLS and more recently on behalf of my own law firm, now 19 and tax oriented.

Two generalizations in the article inspire my comment.

One was the generalization that interviewers "... are not impressed by a candidate who thinks he knows exactly what type of law he wants to practice, ..." Personally, I look for what, hopefully, genuinely reflects a sincere feeling by the interviewee and I recognize that many, as was the case with myself, do have (at least to some extent) a specified direction in which they wish to head. I suspect the law firm representatives may have been from more generally oriented business practices where they know that much of the law they practice is not involved with the law school experience and, thus, they prefer new associates who will respond to a push in whatever direction needs may develop.

The second was that "... employers generally pay no attention to resume form or (un)professional appearance." I am tempted to comment that perhaps this in part is why some large law firms have been re-

ported to hire people to come in to teach basic English grammar. We can all agree that one or a few half hour "life or death" conversations, a resume (the student's as well as the firms) and appearance (again on both sides) are a poor basis to make tentative life-long decisions. For what it is worth, I have found I haven't changed my impressions when I expand an interview to 3 or 4 hours as has occasionally been possible. No one has a better idea that I've heard. So, it's my opinion that *everything* counts. If I see a typo in a resume, or poor format, or sloppy appearance, I have to ask the question, "If he or she does this in a one-chance-only situation where an entire career opportunity is at stake, how will he or she write (proofread, dress, nit-pick their secretary's errors or bad form, etc.) when the only thing at stake is a single client's confidence in us or willingness to continue to be represented by us?"

I'd like to note a couple more observations that may be helpful to students.

One, don't forget it really is a two-way street. Sometimes I form the impression students are so anxious to get *our* favorable reaction, they forget to size us up; our resume, our appearance, our professionalism, our competence, our office, our attitude toward the student, each other, our clients and secretaries, our enthusiasm about our work, our ambitions, our goals, etc., etc. The questions asked always seem the same, are generally limited to routine facts, and rarely seem to try to dig out our attitudes.

Two, with very genuine respect for the attempts to draw out the routine facts in a written form so interviews can hopefully be more meaningful, we observe that the placement office sends out each spring a questionnaire, which is becoming increasingly specific. We used to prefer to respond to individual situations. However, knowing that our answers will be compared to others' and that the lack of specificity of our answers may make us look like we have restrictive policies, we have adopted policies, made them more uniform, of necessity eliminated some flexibility, and, of course, limited our own opportunities to respond to individual merit or desires as the case may be. In many

(Continued on Page 12)

Professional Dry Cleaning
and Shirt Laundry
at

Rite-Way
DRY CLEANERS, INC.

KI 7-8008
4 Hudson St., Cambridge
(off 1672 Mass. Ave.)

Letters to the Editor of the RECORD

(Continued from Page 11)

discussions with representatives of other law firms, we believe the reaction is similar throughout the country. This leads to the conclusion that the placement office questionnaire has begun to damage the interests of the very people it seeks to serve. We recommend a very careful re-evaluation of it for its next revision.

Ronald D. Bassey, '64
Southfield, Michigan

Our Winner Is . . .

To the Editor:

The Motion Picture Academy's Academy Awards are not the *only* film awards. After weeks of pondering, the Harvard Law School Elitist Cinema Society, arbiter of HLS cinematic taste since 1979, announces its first annual HLS-ECS Awards:

Best Film: *Breaking Away*

SPORTS QUIZ

Note: This week's Sports Quiz deals with famous female athletes who have married famous male athletes, or vice versa.

1. He is the starting quarterback for the Pittsburgh Steelers, while his wife was not only an Olympic figure skater but also starred for years with the Ice Capades. Who is this couple?
2. The current world and Olympics pairs figure skating champions, she chose her current husband/partner after her original partner (whom she also loved) left her for another woman. Who is this couple?
3. She was the first American gymnast ever to place in the top five at any Olympic competition, while her husband was a star running back for both the Minnesota Vikings and the Los Angeles Rams. Who is this couple?
4. This man, originally from Detroit, has starred on the Professional Bowlers Tour for a number of years, while his wife was named Woman Professional Bowler of the Year in both 1972 and 1974. Who is this couple?
5. She was the number one female tennis player in the world for most of the '70s, while her husband was a marginal player on the men's circuit. Who is this couple who recently married?

(Answers on Page 16)

Best Director: Robert Benton, *Kramer vs. Kramer*
Best Actor: Dustin Hoffman, *Kramer vs. Kramer*
Best Supporting Actor: Robert Duvall, *Apocalypse Now*
Best Actress: Sally Field, *Norma Rae*
Best Supporting Actress: Meryl Streep, *Kramer vs. Kramer*
Best Cinematography: *Manhattan*
Best Adapted Musical Score: *Manhattan*
Best Original Musical Score: *1941*

The HLS-ECS is Harvard Law School's oldest film organization.

Richard B. Bernstein, 3L
John Eickemeyer, 3L
Richard Hyde, '78
David N. Johnson, 3L
Michael Psareas, '79
Juergen O. Skoppek, '79
Kenneth Winer, 2L

Wrong Again

To the Editor:

The Harvard Law School *Bulletin* is not produced by Linda Beyer's office as erroneously reported in your last issue. The *Bulletin* is a separate publication. Ellen J. Miller was the editor until this January.

Ellen Bernstein
Editor
HLS Bulletin

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.

Harvard International Law Journal

Published in Fall, Spring, and Summer at:

Harvard Law School

Cambridge, Massachusetts 02138

Subscriptions

Domestic	\$11.50
Foreign	\$12.50
Single copies	\$ 5.00



Diverse articles on public and private international law written by scholars, practitioners and students. The Summer 1980 issue will include pieces on law of the sea, the U.S. practice in international agreements, the rights of aliens in the U.S., international arbitration, and international human rights in the U.S. courts.

Please enclose check with order

_____ Annual Subscription(s) to HILJ
_____ Copies, Summer, 1980 issue

Name _____
Address _____
City _____ State _____ Zip _____

MAIL TO: Harvard International Law Journal
Austin Hall
Cambridge, MA 02138



cap and gown rentals

Rental Fees	Traditional		Alternate	
	cap & gown	hood	cap & gown	hood
Bachelor's	10.00	10.00	10.50	10.50
Master's	11.00	11.00	11.50	11.50
Doctor's	12.00	12.00	12.50	12.50
	Cap 4.00		Cap 4.00	

Please specify height, weight, chest measurement,
cap size and degree when placing order

**Rental fee plus \$5 cash deposit is
required when placing your order.
Deposit will be refunded when
regalia is returned.**

Deadline for returns is June 10

**Orders must be placed by MAY 3
for traditional Harvard gowns
Deadline for orders placed with
alternate company APRIL 26**

Rentals will be ready May 29
MEN'S SUIT DEPT — THIRD FLOOR

One Year Later: Committee Still Trying

(Continued from Page 4)

Committee to the Michelman group, expressed a similar view: "An incremental approach to reform is okay, as long as it is guided by a comprehensive idea of what should happen in legal education. I'm wondering how much of the long-term view will be there." The Student Advisory Committee, formed in the fall, serves as a "clearinghouse" for student input to the Committee and monitors its progress. SAC has also submitted its own proposal on student evaluations.

Prof. Vorenberg is one Committee member who expresses a clear belief that "it is a mistake to think of this time as *the year*" for reform in legal education. "If there is major work to be done in this School on legal education," he suggested, "a process of renewal will evolve over a period of time and will involve five to ten years of serious, introspective work."

BUTTNOSE

BY KELLY AND LEVINE

Chairman Michelman described an effort to consider the curriculum as a whole — "program-wide and faculty-wide" — as "daunting". "The curricular issues are baffling or impossible to deal with totally," he said. A better tack to follow, according to Michelman, is to offer "exploratory undertakings" for provisional approval by the faculty, after which "a smaller group would do the work, inquiry and investigation" leading to "a program suitably related to the outside world."

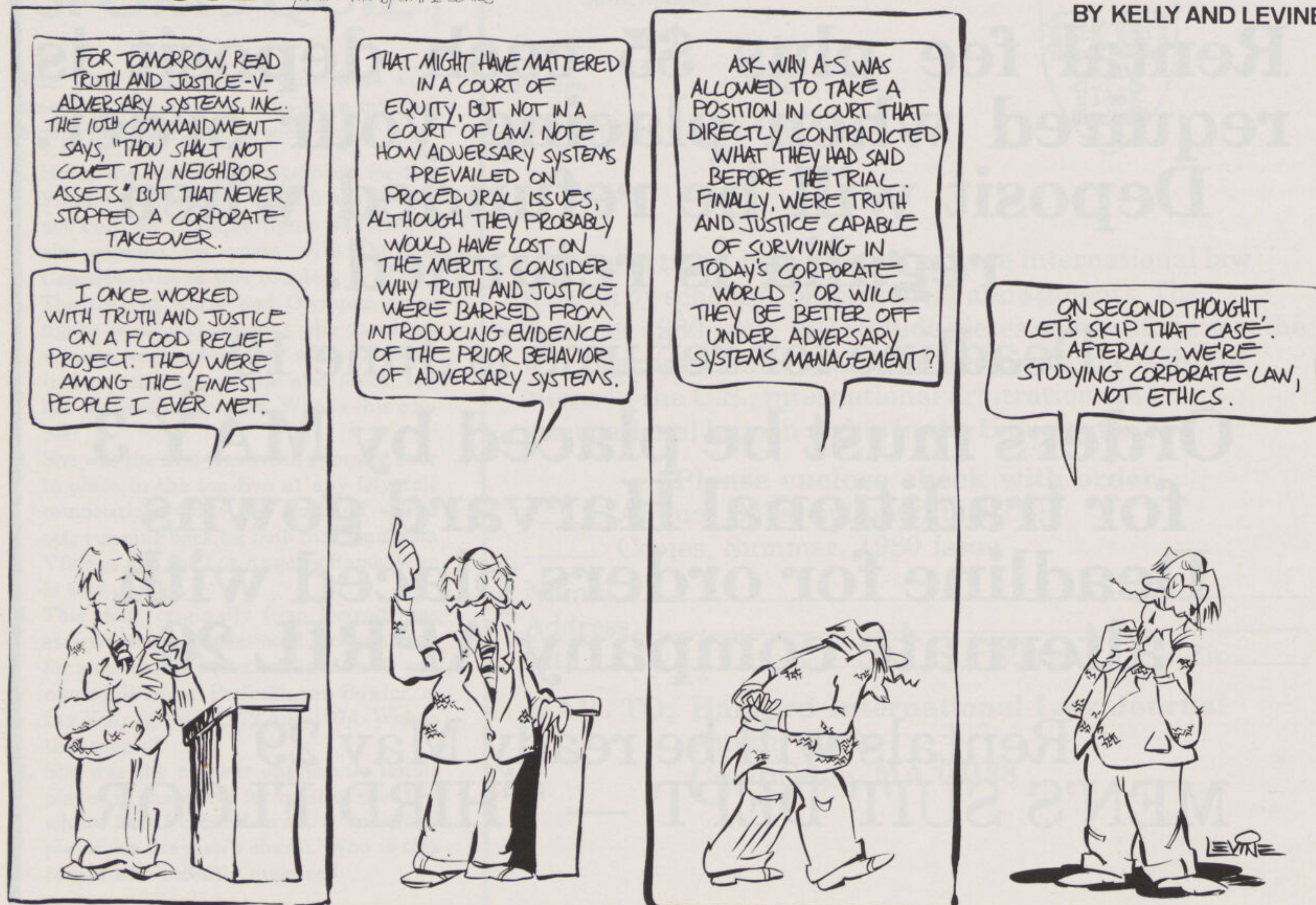
Hard Choices to Come

One student member of the Michelman Committee expressed concern that relying on experimental ventures may permit the Committee to avoid considering comprehensive reform measures. "The faculty will always allow an interested group to work together on an experimental program," the student said, "but the real question — which no one seems to be asking — is how to get

comprehensive reform."

Chairman Michelman anticipates that an effort to "pull together" the mid-term results of the Committee's work will begin after classes end this spring. He added that if there is sufficient coherence to the report that is produced and if there is sufficient student interest, a discussion meeting with students will be scheduled in the fall "when the time is right." Silverstein maintains that "the first couple of months of next year will be critical" in the effort to expand student input into the Committee's work. He also believes that student organization leaders should become involved in this effort and that a campaign to enhance student awareness of the Committee's work should get underway. "Once they begin writing their report, it may be too late," he warned, "and there may not be another opportunity for students to play a major role in shaping legal education for a long, long time."

BY KELLY AND LEVINE



HLS Rep Jay Ahstrom Views Coop

(Continued from Page 3)

Ahstrom feels that his greatest contribution to the Board discussion has been in its consideration of the "cap and gown issue," since it "involved some legal issues, like secondary boycott law, that I remembered from Weisart's Labor Law class last spring." Ahstrom's position on the issue is one of "neutrality."

He elaborates that in the cap and gown situation, the International Ladies' Garment Workers' Union, now organizing workers in Albany, New York, has alleged unfair labor practices against Cotrell and Leonard, the traditional supplier. The NLRB will act as factfinder on the issue in a hearing next month. However, the Coop, realizing that many students are supportive of

the union's attempts to organize workers, has provided students with the option of renting an alternative cap and gown from McMillan Ward, a supplier chosen from a list provided by the union.

Ahstrom hopes that "this issue is resolved soon so that one way or another, businesses dealing with Cotrell and Leonard will know where it stands."

Ahstrom, a biochemistry major at Princeton, will return to his native Chicago this summer to practice law with the firm of Kirkland and Ellis. However, he plans to supplement his new-found business acumen with night courses at the University of Chicago Business School.

More Bizarre HLS Lore

(Continued from Page 16)

How much does it cost to put on the Law School show?

Patrice Davis, 3L, producer of this year's show, estimates the cost at about \$4,000. Director Tom Hamerlinck, 2L, says costs in terms of human suffering and social life are inestimable.

How many students use the Law School Health Service per day?

Dr. Preston Munter, psychiatrist and Director of the Law School Health Service says 45 to 65 students use the Law School service per day. About six to 12 students take make-up exams due to illness each semester.

How expensive is it to go crazy at HLS?

Those who must be neurotic on a budget can relax and have a breakdown. Law students are entitled to an unlimited number of free visits to the HLS psychiatrist.

What is the law student body's most common demand for change in the Hark?

The most common demand is for a post office in the Hark, and the next most common request is for a pub, according to a poll of 32 percent of HLS students.

How much of each dollar spent at the Hark cafeteria pays for the food?

Of each dollar spent, 42¢ buys food. The rest of each dollar, plus a three percent debt, is spent on labor.

How many people dine at the Hark each day?

Breakfast 190-200

Lunch 600-700

Dinner 250-300

Hark patrons consume 50 to 70 heads of lettuce and 500 to 650 hamburger patties per day.

What is the biggest seller in the Law Coop?

Junk food. According to Law Coop Manager, David LeBlanc, the store does \$150 worth of junk food business and sells 200 cans of soda each day.

How many people buy HLS rings in a year?

Seventy-five rings were ordered last year. So far this year, 30 rings have been ordered.

Why doesn't the Law School Coop sell Harvard Law School decals?

Parents who are tired of splicing Harvard University and Suffolk Law School stickers can gripe to Charlies MacDonald, Supplies Buyer for the Harvard Coop, who explains that decals are produced and sold in 500 unit lots. He does not foresee such a large demand for the decals. He points out, "You know those HLS glasses on the shelf (in the Law Coop)? Those glasses are three and one half years old; I didn't have to buy 500 of them."

Where can I find out more information about little known legends of HLS?

Especially helpful in compiling the above information were Bob Berring and Melinda Golub of the library staff, Betty Allebach of Legal Aid, and Bernice Loss, Art Director. Thanks also go to Bob Schechter, 3L.

Anyone with trivia to contribute, or questions they'd like answered, leave a note in Joan Ohlbaum's 2L mailbox.

Israeli Envoy

(Continued from Page 2)

presence there, then the best way is through the establishment of kindergartens."

Blum repeatedly evidenced a lack of confidence in the world body to which he serves as envoy. "Israel was created despite U.N. indifference," he said. "If we had to depend on the United Nations in 1948, I can assure you that I would not be standing before you tonight as Israel's Ambassador to the U.N." At another point, he observed that the U.N. "lacks the political will" to expel the P.L.O. from U.N. occupied areas in southern Lebanon, in part because of the overwhelming support for the P.L.O. among U.N. member-states.

"Self-determination is a slogan which has been abused many times," Blum told his audience. He drew a lesson from his native Czechoslovakia, which "was destroyed in 1938 in the name of self-determination. Chamberlain went home from Munich and said he had brought back 'peace with honor.' He did not bring home peace, because war started just a year later. And as to the honor — I leave that to your judgment."

More Little-Known but Lovable Law Lore

Joan Ohlbaum

Which professor has the best connections?

That depends on what you want to be connected to — the legal world or Cheryl Tiegs. Lewis Sargentich went to high school with the latter.

Revolution at the Law Review?

Gannett House has not always shown its rear to Mass Ave. It has perched strangely thus since Harvard University turned the building around when Hemenway Gym was built. The project turned Gannett towards Mallinckrodt Chemistry Lab, at the end of a planned mall between the two. Other plans and several buildings have since intervened.

How much does the Harvard Law Review spend to hold its annual presidential election?

Walter Harrison, Business Manager of the *Review* says, "a fortune." This year's affair ran up a bill higher than the printing cost for an issue of the *Review*, though Harrison declined to give an exact figure. The day-long elections boasted a catered lunch from Formaggio's, a dinner from Changsho, and a late snack from a doughnut

shop.

What states are not represented in the HLS student body?

There are no 3Ls from Alaska, Nevada or North Dakota, no 2Ls from Arkansas, Idaho, Nevada or Wyoming, and no 1Ls from Alaska, Idaho, Nevada or North Dakota. Any student who hails from one of these states should contact the registrar's office immediately.

Does the admissions office take bribes?

Assistant Dean and Director of Admissions Molly Geraghty says that in her two years here she has not seen anything that looked even remotely like a bribe. She intimates that \$110,000 might do the job. Geraghty laments, "I received a bribe when I was at Northeastern (Law School), but it wasn't nearly enough."

How many preppies go to HLS?

Keep counting tweed jackets to find out, because the admissions office does not keep that statistic. In fact, high school education is not even recorded on most transcripts the office receives.

Is Justice blind?

She has to squint a lot if she studies in Langdell reading room: She may blame Abe Feder, a Broadway stage lighter who designed the lights, for Langdell's dimness. Feder blames the Law School's maintenance of the system, claiming he designed the lights for maximum illumination with minimum glare off the desks.

Has anyone been locked in the Langdell stacks over night?

Melinda Golub knows of no lock-ins during her 2½ year stint with the library public relations office. She says, however, students have been locked in Widener, where phones have been installed so lock-ins can call the police.

How many people stay at Langdell Library until closing?

Thirty people left Langdell reading room between 11:45 and midnight last Thursday. On Friday, 15 people left during that time. During exam period on Thursday December 13, 11 students left at 12:30, while on Saturday December 15, 100 students left at midnight. Apparently, that last half hour separates the wo/men from the boys/girls.

Why can't I find any courses I want to take here?

Don't complain. One hundred years ago there were only 17 courses taught at the Law School. Six professors taught them.

Who designs the exhibits in Langdell Library?

Melinda Golub, of Langdell's public affairs office, explains that a committee of library staff brainstorms and uses student suggestions to create the exhibits. In addition, The Harvard Law School Curator of Manuscripts prepares one major exhibit every two or three years.

Who's to be thanked for the free coffee and tea in Austin and Pound?

Thank yourself, or whoever pays your tuition. Rumors circulate that a rich alum provides the coffee, but Asst. Dean Russell Simpson says the HLS Dean decided to budget Law School funds for the coffee about four years ago, on the recommendation of a student and faculty study group. The group aimed to provide a gathering place for students.

(Continued on Page 15)

Sports Answers

1. Terry Bradshaw and his wife, the former Jo Jo Starbuck.
2. Aleksandr Zaitsev and Irina Rodnina.
3. Tommy Mason and his wife, the former Cathy Rigby.
4. Dave and Judy Soutar.
5. John Lloyd and his wife, Chris Evert Lloyd.

SECOND CLASS POSTAGE
PAID AT BOSTON, MA

RETURN ADDRESS:

HARVARD LAW RECORD
HARVARD LAW SCHOOL
CAMBRIDGE, MA 02138